



**Policy Chapter:** Chapter 7 Student Affairs

**Policy Number and Title:** 07.012 Code of Student Conduct

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## **I. Policy Statement**

The University of North Texas is deeply committed to advancing educational excellence and preparing students to become thoughtful engaged citizens of the community. The University has established the Code of Student Conduct to promote the well-being, honor and dignity of all who live, learn and work in our educational community. The Code of Student Conduct is intended to foster a safe environment conducive to learning and development, as well as to hold students accountable through an educational process that balances the interests of individual students with the interests of the University. Students and student groups are expected to conduct themselves in a manner that demonstrates respect for the rights and property of others and upholds the integrity and values of the University community.

## **II. Application of Policy**

All Students.

## **III. Policy Definitions**

### **A. Advisor**

“Advisor,” in this policy, means an individual selected by either a Complainant or Respondent to provide guidance, advice, or support to the student through the conduct process.

### **B. Administrative Measures**

“Administrative Measures,” in this policy, is a non-disciplinary action taken by the university that are necessary to protect the health, safety, or welfare of the University community before or during the conduct process.

### **C. Appeal**

“Appeal,” in this policy, means a process in which case either party can request a review and change of a decision made in the conduct process.

### **D. Code of Student Conduct**

“Code of Student Conduct” or “the Code,” in this policy, means the University policy that sets forth standards of conduct, procedures, and educational processes to promote the welfare of the University community and provide a full and fair opportunity to address conduct that departs from these standards.

### **E. Committee on Student Conduct**

“Committee on Student Conduct” or “the Committee,” in this policy, means a group convened at the request of a student or student group for the purpose of providing a second opportunity for impartial evaluation of alleged violations of misconduct and/or sanctions related to violations of the Code of Student Conduct. The Committee on Student Conduct

does not review findings or sanctions determined under [UNT Policy 16.004](#) and [16.005](#).

**F. Complainant**

“Complainant,” in this policy, means an individual who may have been the subject of conduct prohibited under this policy regardless of whether the individual reports the conduct.

**G. Conduct History**

“Conduct History,” in this policy, means record(s) of past misconduct maintained by the Dean of Students Office for which the student has been found responsible. Conduct History may include, but is not limited to, narrative information, a listing of past violations, and sanctions.

**H. Conduct Process**

“Conduct Process,” in this policy, means the procedures provided in the Code to consider whether a student or student group has engaged in misconduct and whether sanctions should be assigned.

**I. Day**

“Day,” in this policy, means Monday through Friday during regular University business hours (8:00 a.m. to 5:00 p.m.).

**J. Dean of Students Office**

“Dean of Students Office” or “DOS,” in this policy, means the University office which is responsible for administering the Code, and maintaining student conduct records.

**K. Dean of Students Representative**

“Dean of Students Representative,” in this policy, means the University official responsible for administration of the conduct process and who is designated to investigate alleged violations of the Code and render sanctions.

**L. Directive**

“Directive,” in this policy, is an official direction from the university which requires the recipient of the directive to comply with a specific instruction or set of instructions. A directive will outline specific consequences for non-compliance with the requirements of the directive.

**M. Findings**

“Findings,” in this policy, means the outcome of an investigation for alleged violations of the Code determining whether a student is responsible or not responsible for a violation of the Code.

**N. Good Conduct Standing**

“Good Conduct Standing,” in this policy, means the status in which a student is fully eligible

to participate in university activities and privileges.

**O. *Greater Weight of the Evidence***

“Greater Weight of the Evidence,” in this policy, means the standard of review in the student conduct process that evaluates whether allegations are more likely than not to have occurred. Greater Weight of the Evidence is also known as the preponderance of the evidence.

**P. *Intimidation***

“Intimidation,” in this policy, means conduct perceived by the individual to whom it is directed as placing the individual in fear of immediate physical harm and the conduct would be perceived objectively as placing an individual in fear of immediate physical harm even if no physical contact or injury occurs.

**Q. *Misconduct***

“Misconduct,” in this policy, means the behavior that violates the standards put forth in Section IV.F. of this policy.

**R. *No Contact Order***

“No Contact Order,” in this policy, means the administrative directive issued by the DOS Representative or by a EO / Title IX Representative prohibiting contact between individuals.

**S. *Notice of Complaint***

“Notice of Complaint,” in this policy, means the initial document in the conduct process that identifies alleged misconduct and directs the student to schedule a meeting with a DOS Representative.

**T. *Respondent***

“Respondent,” in this policy, means the individual or group identified as possibly having engaged in conduct prohibited under this policy, regardless of whether a formal complaint is made.

**U. *Retaliation***

“Retaliation,” in this policy, means any adverse action, treatment, or condition taken because of an individual’s participation in the Conduct process (i.e., reporting, opposing violations of the Code of Student Conduct, or participating in an investigation regarding alleged violations of the Code of Student Conduct), including an act intended to intimidate, threaten, or coerce, that is likely to dissuade a reasonable person from opposing violations of the Code of Student Conduct, filing a report of student or organizational misconduct, or participating in an investigation regarding alleged violations of the Code of Student Conduct.

**V. Student**

“Student,” in this policy, means an individual who has applied for admission or readmission to the University, has been accepted but not yet enrolled, who is registered or enrolled in one or more courses at the University, or who currently is not enrolled but has not graduated from the University.

**W. Threat**

“Threat,” in this policy, means conduct or a written or verbal communication, whether intentional or reckless, that causes a reasonable person to fear imminent injury or damage to property.

**X. Title IX Coordinator**

“Title IX Coordinator,” in this policy, means the university employee designated by the President to implement, monitor, and enforce UNT’s Title IX program. In this policy, reference to the Title IX Coordinator also means a Deputy Title IX Coordinator or designee.

**Y. University Community**

“University Community,” in this policy, means the collective group of students, faculty, staff, University officials and any other person employed by or contributing to the University.

**Z. University Premises**

“University Premises,” in this policy, means all buildings, facilities, land, and other property that is owned, used, or controlled by the University.

**AA. University Privilege**

“University Privilege,” in this policy, means a benefit that is granted by the University or is enjoyed by students, including but not limited to, residing in university housing, participating in social events or University-sponsored activities, holding student leadership positions, membership in student groups, room reservations, or registration as a student group.

**BB. University-Sponsored Activity**

“University-Sponsored Activity,” in this policy, means locations, events, or circumstances where the University exercises substantial control over both the Respondent and the context in which the incident occurs and also includes any building owned or controlled by a student group that is officially recognized by the Recipient.

**CC. University Student Group**

“University Student Group” or “Student Group,” in this policy, means a group composed of students currently enrolled at UNT who come together in the pursuit of a common purpose, whether or not the group is registered with the University (e.g., cheerleading, ROTC, athletic teams, marching band, Student Government Association), and are also responsible for their conduct. For the purposes of this policy, Student Group is synonymous with Student unless

otherwise specified.

**DD. Vice President for Student Affairs (VPSA)**

“Vice President for Student Affairs,” in this policy, means the Vice President designated by the President to provide authority to the Dean of Students (DOS) to administer the Code of Student Conduct and to be the final authority over the review appeal process.

**IV. Policy Responsibilities**

**A. Equal Opportunity and Title IX**

Allegations of violations of [UNT Policy 16.004, Prohibition of Discrimination, Harassment, and Retaliation](#) and/or [UNT Policy 16.005, Prohibition Against Sexual Misconduct and Retaliation](#) are investigated by the UNT Office of Equal Opportunity/Title IX and students found responsible for violating those policies are sanctioned under the Code. Sanctions for violating [UNT Policy 16.004](#) and/or [UNT Policy 16.005](#) may include conduct probation, deferred suspension, suspension, or expulsion from the university. Sanctions resulting in suspension or expulsion are appealable in writing to the VPSA.

**B. Academic Integrity**

Matters of academic integrity are investigated and resolved in the Office of the Provost and Vice President for Academic Affairs. Students engaged in conduct that may constitute a violation of both the [UNT Policy 06.003, Student Academic Integrity](#) and the Code are subject to processes and sanctions under both policies.

**C. Violations of Law and the Code of Student Conduct**

A student’s conduct may violate criminal and civil laws as well as the Code. The University may proceed under the Code while any related criminal or civil proceeding is pending. A student may be found responsible and sanctioned under the Code irrespective of the outcome of a criminal or civil proceeding.

**D. Admission and Readmission**

1. Conduct Review of Applicants

a. The University may consider alleged misconduct that could affect admission or readmission. The DOS Representative will determine whether the student reasonably presents a threat to the health, welfare, or safety of the University community; potential disruption to the educational enterprise; and whether the student may benefit from attending the University. The DOS Representative may deny admission or readmission, or assign sanctions as a condition of admission or readmission, based on any of the following circumstances:

i. engaged in acts that were disruptive to the normal operations of an educational institution;

- ii. falsified an enrollment application or other admissions forms;
  - iii. engaged in conduct that violates one or more categories of misconduct as prohibited by the Code;
  - iv. formally charged with commission of a criminal act;
  - v. still subject to criminal penalty, including but not limited to imprisonment, parole and/or probation.
- b. A student may request a meeting with a DOS Representative prior to the decision.
  - c. Decision under this section are final and may not be appealed.
  - d. The University may suspend or revoke acceptance to the institution prior to enrollment for behavior that violates UNT standards of conduct.

**E. Student Group Responsibility**

Student Groups are expected to conduct themselves in a manner consistent with the University's function as an educational institution. Student Groups must observe all federal, state, and local laws, and University policies, including the Code, both on and off campus. A Student Group may be responsible for the actions and conduct of its members when one or more of its members knew or should have known that another member, acting in the capacity of the individual's membership in the Student Group, engaged in conduct that violates the Code on the property of the Student Group or at an activity sponsored, hosted, endorsed, or promoted by the Student Group or a member of the Student Group. Student Groups found in violation of the Code are subject to the same procedures and sanctions as individual students, except that Student Groups may not be expelled.

A DOS Representative will send the Notice of Complaint to the primary officer's official University email address and copy the group advisor(s). Student Groups are responsible for responding to all Notices of Complaints, and failure to respond may result in resolution of the matter in the absence of any representative of the Student Group. A notice sent to the student's official university email address shall constitute full and adequate notice. The failure of a student to read email shall not be a good cause for failure to respond to the notice.

A complaint may be filed against a Student Group, as well as individual students within the Student Group, for the same conduct.

**F. Records**

Documents that are created and maintained as part of the conduct process are educational records and subject to the protections of the [Family Education Rights and Privacy Act \(FERPA\), 20 U.S.C § 1232\(g\)](#). FERPA provides specific exceptions for disclosure of disciplinary records in certain circumstances, regardless of whether the DOS Representative concluded a violation was committed.

Conduct records are maintained by the DOS Office or designee in accordance with [UNT Policy 04.008, Records Management and Retention](#).

The academic transcript of a student suspended or expelled for disciplinary reasons will be marked with “Disciplinary Suspension” or “Expulsion”, as appropriate. Suspension will be noted on the student’s transcript until all conditions of the sanction are met. The notation will be removed if the sanctions are completed and the student submits a request for the removal of the transcript notation of suspension to the DOS. The notation of expulsion is permanent on the transcript. The University will maintain a permanent written disciplinary record for every student who receives a sanction of suspension or expulsion.

A transcript hold will be placed on a student’s transcript when the student withdraws or graduates from the university before the completion of an investigation if the investigation could result in suspension or expulsion. If the investigation ultimately results in a finding of responsibility and assignment of suspension or expulsion, a notation will be made to the student’s transcript in accordance with the procedures above.

#### ***G. Categories of Misconduct***

Students or student groups may be disciplined for attempting to or engaging in the behaviors listed below.

1. Dishonest conduct, including but not limited to:
  - a. intentionally furnishing false or misleading information to the University or a University official;
  - b. withholding information;
  - c. forging, altering, or misusing any University document or instrument of identification;
  - d. intentionally interfering with any election process; or
  - e. misrepresenting oneself as a university official.
2. Conduct affecting the University community, including but not limited to:
  - a. interfering with University or University-sponsored activities, including, but not limited to, teaching, public events, or research;
  - b. interfering with any University emergency or public safety functions, such as fire, police, or emergency services;
  - c. engaging in disorderly, lewd, indecent, inappropriate, loud, or obscene conduct;
  - d. disturbing the peace, or aiding, abetting, or inciting another to disturbing the peace;

- e. failing to comply with a directive of a University official, including but not limited to, campus police and DOS Representatives acting in performance of their official duties; or
- f. engaging in the following activities:
  - i. obstructing or restraining a person from exiting or entering the campus or a facility;
  - ii. seizing control of a building or portion of a building in interference with an administrative, educational, research, or other authorized activity; or
  - iii. preventing or attempting to prevent by force or violence or the threat of force or violence an individual from engaging in expressive activity or participating in a lawful assembly conducted in accordance with University policy.

This section should not be construed to infringe on any right of free speech, assembly, or expression guaranteed by the Constitution of the United States and Texas.

- 3. Conduct affecting property or services, including but not limited to:
  - a. theft of property or services, or knowingly possessing stolen property;
  - b. intentional or reckless destruction or damage to University property or the property of others;
  - c. unauthorized possession, duplication, or use of access devices to University property; or
  - d. unauthorized entry onto or use of University premises.
- 4. Conduct affecting University computing resources, technology resources, or intellectual property, including but not limited to:
  - a. unauthorized access, unauthorized use or misuse of University technology resources, systems, or data;
  - b. disrupting University technology operations, or the availability of technology resources;
  - c. using another individual's identification, password, or other credentials to access University technology resources;
  - d. unauthorized sharing of copyrighted materials through electronic means;
  - e. initiating or intentionally contributing to attacks against external networks or University systems.
  - f. the use or distribution of the original work of another (whether copyrighted

or not copyrighted) without the express consent of the owner; or

- g. the use or distribution of a trademark, including the University trademark, without the express written consent of the owner.

5. Conduct affecting health, safety, or welfare, including but not limited to:

- a. engaging in physical or verbal abuse, fighting, threats, intimidation, coercion, harassment, or any other conduct that threatens or endangers the health, safety, or welfare of any person. Speech protected by the Constitutions of the United States and Texas is not a violation of this provision.
- b. Hazing, which is any intentional, knowing, or reckless act, occurring on or off campus, by one person alone or acting with others, directed against a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in a group, regardless of willingness to participate, if the act:
  - i. Is any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing harmful substances on the body, or similar activity;
  - ii. involves sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other similar activity that subjects the student to unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
  - iii. involves consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance, other than described by [Tex. Educ. Code 37.151\(6\)\(C\)](#) and paragraph v. below, that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
  - iv. is any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Penal Code, Student Code of Conduct, or other university policies;
  - v. involves coercing the student to consume:
    - 1. a drug; or
    - 2. an alcoholic beverage or liquor in an amount that would lead a reasonable person to believe that the student is intoxicated; or
  - vi. any act that subjects the student to unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
- c. Unauthorized use or possession of ammunition, firearms, imitation firearms, explosives, or other objects that are dangerous.

- d. Illegal use, possession, sale, manufacture, distribution or control of chemical precursors, controlled substances, controlled substance analogues, or dangerous or illegal drugs; misuse or unauthorized possession of a legal drug or other substance which could cause harm to the user; abuse or misuse of prescription medications; possession of drug paraphernalia; or encouraging or being a party to any of the above.
  - e. Public intoxication; driving under the influence; driving while intoxicated; or use, possession, or distribution of alcoholic beverages, except as expressly permitted by law and University policy.
  - f. Tampering with or misuse of security or safety equipment.
  - g. Falsely reporting an emergency or threat.
  - h. Recording another person, without consent, in a location intended to provide privacy to the person using the area.
  - i. Arson or flammable materials that could cause damage by fire or explosion to persons or property.
- 6. Violations of federal, state, or local laws (whether convicted or not).
  - 7. Violations of university policies.
  - 8. Interfering with the conduct process, including but not limited to:
    - a. failing to comply with sanction(s) assigned under the Code or sanction(s) otherwise assigned by the University, including failing to comply with any “no contact” order;
    - b. falsifying or misrepresenting information at any stage of the conduct process, or knowingly initiating a false complaint to DOS; or
    - c. engaging in retaliation.
  - 9. Planning or facilitating misconduct, including but not limited to:
    - a. supporting or encouraging an act of misconduct while present during the act.

#### ***H. Administrative Measures***

##### **1. Interim Trespass**

A removal from all or part of the University premises while the conduct process is pending. A person may be trespassed pending the outcome of the conduct process when the University reasonably believes the student’s continued physical presence poses a substantial and immediate danger to the health, safety, or welfare of any member of the University community or to the University premises. With an interim trespass, students are able to complete the course requirements remotely(online),

pending the approval of their faculty.

## 2. Interim Suspension

Immediate removal from University premises. A person may receive an interim suspension pending the outcome of the conduct process when the University reasonably believes the student's continued presence poses a substantial and immediate danger to the health, safety, or welfare of any member of the University community or to the University premises. With an interim suspension, students are not allowed to engage in coursework, virtually or otherwise.

## 3. Interim Suspension of Student Group

A Student Group can be interimsly suspended when the University reasonably believes the Student Group's continued presence poses a substantial and immediate danger to the health, safety, or welfare of any member of the University community or to the University premises. Interim suspension of a student group includes a directive from the University to cease all activities, including but not limited to recruitment, philanthropy, community service, events, meetings, privileges, programs, and representation as a Student Group while the conduct process is pending.

## 4. No Contact Order

A directive from the University to cease all communication and contact with one or more individuals for a specified period when the University reasonably believes the directive is necessary to protect the health, safety, or welfare of any member of the University or the University community, including to prevent retaliation or harassment. The directive prohibits the student from communicating or contacting the identified individual(s) through friends, relatives, acquaintances, social media, or other means, except as set out in the directive.

### ***I. Sanctions for Misconduct***

Any student found to have violated the Code will be assigned sanction(s). Sanctions are designed to engage students in critical reflection of their choices, as well as educate and develop students through a process of accountability that promotes integrity, responsibility, and growth. The DOS Representative will use the Greater Weight of the Evidence standard and consider the nature of the misconduct, the impact of the misconduct on the University community, the circumstances surrounding the misconduct, and previous sanctions assigned to others for similar misconduct in determining sanctions. Repeated misconduct may result in more serious sanctions, including suspension or expulsion. All sanctions apply to both students and student groups except as noted below. Sanctions may include, but are not limited to:

#### 1. Warning

- a. Written notice that the student has violated the Code and must not engage in

future misconduct.

- b. No impact on Good Conduct Standing.
- c. Warnings may be appealed pursuant to [Student Investigations and Conduct Procedures Section C](#).

## 2. Conduct Probation

- a. Written reprimand for a violation of the Code notifying the student or student group they are on conduct probation and further violations of the Code may result in additional and more severe sanctions.
- b. Conduct probation will last at least one semester and any subsequent violations during the probationary period will be viewed as both a violation of university policy and a violation of the probation.
- c. Expires automatically after the period determined by the DOS Representative;
- d. Impacts Good Conduct Standing. A student or group on conduct probation is not in good conduct standing which will result in the ineligibility to participate in functions requiring good conduct standing.
- e. Conduct Probation may be appealed pursuant to [Student Investigations and Conduct Procedures Section C](#).
- f. Not a permanent conduct record and will be removed from the student or student group's record after seven years.
- g. Conduct probations are not subject to appeal except on the grounds of a student or student group presenting new information that was not available at the time of the conference.

## 3. Deferred Suspension

- a. Same as student Suspension listed below, but the suspension is deferred. The penalties described in Student Suspension are deferred unless the student or student group is found responsible for any additional Code violations while on deferred suspension.
- b. Deferred Suspensions may be appealed pursuant [to Student Investigations and Conduct Procedures Section C](#).

## 4. Student Suspension

- a. Removal from the University for a specified period. A suspended student is removed from enrollment, prohibited from entering University premises, and prohibited from registering for classes until reviewed and approved by DOS Representative.

- b. During the suspension period, the suspended student is not in Good Conduct Standing. Lost privileges will be restored at the completion of the designated suspension period at the discretion of the DOS Representative.
  - c. A Suspension is noted on the student's transcript. The notation will be removed if the sanctions are completed and the student submits a request for the removal of the transcript notation of suspension to the DOS.
  - d. A suspended student must meet with DOS Representative after the suspension period is over to be reinstated to the University and have the trespass lifted.
  - e. A suspended student is automatically put on conduct probation for a minimum of 2 long semesters upon return to the university.
  - f. Suspensions may be appealed pursuant [to Student Investigations and Conduct Procedures Section C.](#)
5. Student Group Suspension
- a. Removal of privileges and recognitions afforded to student groups for a time period determined by the DOS Representative.
  - b. Student groups will not be permitted to participate as a registered Student Group in University activities or functions or sponsor any activities representing the University.
  - c. Student groups must submit a request to the DOS for reinstatement after the suspension period is over. Student Group Suspension may be appealed pursuant to [Student Investigations and Conduct Procedures Section C.](#)
6. Expulsion
- a. Permanent removal from the University. An expelled student will be permanently barred from enrollment and permanently prohibited from entering any University premises.
  - b. An expelled student's Good Conduct Standing is permanently removed.
  - c. Expulsion is permanently noted on the student's transcript. Expulsion may be appealed pursuant to [Student Investigations and Conduct Procedures Section C.](#)
  - d. An expelled student will lose access to the UNT computer network and UNT email.
7. Educational Sanctions
- a. An Educational Sanction may include the requirement to complete or attend an educational activity, seminar, program, presentation, community service hour, or any other learning experience deemed necessary.
    - i. Sanctions assigned under this section have no impact on a student's Good

Conduct Standing.

- ii. Failure to comply with the sanction assigned under this section may result in further discipline.
- iii. A sanction assigned under this section is not subject to appeal review unless new information becomes available or it is assigned in combination with another appealable sanction.

8. Loss of Privileges

- a. A temporary or permanent loss of university privileges, including, but not limited to, the opportunity to join or hold a leadership position in a Student Group, participate in study abroad programs, register as a student group, participate in social or extracurricular events, ability to access facilities, living in on-campus housing or representing the University in any way.
- b. Loss of Privileges is not subject to appeal unless it is assigned in combination with another appealable sanction, or in the case of student group new information that was not available at the time of the conference. New information must be received within five (5) business days of the finding letter being sent.

9. Restitution

- a. Payment to the university for damages to or misappropriation of University or individual property. Restitution may include cost to repair, replace or otherwise compensate for damage.
- b. Restitution is not subject to appeal unless a finding is overturned.

***J. Investigation & Conduct Procedures***

DOS will review all alleged violations of the Code. DOS may conduct an investigation based on the nature of the allegation. Additional Information regarding specific investigation and conduct procedures may be found in the [Student Investigation & Conduct Procedures](#).

***K. Amnesty***

The University may not take disciplinary action against a student for the student's own misconduct that occurs at or near the time of a reported incident when the student:

1. was the victim of, or a witness to, sexual misconduct, dating violence, domestic violence or stalking; or
2. reports suspected misconduct by another individual and the report is made solely to protect another's health, safety, or welfare.

Amnesty will be granted only when the university determines the report is made in good faith. A good faith report occurs when the reporting student reasonably believes that the report of misconduct is true and it is made without malice.

**L. Interpretation and Revision**

Questions of interpretation or application of the Code will be referred to the Vice President of Student Affairs, or a designee, for final determination.

**V. Forms and Tools**

[Support our Students or Report Suspected Wrongdoing](#)

**VI. References and Cross-References**

[Family Education Rights and Privacy Act \(FERPA\), 20 U.S.C § 1232g](#)

[Texas Education Code § 37.151 \(6\)](#)

[Texas Education Code § 51.251\(2\)](#)

[Texas Education Code § 51.252](#)

[Texas Education Code § 51.282](#)

[Texas Education Code § 51.287](#)

[Texas Education Code § 51.9364](#)

[Texas Education Code § 51.9366](#)

[UNT Policy 04.008, Records Management and Retention](#)

[UNT Policy 06.003, Student Academic Integrity](#)

[UNT Policy 16.004, Prohibition of Discrimination, Harassment, and Retaliation](#)

[UNT Policy 16.005, Prohibition Against Sexual Misconduct and Retaliation](#)

**VII. Revision History**

Policy Contact:	Sr. Vice President, Student Affairs
Approved Date:	05/01/1991
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