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# The Code of Conduct

The Office of Community Standards and Student Conduct

OFFICE OF COMMUNITY STANDARDS

RESIDENCE LIFE HANDBOOK

TITLE IX POLICIES

OTHER UNIVERSITY POLICIES

IN THIS SECTION



## Overview

### Introduction

The Code of Conduct outlines the policies and procedures that guide behavior and promote a safe, respectful, and inclusive learning environment at Worcester State University. It reflects the University's commitment to intellectual and social development, safety, and the well-being of the campus community.

Worcester State students participate in a community grounded in mutual rights and responsibilities. These include rights to privacy, fair use of facilities, student government, and a free student press—protected without discrimination based on race, gender, sexual orientation, religion, disability, or other personal characteristics. Exercising these rights must not interfere with the rights of others.

Students are expected to conduct themselves with integrity, respect, and care, and to cooperate with University officials. The conduct process ensures fair treatment for all parties when community standards are violated.

### Jurisdiction of Worcester State University

Worcester State University *shall* have jurisdiction over conduct that adversely affects the Worcester State University community and/or the pursuit of its objectives, wherever the conduct occurs.

If the conduct occurs off-campus, Worcester State University shall have jurisdiction when any one or more of the following apply:

1. The offense occurred at a Worcester State University sponsored or sanctioned event.
2. The charged student is a member of the Worcester State University community. The Vice President of Student Affairs and/or Conduct Administrator or designee shall determine a person's status when in question.
3. The offense has a detrimental effect on the reputation of Worcester State University.
4. The impacted party of such offense is a member of the Worcester State University community.

### Overlap of University Conduct and Legal Proceedings

Worcester State University may initiate conduct proceedings when a student's conduct violates both the law and the Code of Conduct, even if legal proceedings are pending or ongoing. University conduct processes may occur before, during, or after any related civil or criminal cases.

## Conduct Policies

Conduct policies are rules that outline expected behavior of the Worcester State University community. Any student found to be involved in an incident of misconduct is subject to a conduct process. Please note that this policy list is not exhaustive.

### General Conduct

1. Conduct unbecoming of a member of the Worcester State University Community, including but not limited to:
  - a. Conduct that is indecent

- b. Conduct that is disorderly or disruptive in nature
  - c. Conduct that has a detrimental effect on the reputation of the Worcester State University Community
2. Assisting or encouraging another person to violate any conduct policy
3. Inappropriate or Disrespectful Communication: verbal, written, or digital interactions that are unprofessional or not appropriate for the setting.
4. Acts of dishonesty, including but not limited to the following:
- a. Cheating, plagiarism, or other forms of academic dishonesty. (See Academic Honesty policy)
  - b. Misrepresentation of information.
  - c. Forgery, alteration or misuse of any document, record, one card, keys or instrument of identification.
  - d. Tampering with the process of any recognized Worcester State University student organization including but not limited to elections, time sheets, budgets, etc.
5. Unauthorized Recording and Privacy
- a. Picture or video recording of another party without their permission is prohibited
  - b. Audio recording of another party without their permission is prohibited
  - c. Distribution of a picture, video, or audio recording of another party without their permission is prohibited
6. Failure to Comply: includes, but is not limited to,
- a. Refusing to follow the directions of recognized Worcester State University officials or law enforcement officers acting in the course of their duties.
  - b. Failing to identify oneself when requested.
  - c. Failure to comply with state, local and university directives
  - d. Failing to comply with conduct sanctions
7. Interference with the Conduct Process includes, but is not limited to:
- a. Falsifying, distorting, or misrepresenting information in a conduct proceeding
  - b. Disrupting or interfering with the orderly conduct of a hearing
  - c. Knowingly filing a false report or initiating a conduct case without cause
  - d. Attempting to discourage someone's participation in the conduct process
  - e. Trying to influence the impartiality of a Conduct Body before or during a proceeding
  - f. Harassing or intimidating a Conduct Body, or witness before, during, or after a hearing
  - g. Failing to comply with conduct sanctions
  - h. Encouraging others to interfere with the conduct process
8. Motor Vehicle Violations
- a. Operating a motor vehicle in an unsafe or unreasonable manner
  - b. Failure to comply with posted speed limits and traffic laws and University policies
  - c. Failure to comply traffic signs, signals, or roadway/parking lot markings

## 9. Identification and Access

- a. Unauthorized possession and/or duplication of keys
- b. Unauthorized entry or use of University property
- c. Misuse of identification
  - Possessing another person's identification
  - Possessing false identification
  - Providing identification to another person that does not belong to them

## 10. Violation of federal, state, local laws

## Health and Safety

1. Conduct that threatens or endangers the health or safety of any person including but not limited to:

- a. Physical harm: physical fighting and/or any attempted unauthorized physical contact of any nature including but not limited to pushing, shoving, wrestling, punching, hitting, or throwing an object.
- b. Offensive language: harsh, insulting, or degrading language directed at a person or group.
- c. Threats/threatening behavior: Any verbal, written, physical, or implied expression that conveys an intent to cause harm, injury, or danger to another person or group. This includes behavior that causes fear or reasonable concern for one's safety or the safety of others.
- d. Intimidation: inducing fear or a sense of inferiority into another.
- e. Harassment: to create an unpleasant or hostile environment by uninvited and unwelcome verbal, written, physical, visual or digital conduct.
- f. Stalking: A pattern of repeated, unwanted attention, contact, or conduct directed at a specific person that would cause a reasonable person to feel fear, emotional distress, or concern for their safety or the safety of others.
- g. Coercion: The use of pressure, threats, manipulation, or intimidation to compel someone to act against their personal interest.
- h. Retaliation: intentional (direct or indirect) act taken against an individual or group because they were perceived to have reported a concern, participated in an investigation, or exercised their rights under a policy.
- i. Hate Crime: a criminal offense motivated by bias, where there is evidence that the victim was intentionally targeted due to their actual or perceived membership in a protected class.

2. Bullying/Cyberbullying: Severe or repeated use by one or more students of a written, verbal, digital expression, physical act, gesture, or any combination thereof, directed at another person(s) that has the effect of:

- a. Causing physical or emotional harm
- b. Causing damage to property
- c. Creating reasonable fear of harm to themselves or of damage to their property
- d. Creating a hostile environment for others
- e. Infringing on the rights of others
- f. Substantially disrupting the education process or the University operations

### 3. Drugs

- a. Consumption, possession, of narcotic or controlled substances, or evidence thereof is prohibited, regardless of legal status, except as specifically authorized through a valid prescription for personal use.
- b. Distribution, sale, sharing of narcotics or other controlled substances, or evidence thereof is prohibited.
- c. Possession of any item considered paraphernalia for the purpose of administering or consuming illegal or unauthorized substances is prohibited.
- d. Being in the presence of illegal drugs, drug paraphernalia

### 4. Alcohol

- a. Consumption or possession of alcoholic beverages, or evidence thereof is prohibited, regardless of legal status.
- b. Distribution, sale, sharing of alcoholic beverages or evidence thereof, is prohibited.
- c. Being in the presence of alcohol, possession of empty containers and public intoxication are also prohibited.

### 5. Fire Safety

- a. Creating an environment that results in activating fire safety equipment or poses a risk to health and safety is prohibited.
- b. Unauthorized open-air fires are prohibited on Worcester State University property unless prior written approval is obtained from the Vice President of Student Affairs or designee. The only exception is for using the charcoal grills in Chandler Village for cooking purposes, which are permitted.
- c. Interfering with, or destruction of fire safety equipment including, but not limited to smoke detectors, fire extinguishers, and emergency exit signs is prohibited.

6. Falsely reporting an emergency, including bomb threats or activating a fire alarm without cause.

### 7. Weapons and Hazardous Materials

- a. The use, possession, or concealment of firearms (including replicas, toys, or lookalike weapons), pepper spray, blades of over two and one-half inches, other dangerous weapons, or any item used or intended to be used to cause harm or intimidation, is prohibited.
- b. The use or storage of fireworks, other explosives, or hazardous chemicals except under controlled circumstances in a supervised classroom or laboratory setting is prohibited.

8. Tampering with any mechanical, plumbing, or electrical infrastructure.

9. Damage or Vandalism to property.

## Disruption

1. Disrupting or obstructing teaching, research, administrative functions, disciplinary proceedings, or other Worcester State University approved activities is prohibited.

2. A behavior that significantly disrupts the normal operations of Worcester State University by infringing on the rights of members of the Worcester State University community (See the WSU statement on Community and Free Speech).
3. Illegal or unauthorized occupation of an office, building or University property.
4. Create an intimidating, hostile or demeaning educational environment.
5. Animals/Pets - Students who have not received approval from the Office of Student Accessibility Services (SAS) are not permitted to bring their service animals or assistance/emotional support animals onto campus. The presence of an unapproved animal is prohibited. Students with documented approval must follow all related policies and terms of their signed SAS agreement.
6. Attempted or actual theft of any property.

## University Policies

While the Code of Conduct outlines behavioral expectations and procedures for addressing violations, it does not include all University policies in full. Many policies, such as those related to academics, residence life, information technology, or specific safety protocols, are developed and managed by individual University divisions within their respective areas of authority. To ensure accuracy and relevance, these policies are maintained separately and referenced in the Code of Conduct. Students are expected to be familiar with and adhere to these University policies, which can be found at [www.worcester.edu/handbook](http://www.worcester.edu/handbook).

- a. Academic Honesty Policy
- b. Alcohol and Drug Policy
- c. Bomb Threat Policy
- d. Drone Policy
- e. Education and Prevention Programs Policy
- f. Equal Opportunity, Nondiscrimination, and Title IX Plan
- g. Excessive and Unreasonable Noise Policy
- h. Free Speech, Event and Demonstration Policy
- i. Gambling and Bookmaking Policy
- j. Guest Policy
- k. Hazing Policy
- l. Inclement Weather Policy
- m. Information Technology Policies
- n. Insurance for Property Policy
- o. Residence Hall Handbook
- p. Sales and Solicitation Policy
- q. Tailgating Policy
- r. Tobacco Free Campus Policy

# Conduct Process

## Definition of Roles

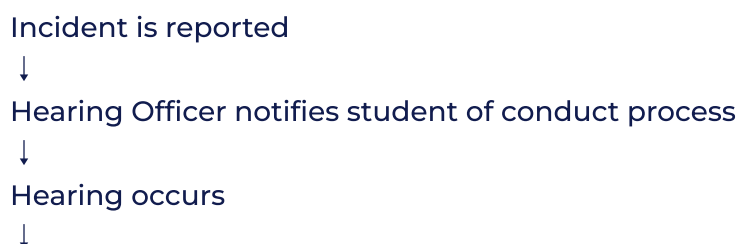
1. Conduct Administrator - The Worcester State University official who coordinates and oversees the implementation of the Code of Conduct and the Conduct process.
  
2. Conduct Body
  - a. Hearing Officer - Any person authorized to hear a student conduct case, determine whether a student has violated the Code of Conduct, and to determine sanctions.
  
  - b. Conduct Board - At least three persons authorized to determine whether a student has violated the Code of Conduct and to determine sanctions.
  
  - c. Appellate Board - At least three persons authorized to review an appeal of the findings and/or sanctions. The Associate Dean of Student Affairs or designee shall serve as chairperson of the Appellate Board.

## Conduct Authority

1. The Conduct Administrator oversees the assignment of cases to the appropriate Conduct Body and ensures that conduct policies are administered according to established procedures.
  
2. Decisions made by a Conduct Body and/or the Conduct Administrator shall be final, pending the appeal process.
  
3. A Conduct Body may be designated as mediator of conflicts within the student community in cases that do not involve a violation of the Code of Conduct. All parties must agree to mediation and to be subject to the decision with no right of appeal.

## Reporting and Hearing Process

The following flow chart illustrates the procedural steps of the conduct process:



Outcome is provided to student



Student has the right to appeal the outcome

1. Any member of the Worcester State University community may report any student for violation of the code of conduct. Reports shall be directed to the Conduct Administrator. Reports should be submitted as soon as possible after the incident takes place. The Conduct Administrator has the authority to extend this timeframe on a case-by-case basis.

2. The Conduct Administrator will determine if the report has merit and/or if it can be resolved by an Administrative Hearing, Conduct Board and if applicable, an Appellate Board.

3. All charges shall be delivered to the charged student via email to the student's Worcester State University email address. The hearing shall be scheduled not less than two (2) or more than fifteen (15) calendar days after the student has been notified. The Conduct Administrator reserves the right to alter the hearing timeline.

a. In the event a hearing must be conducted outside of the academic year or during breaks, the hearing will be scheduled at the Conduct Administrator discretion. Hearings are scheduled based on the students' academic schedule only

b. Prior to a Conduct Board, the Conduct Administrator may hold a pre-hearing meeting with the charged student to discuss the process and go over all rights and responsibilities.

c. Students registered with the Student Accessibility Services Office should present their accommodation documents to the Conduct Administrator at least 24 hours prior to their hearing if planning to use their accommodation during the hearing. Hearings shall be conducted by a Conduct Body according to the following guidelines:

- The University will provide a prompt, fair, and impartial investigation and resolution of all matters subject to hearing.
- All administrative hearings and conduct hearings will be conducted by officials, including students, who sit on the Conduct Board, who receive annual training.
- The chairperson of the Conduct Board or Appellate Board present at the hearing is responsible for making final decisions on all procedural questions.
- Hearings shall be conducted in private and are not open to the public
- In cases involving multiple charged students, the Conduct Administrator or the Hearing Officer may decide to hold separate hearings for each student. Charged students may also request to have their hearings conducted individually.
- All parties involved in the conduct process have the right to be accompanied by a support person of their choice. However, support persons may not speak or actively participate in the hearing process. If the student they are supporting does not attend the hearing, the support person will not be permitted to attend. Each student is responsible for presenting their own information during the hearing.
- All parties involved in the conduct process shall have the right to present witnesses,

subject to questioning by the Conduct Body.

viii. Admission of any person to the hearing shall be at the discretion of the Hearing Officer or the Chairperson of the Conduct Board/Appellate Board.

- Documentation, exhibits, questions to witnesses, and written statements may be accepted for consideration at the discretion of the Hearing Officer or Chairperson.
- After the hearing, the Conduct Body shall determine (by majority vote for board hearings that consist of more than one person) whether the student has violated each alleged code of conduct policy.
- The Conduct Body's determination shall be made based on the preponderance of the evidence; meaning whether it is more likely than not that the charged student violated the code of conduct.
- Worcester State University conduct proceedings do not follow formal criminal or civil court rules of process, procedure, or technical rules of evidence.
- All parties associated with the case may request to review the report(s) prior to the hearing. The timeframe to review the report(s) is at the discretion of the Conduct Administrator.
- Recordings of any kind are not permitted in the Office of Community Standards or during a hearing process, except with expressed permission from the Office of Community Standards. There may be a written summation or other type of record as determined by the Conduct Administrator or Conduct Body, of all hearings. This summation shall be the property of Worcester State University.
- Charged students have the right not to make statements that may incriminate themselves. However, any statements made during the hearing or any information submitted may be subject to subpoena.

A student cannot be found responsible for a conduct violation solely due to their failure to appear at a hearing. If a student does not attend, the hearing will proceed in their absence, and all relevant materials and information supporting the charges will be presented and considered.

In the absence of a Conduct Board or Appellate Board, hearings will be the responsibility of the Conduct Administrator or their designee for all students. Appeals during such time shall be heard by the Associate Dean of Student Affairs or designee.

## Sanctions

Worcester State University adheres to and upholds a philosophy of progressive discipline. The conduct process and the designation of sanctions contribute to the teaching of appropriate individual and group behavior and foster the ethical development and personal integrity of students.

In any case where a Conduct Body determines that a student has violated the Code of Conduct, appropriate sanctions will be determined and imposed. After a determination has been made, the student will be notified in writing of the decision and any sanctions assigned.

The following sanctions, included, but not limited to, may be imposed, deferred, or held in

abeyance:

1. Warning

2. Loss of Privileges

3. Fines

a. Fines must be exclusively paid by cash, check or money orders. No debit or credit cards.

b. All cash payments must be received in paper currency format. Coinage will not be accepted.

4. Restitution

a. Restitution must be exclusively paid by cash, check or money orders. No debit or credit cards.

b. All cash payments must be received in paper currency format. Coinage will not be accepted.

5. Discretionary Sanctions, including but not limited to:

a. Service Hours: work hours served with the WSU Facilities Office.

b. Educational Programs: programs designed to inform students about the designated topic related to the violated policy.

c. Written Assignments: essay about the designated topic related to the violated policy.

d. Bulletin Boards: passive presentation of material designed by the student to inform others about the designated topic related to the violated policy.

e. Apology Letters: a statement written by the student to the affected party to express an apology for the actions of the student related to the violated policy.

6. Probation

a. General Probation: a status assigned for a specified time period, during which time a student is expected to demonstrate improved behavior. Additional conditions and restrictions may be imposed. Any further misconduct during this probationary period may result in more serious disciplinary action.

b. **Disciplinary Probation:** a restrictive status assigned for a specified time period, during which a student is prohibited from the following:

- Representing Worcester State University in intercollegiate (NCAA) varsity athletics and/or club sports
- Holding an elected or appointed student office, including class committee, academic governance committees, and executive board positions
- Participating in the housing selection process for the following academic year until it has been completed by all other eligible students.

c. **Residence Hall Probation:** a status assigned for a specified time period during which time a student is expected to demonstrate improved behavior in the Residence Halls. Any further misconduct during this probationary period may result in more serious disciplinary action, not limited to room relocation or removal from the residence halls.

- Students on Residence Hall probation are not allowed to remain on campus during break housing unless provided approval from the Vice President of Student Affairs or their designee.

## 7. Suspension

In cases where a student is suspended from University housing or Worcester State University due to disciplinary violations, no refunds will be issued for any University-related fees or tuition, including residential meal plans. Immediate interim suspension pending a hearing/investigation will occur whenever the charged student is deemed a safety risk or threat to the Worcester State University community.

a. **Interim Suspension:** an immediate separation from the University that is assigned, prior to the hearing. A hearing will be provided as soon as reasonably possible, based on the circumstances.

During an interim suspension, a student may be restricted from accessing residence halls, the campus (including attending classes), and all University program or activities, as determined by the Vice President for Student Affairs or their designee. Students placed on interim suspension are expected to remain off campus during this period. If necessary, the University can assist the student in identifying off-campus alternative housing arrangements; however, all expenses are the responsibility of the student.

b. **Residence Hall Suspension:** a temporary separation of the student from the residence halls for a defined period of time. While suspended from the residence halls, the student loses all guest and visitation privileges. After the completion of the assigned suspension period, the student shall remain on residence hall probation for the following Fall or Spring academic semester.

c. **University Suspension:** a temporary separation from the University for a defined period of time. Specific conditions for readmission may be outlined. During the suspension period, the student is not allowed on University property without the expressed written permission of the Vice President for Student Affairs or their designee. Any violation of University policy

or the terms of the suspension may result in additional disciplinary action. To return after the suspension period, the student must schedule a re-entry meeting with the Conduct Administrator or their designee before registering for classes. It is the student's responsibility to initiate this process, typically at least one (1) month before the start of the semester. After the completion of the assigned suspension period, the student shall remain on disciplinary probation for the following Fall or Spring academic semester.

8. Expulsion In cases where a student is expelled from University housing or Worcester State University due to disciplinary violations, no refunds will be issued for any University-related fees or tuition, including residential meal plans.

a. Residence Hall Expulsion: permanent separation of the student from the residence halls including permanent removal of all guest and visitation privileges.

b. University Expulsion: permanent separation of the student from Worcester State University. The student is not permitted on Worcester State University property without the expressed written permission of the Vice President of Student Affairs or designee.

9. No Contact Order: A no contact order prohibits a person from having contact—directly, indirectly, digitally, social networking, or through a third party. Questions regarding these restrictions can be directed to the Conduct Administrator. A no contact order may be used as a sanction or as an interim measure.

## 10. Additional Guidelines

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

b. More severe sanctions shall be imposed for repeated violations of the same policy.

c. For serious violations, Worcester State University may impose a severe sanction for the first offense.

d. The conduct history of a student will be considered when determining sanctions for additional violations of Worcester State University policy. Conduct history is established at the time of the first documented policy violation and remains in effect through graduation or permanent separation from Worcester State University.

e. Disciplinary sanctions shall become part of the student's conduct history.

f. A "disciplinary hold" may be placed on a student's academic record. Students with a disciplinary hold may not be permitted to register, request transcripts, receive a diploma, add or drop courses, register for Worcester State University housing, or participate in other Worcester State University activities.

## 11. Federal and State Notification Regulations

a. As recommended by the Massachusetts Board of Higher Education and permitted by the Family Educational Rights and Privacy Act (FERPA), Worcester State University may notify parents/guardians when students under the age of 21 have been found responsible for violating Worcester State University's Alcohol or Drug policies. In addition, removal from housing, suspension or expulsion from Worcester State University may notify parents/guardians.

b. In compliance with the The Jeanne Clery Campus Safety Act, Worcester State University may disclose the final outcome of a disciplinary proceeding to the victim when the case involves a crime of violence, as defined by federal law. This includes offenses such as assault, robbery, burglary, and similar acts that pose a substantial risk of harm to individuals. [20 U.S.C. § 1232g(b)(6)].

12. Failure to complete any Office of Community Standards sanction(s) or Educational and Prevention Programs may result in one, or more, of the following until the original sanction(s)/assignment has been completed:

- a. A judicial/Student Affairs hold being placed on a student's account
- b. Assignment of a probation status
- c. Assignment of a more severe sanction, if a student is already on a probation status

## Alcohol & Cannabis Sanction Chart

The following is a chart of MINIMUM sanctions for violations of the Alcohol and Cannabis (Marijuana/THC) Policies. More serious sanctions may be imposed based on the severity of the violation. All sanctions are determined on a case by case basis.

### Level 1

- Warning or General Probation for one semester (15 weeks)
- Complete an alcohol or drug reflection paper
- Parental/Guardian Notification for student under the age of 21

### Level 2

- General Probation for an additional one semester (15 weeks)

- Complete an online alcohol or drug education course
- Complete five (5) hours of service
- Residence Hall Probation for up to one academic year
- Parental/Guardian Notification for student under the age of 21

### Level 3

- Disciplinary Probation for one semester (15 weeks)
- BASICS one on one educational course
- Residence Hall suspension for up to one academic year or residence hall expulsion
- Parental/Guardian notification for student under the age of 21

### Level 4

- Suspension from Worcester State University for no less than (1) semester
- Disciplinary Probation for no fewer than 15 weeks and no more than 30 weeks upon return from suspension
- Parental/Guardian notification for student under the age of 21

\*If students are found in the presence of or in possession of EMPTY containers of alcohol, they may be given a written warning. Please note that subsequent violations for being in the presence of or possession of empty containers of alcohol (including decorative containers) will result in increased sanctions and levels.

## Controlled Substances Sanction Chart

The following is a chart of MINIMUM sanctions for violations of the Drug Policy for controlled substances. More severe sanctions may be imposed based on the drug class and the severity of the violation. Sanctions are determined on a case by case basis. Levels may be increased with the number of violations.

### Level 1

- General Probation for two semesters (30 weeks)
- BASICS one on one educational course
- Complete five (5) hours of service

- Residence Hall Probation for up to one academic year
- Parental/Guardian Notification for student under the age of 21

## Level 2

- Disciplinary Probation for one semester (15 weeks)
- Complete ten (10) hours of service
- Residence Hall suspension for one academic year
- Parental/Guardian Notification for student under the age of 21

## Level 3

- Disciplinary Probation for no fewer than 15 weeks and no more than 30 weeks (upon return from suspension if applicable)
- Residence Hall Expulsion and/or suspension from Worcester State University
- Parental/Guardian notification for student under the age of 21

## Level 4

- Suspension from Worcester State University for no less than one semester
- Parental/Guardian notification for student under the age of 21
- Disciplinary Probation for no fewer than 15 weeks and no more than 30 weeks (upon return from suspension if applicable)

## Fire Safety Violations Sanction Chart

The following is a chart of MINIMUM sanctions for violations of the Fire Safety Policies. More serious sanctions may be imposed based on the severity of the violation. All sanctions are determined on a case by case basis.

### Level 1

- General Probation for one semester (15 weeks)
- Complete a Fire Safety reflection paper
- \$50 Fine

## Level 2

- Disciplinary Probation for an additional one semester (15 weeks)
- Residence Hall Probation for up to one academic year
- Complete an in-person Fire Safety Educational Meeting
- \$100 Fine

## Level 3

- Deferred Suspension for one semester (15 weeks)
- Residence Hall Suspension for up to one academic year or Residence Hall Expulsion
- \$250 Fine

## Level 4

- Suspension from Worcester State University for no less than (1) semester
- Residence Hall Expulsion
- \$500 Fine

## Appeals

An appeal is a formal request by a student to have the outcome or sanction of a disciplinary decision reviewed. Students have five (5) business days from the date of their decision letter to appeal the decision of the conduct body. All appeals will be heard by the Appellate Board, which consists of three voting members.

1. An appeal is not a new hearing, but a review of the initial hearing and supporting documents. A request for an appeal must meet at least one of the criteria listed below, otherwise the Conduct Administrator may deny the request.

a. The student believes that the hearing was not conducted fairly or did not follow

established procedures.

b. The student believes the decision was not supported by the evidence, or that new, relevant information has emerged which could affect the outcome and was not available during the original hearing.

c. The student believes that the sanction imposed is disproportionate to the violation committed.

2. Students must complete the appeal form found on the Worcester State University Community Standards webpage.

3. If a student fails to appear at their original hearing, they may lose their right to appeal.

4. The appellate board reserves the right to adjust the sanctions which may include a more severe sanction than previously as signed.

5. Upon completion of the appellate hearing, the appellate board shall promptly notify the charged student of the outcome of the appeal. The appeal request(s) shall result in one of the following:

a. Appeal Granted: The charged student's request for appeal has been granted. As a result, one of the following actions will occur:

- The outcome and/or sanction will be modified and clearly stated

-or-

- The matter may be returned to the Conduct Administrator to re-open the hearing and reconsider the original decision and/or sanctions.

b. Appeal Denied: The student's request for appeal is reviewed by the appellate board and the findings and/or sanctions remain unchanged.

c. Appeal Dismissed: The student's request for appeal is reviewed by the appellate board and does not meet the listed criteria.

6. In the case of extraordinary circumstances, the Vice President of Student Affairs, or designee, may waive the deadline for filing an appeal. The decision to waive a deadline shall be final.

7. The decision of any appellate board is final.

8. Submitting an Appeal Request does not automatically delay sanctions. However, the form may include a request to stay or modify sanctions during the appeal. The VPSA or designee may grant such a request at their discretion, with any conditions they find appropriate. An Interim Suspension shall remain in force while an appeal is pending unless the Conduct Administrator directs otherwise.

## Reopening A Case

A case may be reopened after the final decision is made if both of the following conditions are met:

1. There is newly available evidence which could not reasonably have been discovered and available at the time of the original hearing.
2. The request to reopen is made within one calendar year following the date of the original final decision. The Conduct Administrator has the authority to extend this timeframe on a case-by-case basis.

## Policy Interpretation and Review

Questions regarding the interpretation of the Code of Conduct shall be referred to the Conduct Administrator or designee for final determination.

Worcester State University may establish new policies or revise existing ones through appropriate procedures. Any changes will be publicly communicated. The Code of Conduct, including alcohol and other drug policies, shall be reviewed at least every two years to assess effectiveness and consistency of sanction enforcement.

## Glossary

### Definitions

**Allege:** A claim that someone has done something.

**Affected Party:** an individual that is impacted by an action/incident.

**Appellate Board:** A minimum of three persons authorized by the Vice President of Student Affairs or designee to consider an appeal of a conduct body's determination of findings and/or sanctions. The Associate Dean of Student Affairs or designee shall serve as chairperson of the Appellate Board.

**Charged Student:** A student formally accused of violating a policy.

**Conduct Administrator:** The Worcester State University official who coordinates and oversees the implementation of the Code of Conduct and the conduct process.

**Conduct Board:** A minimum of three hearing officer's authorized by the Vice President of Student Affairs or designee to determine whether a student has violated the Code of Conduct and to determine sanctions.

**Conduct Body:** A Hearing Officer, Conduct Board, or Appellate Board.

**Deferred Sanction:** A sanction that is delayed and scheduled to be completed at a specific future date.

**Designee:** An individual appointed to carry out specific duties or responsibilities on behalf of another person or office.

**Discretion:** The authority to make decisions in a particular situation.

**Disorderly:** Contributing to a breakdown of peaceful and law-abiding behavior.

**Guest:** Any person a student invites or allows into their residence or anywhere on Worcester State University property.

**Hearing Officer:** Any person authorized by the Vice President of Student Affairs or designee to individually hear a student conduct case, determine whether a student has violated the Code of Conduct, and to determine sanctions.

**Held in Abeyance:** Suspending a sanction for a set period of time, rather than imposing it immediately. If the student is found responsible for any other policy violation during the prescribed time period, the original sanction may be imposed immediately in addition to any other sanctions assigned for the new violation.

**Incident:** An event that has been documented by a reporting party.

**Indecent:** Socially unacceptable, obscene, vulgar, lewd or sexually crude behavior.

**Imposed:** A formal notification of an assigned sanction.

**May:** Indicates permission or discretion and does not imply a requirement.

**Member of the Worcester State University Community:** Includes any person who is either a student or employed/contracted by Worcester State University.

**Organization:** A club, society, association, athletic team, club sports team, fraternity, sorority, or student government in which two or more of the members are students enrolled at Worcester State University, whether or not the organization is established or recognized by the institution.

**Policy:** A written regulation of Worcester State University as found in, but not limited to, the Code of Conduct, Residence Life Handbook, Student Handbook, and Graduate/Undergraduate Catalogs.

**Recognized Worcester State University Officials:** Faculty, staff and students who are employed by and acting on behalf of Worcester State University.

**Reporting Party:** An individual that provides information about an incident or violation to a campus authority.

**Sanction:** An outcome or task assigned as a result from a responsible finding.

**Shall:** The action is mandatory and must be carried out as stated.

**Student:** An individual who has paid an admissions deposit, registered for classes, or otherwise entered into an agreement with the University to take instruction.

**Support Person:** An individual chosen to accompany and support a participant during the conduct hearing process.

**Witness:** An individual that has knowledge of an event from personal observation or experience.

**Worcester State University Property:** Includes all land, buildings, facilities, and other property in the possession of, owned, used, rented/leased, or controlled by Worcester State University including adjacent streets and sidewalks.



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