

Code of Student Conduct

This code of student conduct applies to all student conduct matters other than those involving allegations of sexual misconduct. For sexual misconduct matters, please see the Sexual Misconduct Policy and Complaint Resolution Procedures on page 74.

Student Rights and Responsibilities

Registration for subsequent terms, the conferral of academic degrees, the release of transcripts, as well as other actions on a student account may be withheld pending the resolution of allegations of student misconduct.

6. STUDENTS

The term “student” means any person taking courses at USA, either full-time or part-time, pursuing undergraduate, graduate, or professional/extension studies. A person who is not officially enrolled for a particular term, but who has a continuing relationship with the University, is considered a “student.” This includes persons newly admitted to USA, those who are on semester break, and those who are sitting out one or more semesters.

Individuals participating in USA’s Personal Enrichment, Professional Development, and Conference Services activities offered through the School of Continuing Education and Special Programs are considered visitors. Visitors are expected to conduct themselves in accordance with the general rules and regulations of the University. Violations may result in the summary suspension of the privilege of visiting the campus. Student process/apellate procedures are not applicable to visitors.

7. PROHIBITED CONDUCT

University jurisdiction and discipline attaches to conduct that occurs on University premises or conduct that adversely affects or is detrimental to the University community and the pursuit of the objectives of the University, which can occur on or off campus. A student will be subject to the Code of Student Conduct for any action in violation of this Code that either occurs on University premises, or that, in the University’s sole discretion, occurs off campus and has an effect on or is detrimental to the University community and/or pursuit of University objectives.

The term “jurisdiction” for an individual student shall mean that individual is subject to the University Judicial System if he or she is alleged to have violated a University conduct regulation:

- 1.) While attending any University orientation program;
- 2.) Following admission of a student to USA but prior to the first day of class;
- 3.) During any semester for which the individual is or has been registered as a student at the University, including, but not limited to those who fail to complete the semester and those who are co-op students; or
- 4.) During an interval between semesters of registration.

The term “University premises” means any and all land, buildings, facilities, and/or other property in the possession of, owned, used, leased, rented or controlled by the University, including adjacent or pertinent streets or sidewalks.

The following non-academic misconduct is subject to disciplinary action:

- A. Intentionally or recklessly causing physical harm to any person The term “intentionally” means a conscious objective to engage in the described conduct; intoxication is not a defense to a charge of intentional misconduct. The term “recklessly” means conduct that could reasonably be expected to create a substantial risk of harm to a person(s).
- B. Harassment

The term “harassment” means conduct that, in the aggregate, is sufficiently pervasive, persistent or severe that a reasonable person with the same characteristics of the victim of the harassing conduct would be adversely affected to a degree that interferes with his

or her ability to participate in or to realize the intended benefits of an institutional activity, employment or resource. It may consist of written, electronic, verbal, and/or physical acts. It is also defined as using abusive language, including electronic communication, tending to incite an immediate breach of the peace to any person, persistent following or stalking of a person, or engaging in a course of conduct or repeatedly committing acts that cause mental or physical harm to another person.

“Stalking” means a course of conduct directed at a specific person that is so pervasive, persistent or severe that it would cause a reasonable person to fear for her, his, or others’ safety, or to suffer substantial emotional distress.

C. Discriminatory Harassment

The term “discriminatory harassment” refers to intentional behavior, including but not limited to written, electronic, verbal, or physical acts that denigrate or show hostility toward an individual on the basis of race, color, national origin, sex, pregnancy, sexual orientation, gender identity, gender expression, religion, age, genetic information, disability, protected veteran status or any other applicable legally protected basis.

Such behavior must be unwelcome and sufficiently pervasive, persistent or severe that a reasonable person with the same characteristics of the victim of the harassing conduct, in the aggregate, would be adversely affected to a degree that interferes with his or her ability to participate in or to realize the intended benefits of an institutional activity, employment or resource.

D. Violation of the Sexual Misconduct Policy

The term “sexual harassment” includes, but is not limited to, verbal or non-verbal conduct that a reasonable person would find intimidating, demeaning, hostile, or offensive with an inappropriate focus on sex, sexual history, individual gender-based characteristics, or sexual orientation; unwelcome verbal or physical advances; attempts to subject a person to unwanted sexual attention or to coerce a person into sexual relations; and/or retaliation for a refusal to comply with sexual demands. Said conduct must be unwelcome and must be so severe and pervasive that it has the purpose or effect of interfering with an individual’s educational experience or creating an intimidating, hostile, or offensive learning environment. Sexual harassment is a form of sex discrimination. See page 68 for the Sexual Misconduct Policy.

E. Engaging in activities that threaten the safety (a)10 (m(x)10 (ual orienta)10 d s)13(en-US)/MCID 2180