NUMBER: STAF 6.26

SECTION: Division of Student Affairs and Academic Support

SUBJECT: Student Code of Conduct

DATE: June 1, 1992

REVISED: March 4, 2014

Policy for: Columbia Campus
Procedure for: Columbia Campus
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Issued by: Student Conduct

I. Policy

The University of South Carolina strives to maintain an educational community that fosters the development of students who are ethical, civil and responsible persons. The purpose of this document is to set forth the specific authority and responsibility of the university in maintaining behavioral standards. The Student Conduct Office also publishes the educational process for determining student and student organization accountability for violating the regulations, and the proper procedural safeguards to be followed in this process to ensure fundamental fairness at http://www.housing.sc.edu/osc/ .

A. Scope

1. The university may take disciplinary action for a violation of the Student Code of Conduct when the offense takes place on university premises or at university sponsored, endorsed, supported or related events which occur off campus. University action will also occur when an offense which occurs off campus may adversely affect the university community, its policies or procedures, or which affect the university's pursuit of its mission.

2. When there is an allegation that a student has committed an offense that is also a crime, a student can be charged both by the criminal justice system and the student conduct system. Disciplinary action at the university will normally proceed independently of pending criminal charges, including when charges involving the same incident have been dismissed by the criminal justice system.

B. Jurisdiction

1. Definition of a student - For the purpose of this policy a student is defined as a person who is admitted, enrolled or registered for study at the University of South Carolina for any academic period; and those who attend post-secondary

educational institutions other than the University of South Carolina and who reside in a USC residence facility. Persons who are not officially enrolled for a particular term but who have a continuing student relationship with, or an educational interest in, the University of South Carolina are considered students. A person shall also be considered a student during any period while the student is under suspension from the institution or when the student is attending or participating in any activity preparatory to the beginning of school including, but not limited to, fraternity or sorority rush, orientation, placement testing, and residence hall check-in.

2. Definition of student organization - A student organization is any group, consisting of at least 70% USC Columbia students who desire to come together to support a particular view, explore common interests or accomplish identified tasks. Additional standards of this definition can be found at http://www.sc.edu/policies/staf310.pdf

Responsibility for good conduct rests with students as individuals, for both themselves and their guests. Student organizations have similar responsibility for maintaining good conduct among their members and guests and at activities they sponsor. All members of the university community are expected to use reasonable judgment in their daily campus life and to show due concern for the welfare and rights of others.

C. Authority

The Board of Trustees and the president of the university are ultimately responsible for governing the university. The student conduct system is administered by the Division of Student Affairs and Academic Support. The Vice President for Student Affairs and Academic Support, in turn, designates the Office of Student Conduct with administrative authority and responsibility for Student Conduct policies and procedures. This responsibility includes formulating and implementing policies and procedures, in cooperation with other appropriate University bodies, for the consideration of conduct violations and the imposition of sanctions in an efficient, consistent, fair, legal, and educationally meaningful manner. The Office of Student Conduct may further delegate its responsibility to various judicial bodies and administrative staff including the Carolina Judicial Council, University Housing staff, Fraternity and Sorority Life staff, and the Title IX Coordinator.

Student Government as an elected and representative voice of the student body has the right to comment on any proposed changes pertaining to the discipline of students.

II. Procedure

This section establishes the rules and regulations all students and student organizations are expected to follow under the duty and corollary powers inherent in educational institutions.

Institutions protect their educational purposes through the setting of standards of student conduct and scholarship and through the regulation of the use of university facilities. Lack of familiarity with institutional rules is not an excuse for an infraction.

Additional rules and regulations may be promulgated during the year and will be updated to the university's website upon adoption.

A. Alcohol Related Misconduct

Prohibited behaviors include:

1. Possession or consumption of alcohol by a person under the age of 21 or under the lawful age of the jurisdiction in which the student resides

2. Possession of false or altered identification

3. Public intoxication

4. Possession of alcohol related paraphernalia (empty containers, beer pong table, etc.) or games that are specifically designed for alcohol consumption in a residence hall or in the Greek Village

5. Open containers in vehicles or in open spaces, or public areas of residence halls (lobbies, hallways, etc.)

6. The presence or possession of alcohol in a "dry" room – a "dry" room is an on-campus residential room in which only underage residents live

7. Providing or distributing alcohol to individuals under the age of 21 or to an intoxicated person

8. Common containers (kegs, coolers, etc.) that provide unrestricted access are not permitted on campus, at student organization functions or in the Greek Village.

9. Violating other provisions of the Student Code of Conduct while under the influence of alcohol

10. Students and student organizations must comply with the published regulations and applicable laws concerning the transport, display, provision, possession, and consumption of beer, wine, and other alcoholic beverages. Stipulations of the university alcohol policy can be found at www.sc.edu/policies/staf302.pdf.

Violations of the alcohol policies may result in administrative fees. For the schedule of fees, please refer to http://www.housing.sc.edu/osc/fines.html.

B. Drug Related Misconduct

Prohibited behaviors include:

1. Possession or use of any counterfeit, illegal, dangerous, or controlled drug or other substance is prohibited. This includes the unauthorized use or possession of prescription medications.

2. Manufacturing, selling, or distributing any counterfeit, illegal, dangerous or controlled drug or other substance is prohibited. This includes the unauthorized distribution of prescription medications.

3. Possession of drug paraphernalia (i.e., pipes, bongs, blunts)

4. Violating any other provision of the Student Code of Conduct while under the influence of an illegal or illegally obtained drug

5. Dilute, late, missed, forged, or failed drug screens (typically university required)

Violations of the drug policies may result in administrative fees. For the schedule of fees, please refer to http://www.housing.sc.edu/osc/fines.html.

C. Dangerous Behaviors

Intent is not an element of this violation, but will be considered in the application of sanctions.

Prohibited behaviors include:

1. Conduct or actions that have the potential for physically harming another person. Included is conduct which creates conditions that pose a risk of physical harm to another, which causes reasonable apprehension of physical harm, and/or unwelcome physical contact.

2. The use or display of any object or instrument in a dangerous or threatening manner

3. Driving under the influence of alcohol or drugs or while intoxicated or impaired

4. Physical or verbal threats of violence or placing a person in fear of imminent physical injury or danger

5. Physical abuse, physical intimidation, coercion, and/or other conduct that threatens or endangers the health or safety of another person or violates a legal protective order

6. Actions that have the potential for damage or destruction or create hazardous conditions

D. Weapons

Prohibited behaviors include unauthorized possession of weapons including firearms or weapons of any kind including but not limited to knives, slingshots, metal knuckles, razors, paintball guns, BB guns, and air pistols; even if permitted by law. Authorization for possession of a firearm on campus or in campus controlled facilities is only available from the university president or designee.

E. Disorderly Conduct

Intent is not an element of this violation, but will be considered in the application of sanctions. Prohibited behaviors include:

1. Conduct that disturbs the peace or disrupts the rights or privileges of others

2. Making, causing, or continuing any loud, unnecessary, or unusual noise that disrupts the normal operations of the university or infringes on the rights of other members of the university community

F. Disruptive Activity

Prohibited behaviors include:

1. Interfering with or disrupting the normal activity and operations of the university or its educational mission, programs, or events

2. Conduct that causes or provokes a disturbance that disrupts the academic pursuits of others

3. Behavior in a classroom or instructional program that interferes with the instructor or presenter's ability to conduct the class or program, or the ability of others to profit from the class or program

4. Intentional obstruction which unreasonably interferes with freedom of movement (including but not limited to pedestrian or vehicular obstruction)

5. Throwing or dropping objects or substances out of buildings.

6. Non-compliance with reasonable time, place, or manner restrictions on expression.

7. Failure to leave immediately when asked to disperse by university or law enforcement officials.

In any case wherein students are involved in actions which is disruptive of the normal activities of the institution or its personnel, or which exceeds the bounds of normal internal discipline in its impact, the Board of Trustees may exercise its right to name a special hearing board, committee, or officer to investigate the questioned action and to initiate appropriate disciplinary or other measures.

G. Abusive Conduct or Sexual Misconduct

Prohibited behaviors include:

1. Fighting, assaults, or actions which result in physical harm

2. Sexual assault as defined by the University Sexual Assault Policy (STAF 1.08 http://www.sc.edu/policies/staf108.pdf)

3. Hazing as defined by the University Policy on Hazing (STAF 3.05 http://www.sc.edu/policies/staf305.pdf)

4. Sexual harassment and discriminatory harassment as defined in the University's Sexual Harassment and Discriminatory Harassment Policies (EOP 1.02 http://www.sc.edu/policies/eop102.pdf and EOP 1.03 http://www.sc.edu/policies/eop103.pdf)

5. Discrimination and harassment as defined in the Student Non-Discrimination and Non-Harassment Policy (STAF 6.24 http://www.sc.edu/policies/staf624.pdf)

6. Stalking and relationship violence as defined by the Relationship Violence and Stalking Policy http://www.sc.edu/policies/staf109.pdf

7. Harassment or conduct (including but not limited to cyber-stalking, cyber-bullying, etc.) that creates or attempts to create an intimidating, hostile, or offensive environment for another person including action(s) or statement(s) that threaten harm or intimidate a person or any other form of unwanted contact

8. Voyeurism or recording of images without consent while the person is in a place where s/he would have a reasonable expectation of privacy

9. Damage to or destruction of property

10. Lewd behavior or indecent exposure

H. Fire and General Safety

Prohibited behaviors include:

1. Starting a fire or creating a fire hazard on university property without university authorization. Precautionary steps should be taken by residential students while cooking including turning on vents (where applicable), opening windows, and closely monitoring cooking food.

2. The possession and/or use of candles, torches, incense and/or incense burners, other open flame apparatus, extension cords, gasoline, propane tanks or lighter fluid in campus residences

3. Unauthorized possession of or use of fireworks and explosive materials, the ignition or detonation of anything which could cause damage to persons or property or disruption by fire, smoke, explosion, noxious odors, stain, corrosion

4. Causing or pulling a false fire alarm or emergency report of any kind

5. Tampering with, damaging, disabling or misusing fire safety equipment including fire extinguishers, fire sprinklers, fire hoses, fire alarms and fire doors

6. Failing to immediately evacuate any university building when a fire alarm or other emergency notification has been sounded or hindering or impairing the orderly evacuation;

7. Disobeying a directive or command by any university or emergency official in connection with a fire, alarm, or other safety, security, or emergency matter

8. Misuse of emergency call boxes

Violations of the fire and general safety policies may result in administrative fees. For the schedule of fees, please refer to http://www.housing.sc.edu/osc/fines.html.

I. Compliance with General Laws and Arrests

1. Violations of any federal, state, or local laws may be subject to disciplinary action. A disciplinary action imposed by the University may precede and/or be in addition to any penalty imposed by an off-campus authority.

2. Arrests by law enforcement agencies outside of USC's Division of Law Enforcement and Safety must be reported by the student to the Office of Student Conduct within 72 hours of arrest.

J. Dishonesty and Theft

Prohibited behaviors include:

1. Theft of any kind, including seizing, receiving, or concealing property with knowledge that it has been stolen

2. Sale, possession, or misappropriation of any property or services without the owner's permission
3. The sale of a textbook by any student who does not own the book
4. Dishonest or fraudulent behavior in any oral or written transaction with the university
5. Dishonesty or misrepresenting the truth before a hearing of the University, or furnishing false information or withholding information to any university official which interferes with university processes or procedures
6. Forgery, alteration, or misuse of any document, record, or officially issued identification information from University processes and/or officials

K. Misuse of Identification or University Resources

Prohibited behaviors include:

1. Possession of fake or altered identification

2. Unauthorized entry into, presence in, or use of university facilities equipment or property which has not been reserved or accessed through appropriate university officials

3. Student identification cards

    a. failing to present a Student ID/Carolina Card when requested by a university official acting in the performance of his or her duties

    b. possession of more than one Student ID/Carolina Card

    c. lending a University Student ID/Carolina Card to anyone for reasons not authorized by the University Student ID/Carolina Card policy (Violations may subject both the owner and the holder to disciplinary action).

    d. failure to report within 24 hours a lost ID/key to a secured facility

4. Keys

    a. unauthorized use, possession, or duplication of any university key

    b. loaning of a residence hall room key to a person not assigned to that room

5. Communication technology (phones, social mediums, electronic mail, voice mail, etc.)

    a. misusing or assisting in the misuse of telephones and communication equipment including using any form of communication equipment to harass or threaten any person(s)

    b. using any form of communication equipment to disrupt the normal operations or activities of any person, organization, or the university

6. Computers

   a. Failure to adhere to the university's Network Access and Acceptable Use Policy (IT 1.06 http://www.sc.edu/policies/it106.pdf)

   b. Misusing university computing resources by intentionally making, receiving, accessing, altering, using, providing or in any way tampering with files, discs, programs, passwords, messages or other computer users without their permission

   c. Using computer resources to harass others or in ways that violate institutional computer use policies

L. Failure to Comply

Prohibited behaviors include:

1. Failure to comply with and respond appropriately to the reasonable and lawful requests of university staff members (including resident mentors) and officials in the performance of their duties

2. Failure to abide by any published university policy or procedure

3. Failure to properly comply with or complete a sanction or obligation resulting from a conduct or honor code hearing

4. Unauthorized disclosure of confidential or proprietary information gained by the student in the course of or by reason of the student's responsibilities or duties as a student employee

M. Shared Responsibility for Violations

Prohibited behaviors include:

1. Acting in concert to violate university conduct regulations

2. Attempting, assisting or promoting any act prohibited by the Student Conduct Code or housing regulations
3. Condoning, encouraging, or requiring behavior that violates university conduct regulations

4. Allowing, permitting or providing opportunity for a guest to violate university conduct regulations

III. Related Policies

University Policy EOP 1.02 Sexual Harassment
http://www.sc.edu/policies/eop102.pdf

University Policy EOP 1.03 Discriminatory Harassment
http://www.sc.edu/policies/eop103.pdf

University Policy STAF 1.08 Sexual Assault Policies and Services
http://www.sc.edu/policies/staf108.pdf

University Policy STAF 1.09 Relationship Violence and Stalking Policy
http://www.sc.edu/policies/staf109.pdf

University Policy STAF 3.05 Hazing
http://www.sc.edu/policies/staf305.pdf

University Policy STAF 6.24 Student Non-Discrimination and Non-Harassment Policy
http://www.sc.edu/policies/staf624.pdf

IV. Reason for Revision

This document reflects the entirely revised rules for student behavior which is more concise, specific, and accessible to students.