



# OFFICE OF THE DEAN OF STUDENTS

## THE UNIVERSITY OF MICHIGAN-FLINT CODE OF STUDENT CONDUCT

### **I. Introduction**

The primary purpose of the Code of Student Conduct (the Code) is to assist the University of Michigan-Flint (“University” or “UM-Flint”) in providing an environment that supports the educational process and the well-being and safety of the campus community. Free inquiry and free expression are essential attributes of the University community. As members of the community, students are encouraged to develop the capacity for critical judgment and to engage in a substantial independent search for truth. The freedom to learn depends upon the opportunities and conditions in the classroom, the campus, and in the larger community. The responsibility to secure and respect general conditions conducive to the freedom to learn should be shared by all members of the academic community. When students choose to accept admission to the University, they accept the rights and responsibilities of membership in the University’s academic and social community.

As members of the University community, students are expected to uphold its values by maintaining a high standard of conduct. Such values include, but are not limited to, civility, dignity, diversity, education, equality, freedom, honesty, and safety. The Code is intended to define conduct expectations, to identify sanctions that may be imposed when misconduct occurs, and to ensure that students are treated with fundamental fairness and personal dignity. The Code is an articulation of the University’s commitment to recognize and support the rights of its students and to provide a guide for defining behaviors the University considers inappropriate. It is not, however, meant to be an exhaustive list of all rights supported by the University or of all actions that may be considered misconduct.

Within the University, academic units have developed policies that outline standards of conduct governing their constituents and that sometimes provide procedures for sanctioning violations of those standards. This Code of Student Conduct does not replace those standards; nor does it constrain the procedures or sanctions provided by those policies. This Code describes possible behaviors which are inconsistent with the values of the University community, it outlines procedures to respond to such behaviors, and it suggests possible sanctions which are intended to educate and to safeguard members of the University community. For more information on academic policies please review the academic catalog.

Nothing in the Code should be construed so as to limit the Chancellor’s authority to maintain health, diligence, and order among students under Regents’ Bylaw 2.03.

## II. Definitions

- A. The term “**University**” means University of Michigan-Flint.
- B. The term “**student**” means all persons who are enrolled have accepted admission to the University, registered for classes, or otherwise entered into any other contractual relationship with the University to take instruction. This includes, but is not limited to all individuals:
1. Taking classes in person or through distance learning whether on a part-time and full-time basis or
  2. Who are not enrolled for the current term but who have a continuing enrollment relationship with the University.
- Student status for the purposes of this code ceases when an individual graduates, is not enrolled for 12 consecutive months and/or their status becomes “inactive”, or an individual who is suspended, dismissed, or expelled for any reason.
- C. The term “**Code**” means the Code of Student Conduct
- D. The term “**University official**” includes any person employed by the University and any person serving the University in an official capacity.
- E. The term “**member of the University community**” includes any person who is a student, University official, regent, or any other person serving the University in an official capacity. The Vice Chancellor for Student Affairs shall determine a person’s status.
- F. The term “**University premises**” includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the University, whether in Flint, Michigan or elsewhere.
- G. The term “**organization**” means any student organization affiliated with UM-Flint.
- H. The terms “**shall**” and “**will**” are used in the imperative sense.
- I. The term “**may**” is used in the permissive sense.
- J. The term “**day**” means business days (Monday – Friday) when the University is open, regardless of whether classes are in session. In determining any deadlines as set forth in the Code, references to a number of “days” prior to or after occurrence of an event shall not include the day of the incident.
- K. The term “**Complainant**” means any person filing an Incident Report of alleged misconduct or otherwise bringing a complaint to the attention of a University official charged with receiving, investigating and remedying a complaint.
- L. The term “**Respondent**” means a student or organization against whom an Incident Report of alleged misconduct has been filed under this Code.
- M. The term “**health**” means physical or mental well-being.
- N. For the purposes of the Code of Student Conduct, the term “**residence hall**” means any living unit owned or leased by the University for the principal purpose of providing student housing.
- O. The term “**Incident Report**” means any accusation of alleged misconduct submitted through the “[Report an Incident](#)”  
The University treats law enforcement agency reports and citations as incident reports.
- P. The term “**Student Conduct Officer**” means a person who is designated to investigate and adjudicate possible violations of this Code.

### **III. Conduct Authority**

Ultimate authority for student conduct is vested in the Board of Regents of the University of Michigan. The Regents have delegated authority for student conduct to the Chancellor. The Vice Chancellor for Student Affairs is the person designated by the Chancellor to be responsible for the administration of the Code. Conduct authority may be delegated to University officials and committees as set forth in this document, in accordance with other University policies, rules, or regulations, and as deemed appropriate by the Vice Chancellor for Student Affairs.

### **IV. Scope of the Violations**

Behavior that occurs on University-controlled property, in the City of Flint or at University-sponsored activities may violate the Code. Behavior which occurs outside the City of Flint or outside University-controlled property may violate the Code if the behavior poses an obvious and serious threat of harm to any member(s) of the University community.

### **V. Student Rights**

Students at the University have the same rights and protections under the Constitutions of the United States and the State of Michigan as other citizens. These rights include freedom of expression, press, religion, and assembly. Higher education has a long tradition of student activism and values freedom of expression, which includes voicing unpopular views and dissent. As members of the University community, students have the right to express their own views, but must also take responsibility for granting the same right to others.

Students have the right to be treated fairly and with dignity regardless of race, color, national origin, age, marital status, sex, sexual orientation, gender identity, gender expression, disability, religion, height, weight, or veteran status, and as revised in the University of Michigan Non Discrimination Policy. The University has a long-standing tradition of commitment to pluralistic education. Accordingly, the University, through this Code, will not unlawfully discriminate on the basis of protected group status.

Students have the right to be protected from capricious decision-making by the University and to have access to University policies that affect them. The University has an enduring commitment to provide students with a balanced and fair system of dispute resolution. Accordingly, this Code will not deprive students of any applicable due process protections. This Code is one of the University's administrative procedures and should not be equated with procedures used in civil or criminal courts.

Students and student organizations are free to discuss questions of interest to them and to express opinions publicly and privately without penalty. In conveying the ideas and opinions of students, the student press is free from censorship and the need of advance approval. Editors, managers, and writers must subscribe to the standards of responsible journalism. At the same time, they are protected from arbitrary suspension and removal because of student, faculty, administrative, or public disapproval of editorial policy or content.

Students have the right to privacy of personal possessions and protection from unreasonable searches and seizures of property.

### **VI. Student Responsibilities**

#### **A. Offenses Against the University Community**

1. Acts of dishonesty, including, but not limited to, the following:
  - a. Furnishing false information to the University or any University official.
  - b. Forgery, alteration, or misuse of any University or government document, record, or instrument of identification.
  - c. Tampering with the election of any organization.
  - d. Assuming another person's identity or role through deception or without proper authorization. Communicating or acting under the guise, name, identification, email address, signature, or

indicia of another person without proper authorization, or communicating under the rubric of an organization, entity, or unit that you do not have the authority to represent.

2. Disruption or obstruction of teaching, research, administration, conduct proceedings, or other University activities, including its public service functions, whether on or off campus, and other authorized non-University activities, which occur on University premises (except for behavior that is protected by the University's policy on [Freedom of Speech and Artistic Expression – UM Standard Practice Guide 601.01](#)).
3. Failure to comply with directions of University officials and law enforcement officers acting in performance of their duties, including, but not limited to:
  - a. Failure to identify oneself when requested to do so.
  - b. Failing to leave University-controlled premises when told to do so.
4. Violations of other published University policies, rules or regulations. Such policies, rules or regulations include, but are not limited to, Residential Life Community Living Standards, Information Technology Policies, public health policies, parking and traffic regulations, UM Standard Practice Guide, policies governing student organizations and other published policies.
5. The University typically authorizes faculty to manage the classroom environment and to permit or deny permission, at their discretion, for a student to record a lecture or classroom interaction. The only exception is if a student has a current and documented accommodation for such a recording on file with Disability & Accessibility Student Services.
6. It is prohibited to use electronic or other means to make a video, audio, or photographic record of any person in a location where there is a reasonable expectation of privacy without the person's prior knowledge or permission in each instance, when such a recording is likely to cause injury, distress, or damage to reputation. The storing, sharing, and/or distributing of such unauthorized records by any means is also prohibited.
7. Littering on University premises.
8. Commission of any crime on University premises or at University-sponsored activities.
9. Smoking or vaping on University property.

## **B. Offenses Against Persons**

10. Causing, or threatening to cause, physical harm to another person;
11. Harassing or bullying another person – physically, verbally, electronically, or through other means;
  - a. The term bullying means any direct or indirect communication including written, electronic, verbal or physical act, directed toward a person, that is intended to cause or that a reasonable person would know is likely to cause, and that actually causes, physical harm or substantial emotional distress and thereby adversely affects the ability of another person to participate in or benefit from the University's educational programs or activities. Bullying does not include constitutionally protected activity or conduct that serves a legitimate purpose.
  - b. Harassment is any conduct directed toward a person that includes repeated or continuing unconsented contact that would cause a reasonable individual to suffer substantial emotional distress and that actually causes the person to suffer substantial emotional distress. Harassing does not include constitutionally protected activity or conduct that serves a legitimate purpose.
12. Discrimination or harassment in violation of the [University's Nondiscrimination and Harassment Policy](#).
13. Engaging in sexual misconduct as defined by the [University of Michigan Sexual Misconduct Umbrella Policy](#). Students who are reported to have experienced or engaged in sexual misconduct are subject to the resolution procedures outlined in that Policy.
14. Engaging in Hazing is as defined in [University of Michigan Policy Against Hazing](#).
15. Retaliation. A student or organization shall not retaliate against any member of the UM-Flint community who files an Incident Report or who brings forward a complaint or concern. Retaliation may result in a separate charge under the Code of Student Conduct.
16. Other conduct that threatens or endangers the health or safety of any person.

### **C. Offenses Against Property**

17. Attempted or actual theft of property or funds; possession of stolen property.
18. Attempted or actual damage or vandalism to property.
19. Destroying, defacing, damaging, or misusing any University funds, equipment, materials, services or the funds, equipment, materials, services or property of others.
20. Unauthorized possession, duplication, or use of keys and other entry codes or devices to any University premises or unauthorized entry to or use of University premises.
21. Any violation of [University of Michigan-Flint's Information Technology Policies](#).

### **D. Offenses Disrupting Order or Disregarding Health and Safety**

22. Illegally possessing or using drugs or engaging in behavior that violates UM-Flint Alcohol and Other Drugs Policy.
23. Illegally possessing or using alcohol or engaging in behavior that violates UM-Flint Alcohol and Other Drugs Policy.
24. Possessing, using, or storing firearms, explosives, or weapons on University controlled property or at University events or programs.
25. Fire Safety – On University premises or at University sponsored events, entering false fire alarms, bomb threats, or other emergency reports or tampering with fire extinguishers, alarms, smoke detectors or other safety equipment.
26. Gambling - Illegal gambling or wagering. Promoting, wagering, receiving monies for wagering, or gambling for money or property in any form on University premises or University-sponsored activities that are in violation of applicable laws.
27. Disorderly Conduct – Engaging in disorderly conduct that causes alarm, concern, or nuisance in which the conduct:
  - a. disrupts the normal operations of the University including, but not limited to, classes, research projects, activities, programs, and/or events;
  - b. causes or provokes a disturbance within a community;
  - c. is lewd and/or indecent including, but not limited to, urinating in areas other than toilets and urinals, public nudity, and/or public viewing or displaying of pornography;
  - d. causes harm or has the potential to harm others or oneself.

### **E. Violation of State, Federal or Local Laws and University Policies**

28. Any act or omission that constitutes a violation of federal, state or local laws or University policy, which is not otherwise covered in this Code.
29. Any act or behavior that violates the [Regents' Ordinance](#) is in violation of the Code of Student Conduct.

### **F. Interfering with the Conduct Process, Including, but not Limited to:**

30. Misusing, failing to comply with, or jeopardizing Code procedures or mediated agreements, or interfering with participants involved in the resolution process.
31. Failure to comply with sanction(s) imposed under the Code.

### **G. Shared Responsibility for Infractions**

32. Presence during any violation of University policies or rules in such a way as to incite, aid or abet the violation.
33. Students and student organizations may be held responsible for the conduct of their guests while on University premises, at University-sponsored or supervised activities, and at functions sponsored by any registered student organization.

## **Organizational Responsibility**

An Incident Report may be filed against a student organization under the Code of Student Conduct. An organization and its members may be held collectively and individually responsible for violations of the Code by those associated with the organization, including guests and alumni of the organization. Representatives of organizations shall participate when an Incident Report names an organization as Respondent.

## **VII. RESOLUTION PROCESS**

### **A. Purpose**

The University will use the following procedures to respond to alleged violations of this Code.

### **B. Conduct Procedures**

#### **1. Filing an Incident Report**

- a. Any person may file an Incident Report against a student or organization alleging violation(s) of this Code. An Incident Report shall be made in writing and initiated through:
  - a. The Office of the Dean of Students
  - b. [Online Incident Reporting Form](#)
- b. A Complainant is normally expected to participate in the conduct meeting or hearing and to present relevant information.
- c. Incident Reports should be submitted as soon as possible after the event takes place; however, no later than 180 calendar days after the alleged incident. The Dean of Students or designee may waive the limitation period when a late submission is reasonable.
- d. The Dean of Students or designee may review the Incident Report to determine if the report warrants an investigation and/or if it can be resolved by mutual consent of the persons involved on a basis acceptable to the Dean of Students or designee. Such resolution shall be final and there shall be no subsequent proceedings.
- e. If the Dean of Students or designee determines the Incident Report warrants an investigation and cannot be resolved by mutual consent, the Dean of Students or designee may participate in any subsequent conduct meeting or hearing to resolve the Incident Report.
- f. The Dean of Students or designee reserves the right to reject an Incident Report without further investigation.
- g. The Dean of Students or designee will conduct a preliminary review of the Incident Report to determine whether the alleged misconduct may result in suspension or expulsion from the University.
- h. The Dean of Students or designee will also determine whether the Respondent disputes the facts that form the basis of the Incident Report.
- i. Respondents not subject to expulsion and those who do not dispute the facts of the Incident Report are entitled to an administrative conduct meeting with the Dean of Students or designee.
- j. Respondents subject to expulsion, and those disputing the facts of the Incident Report, are entitled to a hearing before the University Conduct Committee (See section 4. Board Disposition-University Conduct Committee).
- k. The Vice Chancellor for Student Affairs may refer any Incident Report to a University official or committee other than the Dean of Students or the University Conduct Committee.

1. If a Respondent fails to keep a meeting with the Dean of Students or designee, the matter may still continue and a hold may be placed on the student's registration account and/or a decision regarding appropriate charges, responsibility and/or sanctions may still be made.

## **2. Investigation**

- a. Respondents will have the opportunity to meet with a Student Conduct Officer to discuss the Incident Report.
- b. The student will receive, via electronic mail, written notice of a complaint at least three (3) days prior to the investigation meeting.
- c. Students may be accompanied by an advisor of their choosing at any point during the investigation process. The advisor may be an attorney. Advisors may not appear in lieu of a student and are not permitted to speak or otherwise participate in the process on behalf of the student. Students may request an advisor from the Student Conduct Officer if they are unable to identify one on their own.
- d. During the investigation meeting, respondents will receive:
  - i. Reasonable access to the Incident Report filed.
  - ii. An opportunity to respond to the Incident Report and to present relevant information and/or witnesses.
  - iii. The Student Conduct Officer will inform the Respondent:
    1. That statements the student makes may be considered at any hearing;
    2. That the student does not have to make a statement at the initial meeting;
    3. Confidentiality of records will be maintained to the extent permitted by law and the [University of Michigan-Flint Rights and Records Policy](#).
- e. Based on the information presented by the Complainant and the Respondent, a determination will be made whether or not the information presented warrants a charge under the Code.
- f. A claimant will maintain complainant rights when reporting alleged misconduct of another student(s) or organization(s) including when the incident is filed by a third party.
- g. Respondents will be provided up to two (2) days to choose between the administrative and board disposition options.

## **3. Administrative Disposition - Conduct Meeting**

**Respondents not subject to expulsion, and those not disputing the Incident Report, may choose the informal process of an Administrative Disposition Conduct Meeting for resolution of one or more violations of the Code.**

- a. The Respondent will have the opportunity to discuss sanctions with the Student Conduct Officer.
- b. A final determination of sanctions will be provided in writing to the Respondent through email.
- c. The right to appeal sanctions as part of the administrative disposition as defined in the appeal section of the Code.
- d. The University of Michigan-Flint may disclose to a victim of an alleged perpetrator of a crime of violence the final results and imposed sanction of a disciplinary hearing subject to this Code.

## **4. Board Disposition - University Conduct Committee (UCC)**

**Respondents subject to expulsion and/or those who dispute the Incident Report are entitled to a hearing before the UCC.**

### *1. Composition of the UCC*

- a. The UCC shall be composed of at least three (3) full-time faculty, six (6) full-time students and three (3) full-time staff members. Members shall be appointed for a one (1) year term and may be reappointed.

- b. A Student Conduct Officer shall chair all UCC hearings (chairperson). The hearing panel will consist of 4-5 members, one of which must be a student. A hearing will not be conducted without a minimum of four (4) UCC members. In the event of a tie the chair will have a vote.
- c. A Student Conduct Officer is responsible for coordinating hearings and assigning Incident Reports.
- d. The Vice Chancellor for Student Affairs may remove a member from the UCC when the member has failed or refused to perform his or her duties or responsibilities. Student members found in violation of this Code may be removed from the UCC.
- e. A Complainant or Respondent may challenge a UCC member on the grounds of a conflict of interest that might affect impartial consideration of the Incident Report. The remaining members of the UCC will conduct a secret ballot vote to determine if the challenged member shall be disqualified.

## 2. *UCC Hearing Procedures*

The following procedures are followed in UCC hearings:

- a. The Respondent will receive written notice of the Incident Report and hearing date at least five (5) days prior to the hearing.
- b. On a date specified by the Student Conduct Officer, the Complainant and Respondent will submit a list of witnesses for the hearing, a summary of the information each witness is expected to provide and any document(s) the Complainant and Respondent expect to present at the hearing. The Student Conduct Officer will make copies of this information available to the Complainant, Respondent and the UCC at least two (2) days prior to the hearing.
- c. Complainants and Respondents who choose an advisor shall notify the Student Conduct Officer of the advisor's name and contact information at least two (2) days prior to the hearing. Advisors may not appear in lieu of the Complainant or Respondent; however, the Complainant or Respondent may consult with their advisor during a hearing and the advisor may assist with preparation for the hearing.
- d. If the Complainant or Respondent fails to appear for a hearing, the hearing will proceed without their presence.
- e. Either the Complainant or Respondent may request alternative accommodations in lieu of being physically present at the hearing.
- f. Witnesses, other than the Complainant and Respondent, will be excluded from the hearing during the testimony of other witnesses.
- g. The Student Conduct Officer will exercise control over the proceedings. Any person disrupting a hearing, or who fails to abide by the decisions of the chairperson, may be removed or excluded from the hearing.
- h. The Student Conduct Officer shall determine what information the UCC will consider. Information will be considered if it is relevant. Formal rules of evidence shall not apply.
- i. The Complainant, Respondent, and UCC may examine the information accepted by the Student Conduct Officer and may question all witnesses.
- j. Should the Respondent be recommended responsible for any violation of the Code, the Complainant and Respondent will be given the opportunity to provide relevant information regarding possible sanction outcomes. The Respondent's prior conduct record may be considered only to recommend an appropriate sanction.
- k. Recommendations by the UCC shall be by majority vote.
- l. The hearing will be recorded and the recording will remain the property of the University.
- m. Within three (3) days of the hearing, the UCC's recommendation will be forwarded in writing to the Dean of Students.
- n. The Dean of Students will review the recommendation to determine the final decision. The Dean of Students will advise the Respondent of the decision in writing through email.
- o. The University of Michigan-Flint may disclose to a victim of an alleged perpetrator of a crime of violence the final results and imposed sanction of a disciplinary hearing subject to this Code.

## 5. Standard of Proof

The standard of proof is the preponderance of the evidence. The respondent is presumed not responsible unless the evidence is presented demonstrates that it is more likely than not that a violation of the Code has occurred.

## C. Sanctions

Sanctions are designed to promote the University's educational mission. Sanctions may also serve to promote safety or to deter students from behavior which harms, harasses, or threatens people or property or is motivated by bias because of membership in a group listed in Section V. Student Rights, paragraph 2. Although it is inappropriate for the University to try to change a student's convictions, it is appropriate for the University to ask a student to change inappropriate behavior. Some behavior is so harmful to the University community or so deleterious to the educational process that it may require more serious sanctions such as removal from housing, removal from specific courses or activities, suspension from the University, or expulsion. One or more of the following sanctions may be recommended:

1. **Formal Reprimand:** A formal notice that the Code has been violated and that future violations will be dealt with more severely.
2. **Disciplinary Warning:** A designated period of time which may involve restrictions of student privileges and/or set specific behavioral expectations.
3. **Disciplinary Probation:** A designated period of time during which the student is not in good standing with the University. The terms of probation may involve restrictions of student privileges and/or set specific behavioral expectations. The appropriate University units shall be notified of the student's probationary status.
4. **Restitution:** Compensation for loss, damage, or injury to the appropriate party in the form of service, money, or material replacement.
5. **Restriction from Employment at the University:** Prohibition or limitation on University employment.
6. **Class/Workshop Attendance:** Enrollment and completion of a class or workshop that could help the student understand why the behavior was inappropriate.
7. **Educational Project:** Completion of a project specifically designed to help the student understand why the behavior was inappropriate.
8. **Service:** Performance of one or more tasks designed to benefit the community and help the student understand why the behavior was inappropriate.
9. **Specific Course(s) or Activity Restriction:** Suspension, removal or transfer from a course(s) or activity (ies) at the University.
10. **No Contact:** Restriction from entering specific University areas and/or all forms of contact with certain person(s).
11. **University Housing Transfer or Removal:** Placement in another room or removal from University housing for a designated period of time or permanently.
12. **Residence Hall Restriction and/or Loss of Privileges:** Denial or restriction of certain privileges including, but not limited to, visitation privileges in one or more residence hall(s) for a period of time.
13. **Suspension in Abeyance:** During Suspension in Abeyance, the student remains enrolled. However, any violation of the conduct regulations during the period of Suspension in Abeyance may, after a determination of responsibility, result in automatic suspension.

14. **Suspension:** Separation from the University for a specified period of time or until certain conditions are met. When a student is suspended during a term, the student is not exempted from the payment of tuition for that term. Additionally, a notation will be made on the student's academic record for all suspensions.
15. **Expulsion:** Permanent separation from the University. When a student is expelled during a term, the student is not exempted from the payment of tuition for that term. Additionally, a notation will be made on the student's academic record for all expulsions.
16. **Other Disciplinary Action:** In addition to or in place of any of the above sanctions, the student may be subject to other sanctions commensurate with the offending conduct. This may include, but is not limited to: degree and/or transcript actions, such as withholding or rescission of a degree, withholding of course credit, loss of credit for an assignment/exam, assignment of additional work, loss of special privileges, behavioral interventions, or a behavioral contract.

## **D. Appeals**

A Respondent may appeal the sanction imposed by the Student Conduct Officer (administrative disposition) or the decision rendered by the Dean of Students (board disposition).

### **Grounds for Appeal**

Appeals may be filed for the following reasons:

- (a) Proper procedures were not followed;
- (b) The evidence clearly does not support the finding(s);
- (c) Sanctions/interventions are insufficient or excessive relative to the violation; or
- (d) There is new evidence not reasonably available at the time of the hearing.

### **1. Appeal of Administrative Disposition (Individual Hearing Officer)**

- a. At the time of sanctioning, students will be notified of the appeal process. Appeals shall be made to the Dean of Students within five (5) days of the date that the Respondent was emailed the sanction notification letter rendered by the Student Conduct Officer.
- b. The appeal shall be in writing (email is acceptable), stating the ground(s) for appeal (refer to Grounds for Appeal above). Any requests for an extension of the five day appeal deadline must be made in writing prior to the expiration of the deadline.
- c. The Dean of Students will determine whether the request for appeal meets the grounds necessary for appeal and will endeavor to resolve appeals within 10 days.
- d. The Dean of Students may accept, modify or decline the underlying outcome finding of responsibility and/or sanctions.
- e. The decision of the Dean of Students is final. There are no further appeals.

### **2. Appeal of Board Disposition (UCC Hearing)**

- a. At the time of sanctioning, students will be notified of the appeal process. Appeals shall be made to the Vice Chancellor for Student Affairs within five (5) days of the date that the Respondent was emailed the sanction notification letter rendered by the Dean of Students.
- b. The appeal shall be in writing (email is acceptable), stating the ground(s) for appeal (refer to Grounds for Appeal (section 1)). Any requests for an extension of the five day appeal deadline must be made in writing prior to the expiration of the deadline.
- c. The Vice Chancellor for Student Affairs will determine whether the request for appeal meets the grounds necessary for appeal and will endeavor to resolve appeals within 10 days.
- d. The Vice Chancellor for Student Affairs may accept, modify or decline the underlying outcome finding of responsibility and/or sanctions.
- e. The decision of the Vice Chancellor for Student Affairs is final. There are no further appeals.

### **3. Implementation of Sanction(s)**

Sanctions shall not begin until either the time for appeal has expired without an appeal, or until the appeal process is completed. The Vice Chancellor for Student Affairs may, however, impose interim sanctions as set forth below.

## **VIII. Related Procedures**

### **A. Interim Measures**

The Vice Chancellor for Student Affairs or designee may impose interim measures when there is reasonable cause to believe that a student(s) or student organization(s) may pose a risk to the safety or well-being of those involved or others in the university community. The student(s) or student organization(s) may be issued an interim measure. Interim measures may be imposed only:

1. To ensure the safety and well-being of members of the University community or preservation of University property; or
2. If the student or organization poses a definite threat of disruption or interference with the normal operations of the University.

Interim actions may include but are not limited to: no contact order(s); restriction from specific classes, campus facilities or locations; requirement to secure a psychological evaluation; cease and desist mandates; restriction from facilitating or participating in student organization business or activities; suspension of student status or student organization recognition; etc.

An interim measure shall remain in effect until removed or altered by the Vice Chancellor for Student Affairs or designee or as the result of the student conduct process. Students or student organizations may challenge an interim measure in writing to the Vice Chancellor for Student Affairs within 5 business days of notification. Failure to comply with an interim measure may result in a referral to the Office of the Dean of Students and/or the Department of Public Safety.

### **B. Emergency Suspension**

The Vice Chancellor for Student Affairs or designee may impose a University or Residence Hall Suspension on a student prior to a conduct meeting or hearing. The Vice Chancellor for Student Affairs may suspend the registration of an organization prior to a conduct meeting or hearing.

1. Emergency suspension may be imposed only:
  - a. To ensure the safety and well-being of members of the University community or preservation of University property; or
  - b. If the student or organization poses a reasonable threat of disruption or interference with the normal operations of the University.
2. During an emergency suspension, a student may be denied access to a living unit and/or to the campus, including classes, and/or all other University activities or privileges for which the student might otherwise be eligible. An organization shall discontinue all activities during an interim suspension.
3. An emergency suspension takes effect immediately upon issuance.
  - a. A student or organization will receive written notice of the emergency suspension, including a description of the suspected misconduct.
  - b. Except in extraordinary circumstances, a meeting with the student or student organization will be scheduled within two (2) days.
  - c. A hearing will take place within ten (10) days or such other time as may be specified in the notice of emergency suspension of the student's or the organization's receipt of written notice of the interim suspension.

### **C. Residential Conduct Process**

The Residential Conduct Process is governed by the Code of Student Conduct. Incidents that allege a violation of the Code of Student Conduct that involve residential students or students involved in incidents

that occur within the residence halls will be subject to the Residential Student Conduct process as outlined in the University of Michigan-Flint Community Living Standards. In the event that the alleged behavior is deemed egregious and/or repeated misconduct, the case may be referred to the Office of the Dean of Students for adjudication at the University level.

**D. University of Michigan-Flint’s Nondiscrimination Policy**

Inquiries or complaints involving the University of Michigan-Flint’s Nondiscrimination Policy may be addressed to the Equity, Civil Rights and Title IX Office (ECRT) for review and investigation. Matters of this nature first brought to the Dean of Students or a Student Conduct Officer will be referred to the ECRT. If the student is found responsible for engaging in discrimination or harassment, the matter will be referred to the Dean of Students or designee for sanctioning in line with the Code.

**E. Procedural and Interpretive Questions**

All procedural and interpretive questions concerning the Code will be resolved by the Vice Chancellor for Student Affairs or designee.

**F. Records of Resolution Actions**

Records will be maintained by the Office of the Dean of Students with regard to any and all actions taken under the Code. Confidentiality of records will be maintained to the extent permitted by law and the [University of Michigan-Flint Rights and Records Policy](#). If a student is found responsible for violating the sexual misconduct policy, suspended, or expelled; a notation will be made on the student’s academic record. Records of non-academic misconduct will be maintained by the Office of the Dean of Students and destroyed seven (7) years after the date of resolution except as where required by law. Sexual misconduct, suspension and expulsion records will be maintained permanently.

**G. Time Limits**

For good cause, any time limit in these procedures may be extended by the Vice Chancellor for Student Affairs.

**H. Reports of Actions**

Statistical reports of actions taken through the Code will be published annually. These data will cover the number of complaints and the types of violations, resolutions, and sanctions.

**I. Concurrent Legal and Conduct Proceedings**

Because some violations of the Code are also violations of law, students may be accountable to both the legal system and the University. To ensure the educational potential of the process and in fairness to a Complainant, the University should provide a prompt response to behavior that goes against the values of the University as defined by the Code. In the interest of fairness to an accused student, however, a student undergoing civil or criminal action for the same behavior that forms the basis of a complaint under this Code may request a reasonable delay of the Code resolution process until external proceedings are resolved. In determining whether a request is reasonable, the Dean of Students will evaluate the unique circumstances of the case, including the length of the delay and the impact of delay on the complainant and community, in addition to protecting the integrity of the resolution process. In granting a request for a delay, the Dean of Students may implement conditions on continued enrollment, as appropriate. If an accused student’s request for delay is denied, the student may withdraw from enrollment and may not re-enroll until authorized by the Vice Chancellor for Student Affairs or designee.

**J. Amending the Code of Student Conduct**

Under the direction of the Vice Chancellor for Student Affairs and coordinated by the Associate Vice Chancellor & Dean of Students, the Code of Student Conduct shall be reviewed annually for editorial changes with a substantive review occurring every three years.

When a committee is convened to assist with the review, a member of the Faculty Senate Council will participate in this committee.

For recommendations regarding omissions, clarifications, constructive changes, and other matters germane to the proper interpretation and operation of the Code, please contact:

Vice Chancellor for Student Affairs  
237 University Pavilion  
[flint.studentaffairs@umich.edu](mailto:flint.studentaffairs@umich.edu)

For questions of interpretation regarding the Code, please contact:

Office of the Dean of Students  
359 University Center  
[flint.deanofstudents@umich.edu](mailto:flint.deanofstudents@umich.edu)

The Code of Student Conduct may, at the sole discretion of the University, be amended at any time.

Last Updated: August 1, 2023