

**POLICY WITH RESPECT TO STUDENT CODE OF CONDUCT**

<b>POLICY NUMBER:</b>	2015-04-POL
<b>TITLE OF THE POLICY:</b>	Student Code of Conduct
<b>DATE OF ADOPTION:</b>	21 October 2015
<b>SUPERSEDES:</b>	Policy Statement on Student Code of Conduct
<b>DATE OF IMPLEMENTATION:</b>	Fall 2015
<b>PROJECTED DATE OF REVISION:</b>	Fall 2017
<b>PURPOSE OF THE POLICY:</b>	To provide students with standards of conduct
<b>ACCOUNTABILITY:</b>	Office of Student Affairs
<b>APPENDICES:</b>	Appendix I - Offences and Sanctions Appendix II - Administrative Procedure of the Student Disciplinary Process

**1.0 Preamble**

The University of The Bahamas strives on the pursuit of knowledge and truth through teaching, learning, research and service. This policy is established to develop an overall sense of responsibility within students; to engender a sense of dignity, pride and respect for the University; and to uphold the laws of The Commonwealth of The Bahamas. Each student is expected to adhere and conform to the tenets as set out in this policy.

**2.0 Scope**

The policy presents guidelines and standards of behaviour that govern the general social conduct of all University of The Bahamas students. Students who commit offences, as listed in Appendix I, shall be subject to a Disciplinary Process (Appendix II) administered by the Office of the Vice President, Student Affairs, at the Oakes Field Campus; the Dean of Students at the Northern Bahamas Campus; and the University Administrator at satellite campuses and centres.

**3.0 Student Code of Conduct**

This policy, through appropriate due process, shall impose disciplinary measures for conduct that adversely affects the institution's pursuit of its educational objectives; threatens or endangers the health and safety of any member of the University community and or property; and demonstrates a disrespect for authority. Students are expected to abide by the following Code of Conduct on and off the University campus:

- 3.1 Law Abiding Citizens. Conduct themselves as law abiding citizens of The Commonwealth of The Bahamas.
- 3.2 Respect for Self and Others. Exhibit respect for themselves and towards the rights of others, their person, property and opinions.
- 3.3 Core Values. Uphold the core values as established by University of The Bahamas.
- 3.4 Diversity. Demonstrate respect for the differences of others and their culture, age, gender, identity, race, religion, disability, ethnic heritage, socio-economic status, political persuasion and sexual orientation.

- 3.5 Uphold the Code of Conduct. All students are expected to uphold the Code of Conduct as set out in this policy. These standards of behaviour ensure the general well-being of all members of the University community. Thus, the University requires that all students avoid actions that will bring discredit to the institution or undermine its reputation. Further, the University reserves the right to take appropriate disciplinary action as may be necessary to maintain campus conditions and preserve the integrity of the institution and its educational environment.

#### 4.0 Definitions

*Core Values.* Guiding principles established by the University for members of the University community.

*Disciplinary Process.* A step-by-step procedure developed by the University to discipline students who violate the University's Code of Conduct.

*Ethnic Heritage.* Origin by birth or descent rather than by present nationality that has been passed down from previous generations (*Concise Oxford English Dictionary, 2004*).

*Political Persuasion.* A person's political choice.

*Satellite Campuses.* Campuses (or centres) on the Family Islands that operate with an administrator.

*Sexual Orientation.* An individual's sexual identity in relation to the gender to which they are attracted (*Oxford English Dictionary 2011*).

*Social Conduct.* Conduct that speaks specifically to the non-academic behaviour of the student.

*Tenets.* Principles or beliefs as set out in this Code of Conduct held true by all members of the University community.

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#### References

Oxford Dictionary. (n.d.). Resources. Twelfth Edition 2011, Oxford English Dictionary:

<http://www.oxforddictionaries.com/definition/english/sexual-orientation>

Student Affairs Divison, Hampton University. *Official Student Handbook Online Receipt*, 2011-2013.

University of The Bahamas. Student Handbook, 2011-2013.

**Appendix I**  
**Policy on Student Code of Conduct**  
**Classification of Student Offences and Sanctions**

**1.0 Minor Offences**

- 1.1 Willful interruption of a class or any other University sanctioned activity.
- 1.2 Verbal abuse and/or intimidation of a student, faculty or staff member.
- 1.3 Refusal to comply with instructions from security personnel.
- 1.4 Failure to wear identification card on the University campus and other designated areas.
- 1.5 Verbal assault.
- 1.6 Disturbance of the peace.
- 1.7 Accidental damage to/destruction of University property.
- 1.8 Breach of Residence Hall rules and regulations.
- 1.9 Breach of cafeteria rules and regulations.
- 1.10 Failure to comply with a University official.
- 1.11 Failure to comply with imposed sanctions.
- 1.12 Unauthorised visitation of guests.
- 1.13 Parking in a restricted or non-student parking area.
- 1.14 Smoking in a non-smoking area.
- 1.15 Using wireless audio electronic messaging devices without permission (e.g., cell phones, beepers, pagers, etc.) in class or at any other formal gathering of students, faculty and staff.

**2.0 Sanctions**

- 2.1 **WARNING:** Verbal and/or written notice that violations of specified policies or regulations have occurred and that continued violations might result in further disciplinary action.
- 2.2 **CENSURE:** Written reprimand for violations of specified policies or regulations, including notice that continued violations may result in further disciplinary action.
- 2.3 **DEFERRED SANCTION:** In some cases a sanction or suspension or denial of a privilege may be held in abeyance for a specified period. This means that should the student be found guilty of any violation during the period, the sanction will be invoked without further review and the disciplinary action appropriate to the new violation taken.
- 2.4 **EDUCATIONAL EXPERIENCES:** The student is required to perform certain activities that are pertinent to his or her course of study at the University. Failure to complete a required educational experience as prescribed by the University Disciplinary Committee will result in one semester of suspension from the University (fall or spring).

**3.0 Major Offences**

- 3.1 Physical assault.
- 3.2 Sexual offences.
- 3.3 Sexual misconduct.
- 3.4 Threatening behaviour.
- 3.5 Slander or defamation of character against any student, faculty or staff, written or verbal.
- 3.6 Fighting with any student, faculty, staff or member of the wider community.
- 3.7 Viewing or storing of pornographic material on University property.
- 3.8 Use of social media to discriminate against and/or damage the character of any student, faculty or staff.
- 3.9 Possession of drugs or drug paraphernalia on University property.
- 3.10 Gambling on University property.
- 3.11 Possession of weapon on University property.
- 3.12 Willful/careless/reckless damage of University property.
- 3.13 Perjury in Disciplinary Hearing.
- 3.14 Public nudity.
- 3.15 Public urination.

- 3.16 Tampering with firefighting equipment.
- 3.17 Act of intolerance (Hate Crime).
- 3.18 Alcohol abuse (Medical).
- 3.19 Alcohol abuse (Non-Medical).
- 3.20 Malicious damage or destruction.
- 3.21 Impersonation/Misrepresentation/Misuse of ID card.
- 3.22 Removal from a University event due to intoxication.
- 3.23 Disorderly conduct or behaviour which is abusive, lewd, profane, indecent and violent which disturbs other groups or individuals.
- 3.24 Any form of dishonesty including, but not limited to, fabricating information or knowingly furnishing false information or reporting a false emergency to University officials acting in the performance of their duties.
- 3.25 Forgery, alteration or misuse of any University document, record, key, electronic device or identification.
- 3.26 Theft, conversion of, damage to or destruction of any property of the University or property of others while on University premises or possession of any property of the University or others stolen while on University premises.
- 3.27 Theft or other abuse of computing facilities or computer time including, but not limited to, unauthorised entry into a file to use, read, or change the contents or for any other purpose; unauthorised transfer of a file; unauthorised use of another individual's identification or password; use of computing facilities to interfere with the work of another student, faculty, staff member or University official; use of computing facilities to interfere with a University computer system.
- 3.28 Unauthorised use, possession, receipt, duplication or use of the University's name, logo, insignia or seal.
- 3.29 Unauthorised entry to, possession, receipt, or use of any University property, equipment, resource or service.
- 3.30 Violation of policies, regulations or rules governing University owned or operated housing facilities or leased housing facilities located on University property.
- 3.31 The use of "fighting words" to harass any person(s) on University property, or in connection with official University functions or University sponsored programmes. "Fighting words" constitute harassment when the circumstances of their utterance create a hostile and intimidating environment. Such words include but are not limited to those terms widely recognised to be derogatory references to race, ethnicity, religion, sex, sexual orientation, disability and other personal characteristics.
- 3.32 Intentional disruption, obstruction or interference with the process of instruction, research, administration or student discipline or any other service or activity provided or sponsored by the University.
- 3.33 Participation in a disturbance of the peace or unlawful assembly.
- 3.34 Failure to identify oneself or comply with the verbal or written directions of any University official or other public official acting in the performance of their duties on University property or at official University functions, or resisting or obstructing a security officer or such University or other public official in the performance of or in their attempt to perform their duties.
- 3.35 Possession, consumption or distribution of alcoholic beverages on University owned or controlled property or at University sponsored or supervised activities unless sanctioned by the appropriate University body.
- 3.36 Failure to comply with the terms of any disciplinary sanction imposed in accordance with the Student Code of Conduct.
- 3.37 Violation of regulations or any other standards of conduct as outlined by the University provided they have been published, distributed or posted in such a manner as to furnish adequate notice to students.
- 3.38 Forgery.
- 3.39 Fraud.
- 3.40 Theft.
- 3.41 Conviction for a criminal offence.
- 3.42 Sale or distribution of marijuana or other drugs.
- 3.43 Use of fireworks, explosives, hazardous chemicals, weapons without authorisation from a University official.
- 3.44 Sexual harassment. Unwelcome sexual advances, requests for sexual favours and other verbal or physical conduct of a sexual nature constitute sexual harassment when:
  - 3.44.1 Submission to such conduct is made either explicitly or implicitly on the condition of instruction, employment or participation in other University activities;
  - 3.44.2 Submission to or rejection of such conduct by an individual is used as a basis for evaluation in making academic or personnel decisions affecting an individual;
  - 3.44.3 Such conduct that has the purpose or effect of unreasonably interfering with an individual's performance or creating an intimidating, hostile or offensive University environment. In determining whether the alleged conduct constitutes sexual harassment, consideration shall be given to the record of the incident as a whole and to the totality of the circumstances, including the context within which the alleged incident(s) occurred.

- 3.45 Stalking behaviour in which an individual willfully, maliciously and repeatedly engages in a knowing course of conduct directed at a specific person which reasonably and seriously alarms, torments, or terrorizes the person and which serves no legitimate purpose.
- 3.46 Disorderly or lewd conduct (including that resulting from drunkenness), unreasonable noise or behaviour that results in unreasonable annoyance on University property or at University sponsored activities.
- 3.47 Possession, use or threatened use of firearms, ammunition or other dangerous weapons, substances, or materials (except as expressly authorised by the University), or bombs, explosive or incendiary devices prohibited by law or University regulations.

#### **4.0 Sanctions**

- 4.1 **LOSS OF PRIVILEGES, EXPULSION FROM ACTIVITIES:** Exclusion from participation in designated privileges and extracurricular/co-curricular activities for specified term(s).
- 4.2 **DISCIPLINARY PROBATION:** A period of restriction during which a student must display conduct that conforms to University standards of conduct. Conditions restricting the student's privileges or eligibility for activities may be imposed. Misconduct during probation or violation of probation may result in suspension/dismissal from the University.
- 4.3 **RESTITUTION:** Either monetary or in the form of an apology, research paper, or community service, which is appropriate for the violation(s), may be ordered for damages to or misappropriation or for dereliction of duties or other responsibilities.
- 4.4 **INTERIM SUSPENSION:** Exclusion from classes or from other specified activities/areas of campus before final determination of an alleged violation. A student may be placed on Interim Suspension if there is cause to believe that the student's presence will lead to physical abuse, threats of violence or conduct that threatens the health or safety of members of the University community or other disruptive activity incompatible with the orderly operation of the institution.
- 4.5 **SUSPENSION:** Termination of a student's status for a specified academic semester(s). During suspension, students must comply with all conditions imposed and shall not attend classes, hold student employment or use any service which the University normally provides for students. Students may be barred from entering campus/University functions while suspended. Suspensions appear on transcripts until the student is readmitted.
- 4.6 **EXPULSION FROM THE UNIVERSITY:** The dismissed student is barred from entering campus or University functions. Such a student will be automatically and permanently removed from the University Register and is barred from entering University premises, using University facilities or participating in University functions. Expulsions are recorded on the student's transcript.

**Appendix II**  
**Policy on Student Code of Conduct**  
**Administrative Process for Student Discipline**

**1.0 Introduction**

All matters of social misconduct by and or against a student shall be reported to the Office of the Vice President of Student Affairs at the Oakes Field Campus; the Dean of Students at the Northern Bahamas Campus; or the University Administrator at satellite campuses/centres. Matters may be brought to the Office by an administrator, faculty, staff or student or by a member of the wider community.

**2.0 Burden of Proof**

The burden of proof rests with the University of The Bahamas. This means that the University is required to present evidence showing that the student or students in question have violated University policies or procedures. Persons charged do not have to “prove” their innocence and may remain silent, if they so choose. Such silence shall not be construed as an indication of guilt.

**3.0 Interim Suspension**

In exceptional cases, if the presence of a student or students against whom a complaint has been lodged is adjudged to constitute a risk to other students, faculty, staff and/or property, the Vice President of Student Affairs/Dean of Students, Northern Bahamas Campus/University Administrator, Satellite Campuses is empowered to suspend the student immediately, pending action by the University Disciplinary Committee. This interim suspension cannot exceed ten (10) business days.

**4.0 Notification to Students**

If a student, once notified of the hearing, fails to respond or appear without just cause on the second occasion, the matter shall be heard in his/her absence. In the case where a student fails to appear owing to circumstances beyond his/her control (e.g., illness), a final decision shall be deferred. It is the student’s responsibility to inform the Office of Student Affairs/Dean of Students/University Administrator and provide proof of circumstance.

**5.0 Stages of the Disciplinary Process**

There shall be a three (3) stage system. The first stage will assess all alleged offences; there will be no decisions relative to expulsion or alterations to students’ transcripts. The second stage will deal with major offences; the third and final stage will deal with appeals.

**5.1 Stage 1 - Case Assessment**

When a complaint is lodged against a student the following steps shall be taken:

- 5.1.1 The student(s) shall be notified within one (1) business day.
- 5.1.2 The student against whom the complaint has been lodged must schedule an appointment with the Vice President, Student Affairs/Dean of Students/University Administrator within one (1) business day after receiving notification.
- 5.1.3 The student shall be required to write a report.
- 5.1.4 The Vice President, Student Affairs/Dean of Students/University Administrator shall meet with the student, assess the case and determine whether the matter should be referred to the University Disciplinary Committee.

**5.2 Stage 2 - University Disciplinary Committee**

When a matter is referred to the University Disciplinary Committee (UDC) the following steps shall be taken:

- 5.2.1 The student shall be notified in writing within one (1) business day.
- 5.2.2 Prior to the meeting of the UDC, the student will be notified to:
  - Review all complaints filed against him/her;
  - Submit in writing a report of his/her case;
  - Be accompanied by an advisor at the hearing;

- Call witnesses on his/her behalf;
- Question witnesses during the hearing;
- Receive the written decision of the UDC within three (3) business days of the conclusion of the hearing; and
- Appeal the case within ten (10) business days if he/she believes the decision is unduly harsh.

5.2.3 After the student has been notified, he/she shall be given five (5) days to prepare for the hearing.

### **5.3 Composition of the Disciplinary Committee**

The committee shall be comprised of seven (7) members. Committee members are not permitted to hear a matter at more than one level of the disciplinary process. If a matter coming before the UDC has been heard by any member of the Committee, the member may not be empanelled for the UDC review of that case.

#### **Committee Composition**

5.3.1 Two (2) Student Affairs Directors, one of whom shall serve as Chair;

5.3.2 One (1) Counsellor;

5.3.3 One (1) Faculty member;

5.3.4 Student Government Association President or designate;

5.3.5 One (1) Student Government Association Senator; and

5.3.6 One (1) Staff member.

### **5.4 Quorum**

The Quorum shall consist of the following five (5) members:

5.4.1 Student Affairs Director (Chair);

5.4.2 Student Government Association President or designate;

5.4.3 One (1) Counsellor;

5.4.4 One (1) Staff member; and

5.4.5 One (1) Student Government Association Senator.

### **5.5 Committee Composition: Northern Bahamas Campus**

5.5.1 Student Affairs Assistant Director (Chair);

5.5.2 Area Vice President Student Government Association or designate;

5.5.3 One (1) Counsellor;

5.5.4 One (1) Staff member;

5.5.5 One (1) Student Government Association Senator or designate; and

5.5.6 One (1) Faculty member.

### **5.6 Quorum: Northern Bahamas Campus**

The quorum shall consist of the following four (4) members:

5.6.1 Student Affairs Assistant Director (Chair);

5.6.2 Area Vice President Student Government Association or designate;

5.6.3 One (1) Counsellor; and

5.6.4 One (1) Staff member.

### **5.7 Stage 3 – University Appeals Board**

There shall be a University Appeals Board to hear and determine appeals from students. Students wishing to appeal their case must do so in writing within ten (10) business days of notification of the Committee's decision. When an appeal is lodged at the Office of Student Affairs, Oakes Field Campus/Dean of Students Northern Bahamas Campus/University Administrator Satellite Campus, the Board shall be notified within two (2) business days.

#### **5.7.1 Grounds for Appeal**

5.7.1.1 Denial of due process.

5.7.1.2 Lack of substantial facts to support the findings.

5.7.1.3 New evidence that was not available at the time of the hearing.

5.7.1.4 Sanctions that the student believes are unduly harsh or arbitrary.

#### **5.7.2 Conduct of the Hearing**

5.7.2.1 When an appeal is lodged, disciplinary sanctions must be suspended pending the outcome of the appeal.

5.7.2.2 The student and his/her advisor may be asked, but not required, to appear before the University Appeals Board.

5.7.2.3 The application for appeal may be denied or granted in whole or in part.

5.7.2.4 The hearing will be organised within forty-eight (48) hours.

5.7.2.5 The decision of the University Appeals Board is final.