

**UNIVERSITY OF HOUSTON
STUDENT CODE OF CONDUCT
2022-2023**

Introduction

The University of Houston, as an educational institution, has a special set of interests and purposes essential to its effective functioning. These include; (a) the opportunity for students to attain their educational objectives, (b) the creation and maintenance of an intellectual and educational atmosphere throughout the University, and (c) the protection of the health, safety, welfare, and well-being of the University community.

Students who violate the Student Code of Conduct may be subject to disciplinary action, including referral to the Dean of Students Office for disciplinary action.

The University of Houston supports the concept of educational discipline - educating the student through appropriate sanctioning when circumstances permit; but should the student be found guilty of a violation of the Student Code of Conduct, the student may be subject to disciplinary action.

Policy

1. Application and Jurisdiction

1.1 Students are subject to applicable federal, State, and local laws; University of Houston System rules, regulations, and policies, including those set forth in UH System Administrative Memoranda.

1.2 Students may be disciplined by the University for violating any of the conduct standards on University grounds or off University grounds when the incident occurs in

Associate Director of Residential Life and/or their respective designees.

2.2 “Associate Dean” means the Associate Dean of Students.

2.3 “Assistant Dean” means the Assistant Dean of Students.

2.4 “Board” means the University Hearing Board.

2.5 “Business Day” means Monday through Friday during regular University business hours.

2.6 “Code” refers to the UH Student Code of Conduct.

2.7 “Good Standing” means that a student has complied with any assigned sanctions if applicable, and is not in the process of serving on probation, suspension, or expulsion.

2.8 “Handbook” means the official UH Student Handbook.

2.9 “Hazing” means those activities defined in the Texas Education Code Sec. 37.151 et seq., the Prohibited Conduct Section of the Student Code of Conduct regarding Hazing, and/or the UH Hazing Policy.

2.10 “Hearing Officer” includes the Associate Dean of Students, Assistant Deans of Students, the Associate Director for Residential Life, the Assistant Directors for Residential Life, Residence Life Coordinators, and the University Hearing Board or their designees.

2.11 “Notice” means correspondence sent to the addressee by the means identified in Section 5 of the Student Code of Conduct regarding Notice.

2.12 “Preponderance of the evidence” is the standard of review in the student discipline process which evaluates whether it is more likely than not that the student did violate a Code provision and/or University policy.

2.13 “Procedures” means the Student Disciplinary Procedures.

2.14 “Record” means correspondence referenced herein relating to the Student Disciplinary Procedures and all hard copy or electronic documents, forms, copies, reports, statements, recording04 Tc 0.004 Tw 0. (te)63othat 2 (on g)-7 (dbl4 (opi)4 (nt)TI.22 0 Td()Tj-0.004

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f. **Trash/Recycling** - Improperly storing or disposing of trash and/or recycling.

g. **Wheeled Transportation** - Unauthorized parking, securing, storing, indoor transport, use, or abandonment of a skateboard, hover board, bicycle, motorcycle, or scooter.

h. **Decorations** - Displaying obscene (as defined by Texas or federal law) or discriminatory information/materials that cause, or would be reasonably likely to cause, mental harm to another or that is in violation of University policies.

i. **Gatherings** – Assembling ten (10) or more people (residents included) in a residential room, suite, or apartment.

j. **Guests** – Unauthorized or unattended guest(s). Hosting guest(s) for an excessive number consecutive nights, and/or hosting an excessive of guests; failure of guest(s) to comply with University policies and procedures

k. **Hall Sports** – Engaging in games and sports intended for outdoor play including, but not limited to, water guns/balloons, rollerblading, and bouncing and throwing balls.

l. **Living with Roommates** – Failing to follow a Roommate Agreement, creating an inhospitable environment, or not maintaining personal care.

m. **Courtesy/Quiet Hours** – Making excessive noise and/or engaging in disruptive behavior that causes sound to be heard beyond the confines of a room, suite or, apartment.

n. **Posting/Advertising** – Unauthorized display, distribution, or removal of flyers, posters, banners, or other advertisements.

o. **Soliciting/Operating a Business** – Operating a business, selling or promoting a service or product from a residence hall room, suite, apartment, or common area.

p. **Fire Alarm Activation** Intentional false activation of the fire alarm system, or activation through forbidden activity (e.g. smoking, candles, open flame cooking equipment).

q. **Fire Evacuation Procedure** – Failing to evacuate after the activation of the fire alarm and/or following the directives of University and/or emergency personnel.

r. **Open Flames, Burning Embers & Flammable Materials** – Possession of , but not limited to, candles, incense, marijuana smelling smoking substances, smoking, fireworks, “Christmas Trees” (live or cut down), lighter fluid, gas/propane, charcoal briquettes, and/or burning of any materials.

s. **Projectiles** – Throwing, dropping, or projecting, objects from a residential structure.

t. **Appliances, Electronics, and Furniture** – Possessing an appliance with an open heat source and/or no thermostat control (i.e. toaster ovens, hot plates, space heaters, etc.); using a multi-outlet extension cord; unauthorized movement of University furniture, and/or possessing a waterbed or self-manufactured loft.

u. **University Lofts and the Campus Carry Policy**- Per the University of Houston’s Campus Carry policy,

<http://www.uh.edu/af/universityservices/policies/mapp/07/070105.pdf>); Only individuals with a legally issued and current License to Carry a Handgun (LTC) issued by the Texas Department of Public Safety may carry and store firearms in the University Lofts apartment complex. Any University Lofts resident with a current LTC and in the possession of a firearm shall store their firearm(s) in a university-approved safe, as outlined in the Campus Carry Policy (www.uh.edu/campuscarry) at all times when the weapon(s) is (are) not

4. Disciplinary Action Initiated

Any member of the University community may submit a written allegation of violation of the Prohibited Conduct Section of the Student Code of Conduct. The individual alleging a violation must include sufficient facts which would enable the Dean of Students or designee to decide if further fact finding is necessary. An allegation of violation must include the name of the complainant and should include pertinent facts including, but not limited to, a description of the alleged violation, the date of the alleged violation, the name(s) of the students involved, the time that the alleged violation took place, and the location of the alleged violation.

5. Notice

5.1 Students who are the subject of prohibited conduct allegations will be notified by the appropriate Hearing Officer. Such notice will contain information regarding the student conduct involved and a statement of the Code provision(s) and/or University policy alleged to have been violated.

5.2 All written notices to students will be considered received and constitute full and adequate notice upon the occurrence of one or more of the following: placing the written notice addressed to the student's current local or permanent address as listed in the

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to proceed with a Disciplinary Conference under the Student Disciplinary Procedures. Students who fail to appear for a scheduled Procedural Interview will be considered to have elected to proceed with a Disciplinary Conference.

6.3 Copies of the following documents will be made available to the student at the time of the Procedural Interview:

- a. A copy of the Student Code of Conduct.
- b. A copy of the referral notice and/or incident report.
- c. A copy of the Students' Rights and Responsibilities Respondent Information and Acknowledgement Form.

Students who fail to contact the Hearing Officer to schedule the Procedural Interview or who fail to attend a scheduled Procedural Interview will be provided access to copies of these documents in advance of the Disciplinary Conference.

7. Hearing Selection

7.1 Within five business days of the Procedural Interview, the student shall choose either a hearing before the University Hearing Board or a Disciplinary Conference with the Hearing Officer. The student shall indicate their choice of hearing in writing to the Hearing Officer.

7.2 The Hearing Officer shall notify the student of the time, date, and place of the Disciplinary Conference or hearing before the University Hearing Board. **7.3** Students who fail to select either a hearing before the University Hearing Board or a Disciplinary Conference with the Hearing Officer within the five business day period outlined in Item 7.1 will be considered to have elected to proceed with a Disciplinary Conference.

8. Disciplinary Conference

- The following procedural guidelines shall be applicable in Disciplinary Conferences
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8.4 If a respondent fails to appear for a scheduled Disciplinary Conference, the Hearing Officer will proceed with investigating the complaint.

8.5 The Hearing Officer will investigate the complaint, including but not limited to, reviewing incident reports, reviewing witness statements, and interviewing witnesses, as appropriate.

hearing as their advisor shall notify the Hearing Officer of the attorney's name and

10.17 Decisions by the Board shall be by majority vote. In the event of a tie, the Chair will vote to break the tie.

10.18 Hearings will be recorded and, upon written request, the respondent will be afforded access to the recording of the hearing. The only recording devices allowed in the hearing are those provided by the Hearing Officer.

10.19 The Board's recommendation of violation and sanction(s) will be forwarded to the Hearing Officer for further action. The Hearing Officer will notify the respondent of the decision in writing within seven business days of the Board's decision. (b) (5) - (D)

11.4 Disciplinary Probation is a sanction in which students are considered “not in good standing” with the University. Any further misconduct while on probation may result in additional disciplinary action up to and including expulsion from the University. Students under the sanction of probation may be subject to additional restrictions identified by the Dean of Students Office. A sanction of probation is imposed for a definite period of time. Probation will be noted on the student’s permanent record during the period of

conclusion of a Disciplinary Conference or Hearing Board hearing, without undue delay, in accordance with the Student Disciplinary Rules.

12.2 The Hearing Officer will notify the student(s) of the interim suspension by issuing notice of interim suspension. This notice will include a statement of the regulation(s) that the student allegedly violated, a specific statement of the facts constituting the alleged violation, and will direct the student(s) to contact the Dean of Students Office to schedule a Procedural Interview with the Hearing Officer within five business days of the notice. The notice will also include a copy of the Student Code of Conduct and/or the web address of the code. The notice of interim suspension may be issued initially by the Chief of Police or designee when there is reasonable cause to believe that the student(s) poses an immediate threat to the University community. In such cases, the Hearing Officer will subsequently issue notice of interim suspension pursuant to this section.

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The Hearing Officer may

- a. New information, not available at the time of the original hearing, was discovered and such new information could affect the decision rendered in the original conduct case.
- b. The weight of the evidence does not support or is contrary to the finding of violation.
- c. Procedural error that resulted in material harm or prejudice to the student (i.e., by preventing a fair, impartial, or proper hearing). Deviations from the designated procedures will not be a basis for sustaining an appeal unless material harm or prejudice results.
- d. The sanction imposed as the result of the original hearing was excessively severe in relation to the violation that the student was found to have committed. Appeals submitted on a claim that the sanction was excessively severe do not have bearing on the finding of “in violation” and relate only to the sanctions imposed.

19.3 The Dean of Students or their designee will serve as the Appellate Officer for all conduct cases in which a sanction of expulsion, suspension, eviction, and/or revocation of admission or degree was issued as a result of the original conduct hearing, as well as conduct cases occurring outside of the areas under the control of Student Housing and Residential Life.

19.4 The Associate Director for Residential Life or designee will serve as the Appellate Officer for all conduct cases occurring in areas under the control of Student Housing and Residential Life in which a sanction other than expulsion, suspension, eviction, and/or revocation of admission or degree was issued as a result of the original conduct hearing, as well as conduct cases occurring outside of the areas under the control of Student Housing and Residential Life.

confidential and shall not be accessible to or used by anyone other than the Dean of Students or University officials with legitimate educational interests; except upon written authorization of the student or in accordance with applicable state or federal laws or court order or subpoena.

20.3 Disciplinary records of students who were not assessed a sanction of suspension, expulsion, denial or revocation of a degree, and/or withdrawal of a diploma will be maintained by the Dean of Students Office for six years after the final disposition of the case in accordance with the University's Records Retention Schedule.

20.4 Disciplinary warning records are maintained as active conduct records by the Dean of Students Office for the specified period of warning. Students issued a warning sanction may request that the record be removed once the period of warning has expired or when they have graduated from the University.

21. Student Groups and Registered Student Organizations

21.1 Student groups and registered student organizations are subject to the same behavioral expectations as individual students and as such, may be charged with violations of the Prohibited Conduct Section of the Student Code of Conduct. The same Student Code of Conduct procedures afforded individual students are applicable to student groups and registered student organizations.

21.2 Student groups and registered student organizations, their members, as well as other students may be held collectively and/or individually responsible for violations that occur on University grounds, on premises used or controlled by the group or organization, and/or at University sponsored activities on or off campus. The disciplinary jurisdiction set forth in Item 1.1 applies to individual students, student groups and registered student organizations.

21.3 Student groups and registered student organizations and their officers may be held collectively and/or individually responsible for violations of the Code when the organization's leaders, officers, or spokespersons have given tacit or overt consent or encouragement for the prohibited conduct.

21.4 Student group and registered student organization leaders, officers, and/or spokespersons may be directed by the Dean of Students or designee to take action to prevent or end violations of the Code by members of the organization or by any persons associated with the organization. Failure to make reasonable efforts to comply with the directives of the Dean of Students or designee shall be considered a violation of the Code by the leaders, officers, and spokespersons of the organization as well as by the organization.

21.5 Sanctions for student group and/or registered student organization misconduct may include revocation or denial of registration as well as other appropriate sanctions cited in Sections 11 and 12 of the Code.

Approval: February 9, 2023

Dr. Daniel Maxwell; Interim Vice President for Student Affairs

Review/Responsibility:

**Annually by Dean Donell Young; Associate Vice President for Student Affairs and
Dean of Students**