



Embry-Riddle Aeronautical University  
Student Code of Conduct

# Student Code of Conduct

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## Eagles RISE

As Eagles, we have the shared responsibility to shape our campus culture in values that will guide us for life. The university expects you to demonstrate RESPECT, INTEGRITY, SERVICE and EXCELLENCE.

RESPECT means recognizing the dignity and worth of every individual. INTEGRITY is simply the foundation of our character and our moral fingerprint. SERVICE reminds us that our education is not just for personal growth, but for the betterment of our community, the nation, and ultimately the world. And EXCELLENCE is a mindset of commitment to the pursuit of growth.

These values should become habits and when practiced daily, they turn into actions. Let's continue to live them daily, holding ourselves to a standard that reflects the best of who we are, and who we aim to become.

All Eagles and student organizations will be held accountable to the following Embry-Riddle Aeronautical University Student Code of Conduct. Eagles share a commitment to compliance with these established standards in all our activities on-and-off-campus.

## Definitions

### Evidentiary Standard

In all cases of student conduct, the Student Code of Conduct administrative hearing process requires a standard of proof known as preponderance of evidence which indicates that it is more likely than not that the alleged student is responsible. We do not use technical rules of evidence.

### Jurisdiction

In general, the Student Code of Conduct for students and Recognized Student Organizations (RSOs) applies to activities and events that occur on campus or at university-sponsored activities or events. However, since off- campus behaviors by

students may also affect the health, safety, or well-being of the campus and/or other members of the campus community, the university reserves the right to pursue any allegation of a violation of the Standards of Conduct or other university policies for incidents and events occurring both on- and off- campus.

## Registered Student Organization (RSO)

An organization of students officially registered and approved by the Student Engagement and Student Union (SESU) at Daytona Beach, the Department of Student Engagement (DSE) in Prescott, and Student Experience at Worldwide, enabling them to operate as a Recognized Student Organization (RSO) within the university.

## Student

An individual is considered a “student,” including for student conduct purposes, upon engaging in their first university-sponsored activity at the Daytona Beach or Prescott Campus or submitting an admissions application for the Worldwide Campus. The individual will remain a student until they break their continued student status as defined in the Catalog. Students who withdraw from the university by completing and submitting a university withdrawal form no longer meet the definition of “student.”

## Student Code of Conduct

Eagles are responsible for knowing, understanding, and adhering to the Embry-Riddle Aeronautical University Student Code of Conduct, as well as other campus, university and department policies and guidelines as outlined in the Student Handbook/ERNIE (Embry-Riddle’s Network for Information Exchange) webpages, on department sites, and via other methods.

## Prohibited Conduct

All Eagles are expected to live ERAU’s core values of mutual respect, integrity, collegiality, stewardship, service, safety, and success. Eagles share a commitment to honesty, fairness, accountability, responsibility, and compliance in all our activities on-and-off-campus. Personal honesty and integrity are fundamental elements of responsible

citizenship and are an intrinsic part of the base character required for productive careers in aviation, aerospace, and related industries.

Prohibited conduct includes, but is not limited to:

## 1. Abusive, Threatening or Bullying Behavior

Any conduct that threatens or endangers the physical, mental, and/or emotional health and safety of a member of the university community, including oneself, on or off university property, any place that the university conducts business, or at a university-sponsored or supervised activity is considered abusive or threatening behavior.

- **Bullying** - Repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control, or diminish another person, physically or mentally, through speech or conduct.
- **Harassment** - Any willful, intentional, or unintentional, persistent, or reckless act that knowingly and maliciously harms or taunts another individual or group or conduct that poses a reasonable fear of harm or creates a hostile environment. Harassment can be communicated/conducted via verbal or written words, actions, stalking, cyber-stalking, and threats.
- **Implied threats** - Actions or behaviors that may include, but are not limited to, gestures, taunting comments and/or any behaviors that create a threatening and/or intimidating environment, including threats against the university and/or its property.
- **Physical Abuse** - Actions or behaviors that may include, but are not limited to, fighting, threats, coercion, and/or other conduct or action that threatens the health or safety of any person or the campus community.
- **Retaliation** - Any attempts or acts to seek retribution including, but not limited to, any form of bullying, intimidation, reprisal, harassment, depriving participation in activities, or intent to prevent participation in university proceedings. Retaliation may include continued abuse or violence, other harassment, slander, and libel. Retaliation is any adverse action taken against an individual because they participated in a student conduct process, reported a violation, or otherwise engaged in activity supported by the university.

- **Threats** - Any verbal, written, or digital communication causing reasonable apprehension or fear of physical harm to persons or property. It is not necessary for the threatened person to actually receive or witness the threat, as long as a reasonable person would interpret the behavior as a serious intention to cause harm.
- **Verbal Abuse** - Actions or behaviors that may include, but are not limited to, the act of harassing, labeling, insulting, scolding, rebuking, coercion, or excessive yelling towards an individual and/or other verbal violence that threatens the health or safety of any person or the campus community. Verbal abuse includes but is not limited to communications made in person, over the phone, via voicemail, or other auditory means.
- **Written Abuse** - Actions or behaviors that may include, but are not limited to, instant messaging, internet usage, email, cell phone/texting, social media, letters, unprofessional language, signs, banners, Spirit Rock, clothing, chalkboards and dry erase boards and/or other specific graffiti and/or other written aggression that threatens the health or safety of any person or the campus community.

## 2. Academic Integrity

Eagles are expected to prepare and present their own work to satisfy academic requirements.

Doctoral candidates who are suspected of academic integrity violations are subject to the department and/or doctoral handbook.

Academic integrity violations include the following:

- **Artificial Intelligence (AI)**: The use of artificial intelligence (AI) tools in an educational setting must be guided by ethical principles and academic integrity. Students and faculty may use these tools for research support or aids to enhance their learning and scholarship but should not rely on them to produce original work. The university recognizes the potential benefits of AI but acknowledges the potential risks, such as creating unauthentic, inaccurate, biased, or harmful content. Eagles should follow best practices to ensure authentic scholastic accomplishment and academic integrity, including avoiding plagiarism or machine ghostwriting.

Ultimately, the university upholds the importance of intellectual honesty and ethical research practices and expects Eagles to act in accordance with these principles when using AI tools.

- **Cheating:** Eagles may not use unauthorized assistance, including technology, websites, and/or electronics, in preparing or completing assignments, including any oral or written presentations or any quiz or examination.
- **Fraud:** Eagles may not gain unfair advantage through deceit, falsification of record, including the unauthorized use of AI technology.
- **Over-sharing:** Eagles may not over-share, which is defined as copying numerical solutions, computer code, or lab experiments outside of collaborative assignments, to name a few examples of violations.
- **Plagiarism:** Eagles may not plagiarize as it is an act of academic dishonesty and is defined as taking the ideas, writings, and/or words of another and representing them as one's own. Two common forms of plagiarism involve the use of written or oral work of another person without giving proper citation and the use of the work of another person as one's own.

### 3. Alcohol, Drugs, Nicotine, and Other Substances

Embry-Riddle has a responsibility to educate and promote healthy, low-risk choices within our student population and to support similar policies found within the aviation, aerospace, and related industries. The university intends to be clear on its position regarding the unlawful use, possession, and/or sale of illegal drugs and toward those who have knowledge of violations of any federal, state, and local laws. Additionally, the university will take serious action regarding the abuse of legal substances or the illegal sale of legal substances. The university intends to comply with the Drug Free Workplace Act of 1988, the Drug Free Schools and Communities Act Amendments of 1989, Department of Transportation regulations, and Federal Aviation Administration regulations regarding drug and alcohol abuse.

#### *Alcohol*

Eagles must be at least 21 years of age in order to purchase, possess, or consume alcohol. The unlawful possession, use/misuse, or distribution of alcohol to anyone under the age of 21, on or off university property, or as part of university activities, is prohibited.

Eagles who choose to consume alcohol are responsible for their behavior on and off-campus and must abide by state and U.S. Federal laws.

Disruptive or destructive behavior associated with, or as a consequence of, drinking is not an acceptable form of conduct. Being under the influence of alcohol does not excuse Eagles and student organizations from negative behaviors and/or violations of the Student Code of Conduct, policies, and state statutes.

Alcohol use by those 21 years or older is allowed for approved university events and under Housing and Residence Life Policies ([Daytona Beach Campus](#), [Prescott Campus](#)). Eagles living in on-campus housing and/or are guests of residents must adhere to the Alcohol Housing & Residence Life Community Standard. Liquor, hard spirits or their derivatives are not allowed.

#### *Illegal Drugs & Other Substances*

- **Misuse** - Misusing prescribed medication, over-the-counter medication, herbal supplements, or other substances that may alter one's cognitive and/or physical functioning.
- **Paraphernalia** - Drug paraphernalia or other paraphernalia including, but not limited to, bongs, pipes (purchased or otherwise), or any items modified or adapted to be used to consume drugs.
- **Possession** - Possession refers to: Being under the influence of a drug, holding or transporting drugs on university-owned or university-operated property including university vehicles or rented vehicles, possessing seeds of plants that produce drugs, substances when combined produce drugs (i.e., manufacturing mushrooms), the odor or scent of a drug (i.e., marijuana), residue in paraphernalia. Possession charges include but are not limited to: (i) Possessing and/or using prescription medication without a valid prescription, including but not limited to, using someone else's prescription. (ii) Possessing or using marijuana, marijuana wax, marijuana oil, consumable forms of marijuana or alternative marijuana products even with a medical marijuana card. (iii) Possessing or using any illegal or prohibited drug, synthetic drug, controlled substance, or anything that may alter one's cognitive and/or physical functioning.

- **Selling and/or Distribution** - Selling and/or distributing any kind of medication or drug, including but not limited to, prescription medications, illegal or prohibited drugs, synthetic drugs, controlled substances, or anything that may alter one's cognitive and/or physical functioning.

### *Drug Testing Policies*

Eagles in specialized programs may be subject to drug testing under FAA, NCAA, and other regulations. Each program will have policies and procedures regarding drug testing, and applicable Eagles are required to understand each rule and consequence of that program. In addition, each program may have additional regulations that must be enforced and could affect a person's ability to participate in the program.

An Eagle who is prohibited from using cannabis through the terms of their enrollment and then tests positive through means of a university or other drug test, legal or otherwise brought to the attention of the university, may be referred to the conduct process. It is possible for an Eagle to be held "responsible" or sanctioned through a different university process (i.e., Athletics, Flight, or ROTC) but found "not responsible" through the conduct process. Instances may include:

- Flight Students: Refer to the Flight Operations Manual (FOM) for all policies and procedures
- Athletes: Student-athletes participating in intercollegiate sports and representing Embry-Riddle are subject to drug testing as outlined by the Athletic Department; for information, see the university Director of Sports Medicine in the Athletic Department
- ROTC Cadets: ROTC programs follow Department of Defense regulations
- Other populations not listed may also require drug testing.

### *Responsible Action*

This policy only provides amnesty from violations of the Embry-Riddle Aeronautical University Student Code of Conduct. It does not grant amnesty for criminal, civil, or legal consequences for Eagles charged with violations of federal, state, or local law through a legal process. This policy does not provide amnesty from other obligations from entities within the university such as Flight, ROTC, Athletics, and/or student employment.

- Eagles who seek emergency medical attention for themselves or others related to consumption of drugs or alcohol will not be charged with violations of the Embry-Riddle's Student Code of Conduct related to that consumption.
- Eagles for whom emergency medical attention is called on their behalf will not be charged with violations of the Embry-Riddle's Student Code of Conduct related to consumption of alcohol or drugs, or intoxication.
- Embry-Riddle strives to create a community free from harassment, discrimination, and sexual misconduct. To encourage reporting, Eagles reporting alleged harassment, discrimination, and sexual misconduct will not be charged for possession or consumption of alcohol or drugs related to the alleged misconduct.
- Recognized Student Organizations (RSOs) are required to seek immediate medical assistance for their members or guests when any potential health risk is observed, including medical emergencies related to the use of alcohol and/or drugs. While RSOs are not eligible for full amnesty under the Responsible Action Policy, the actions of an RSO that seeks immediate assistance from appropriate sources will be taken into consideration if the organization finds themselves referred for conduct. RSOs that fail to seek immediate medical assistance for members or guests in need of attention will likely be charged with violations of the Student Code of Conduct and may face dissolution or termination as the outcome of such charges. It is imperative that student organizations seek medical assistance for their members or guests in such an emergency situation.
- This policy applies only to those Eagles who seek emergency medical assistance in connection with an alcohol or drug-related medical emergency and does not apply to individuals experiencing an alcohol or drug-related medical emergency who are found by university employees or outside agencies. (i.e., Campus Safety and Security, faculty, administrative staff, or residence hall staff including RAs).
- This policy is not intended to shield or protect those Eagles or organizations that repeatedly violate the Student Code of Conduct. In cases where repeated violations of our Student Code of Conduct occur, the university reserves the right to take conduct action on a case-by-case basis regardless of the manner in which the incident was reported. The university also reserves the right to adjudicate any case in which the violations are egregious.

- The Dean of Students Office reserves the right to contact any Eagle to discuss an incident whether or not the university's Responsible Action Policy is in effect.

### *Tobacco, Vapor Products, and Nicotine*

Embry-Riddle recognizes that tobacco use has a negative impact on Eagles' health and lives. Because smoking is hazardous to an individual's health, as well as a hazard to the health of others, we seek to protect our students, faculty, staff, and guests from second-hand smoke. In addition to health-related concerns, smoking on campus has the potential of causing fires that can result in disastrous consequences.

#### *Daytona Beach Campus*

Use of tobacco products is not permitted anywhere on university-owned or leased property (including buildings, parking lots, personal vehicles, etc.). Additionally, tobacco products are prohibited in all university vehicles, including vans, trucks, buses, and all university aircraft. Students are prohibited from using any tobacco product whether in the form of cigarettes, cigars, pipes, dipping/snuff, smokeless cigarettes, electronic cigarettes/vaping, hookahs, e-liquids, vapor products, and/or alternative nicotine products, or chewing tobacco on campus.

#### *Prescott Campus*

On campus, if under 21, it is prohibited to use, possess or purchase any tobacco products, alternative nicotine products, vapor products, or any instrument designed for smoking or ingesting of tobacco products, nicotine products or vapor products. If over 21, possession of and use within designated areas is permitted.

In addition to health-related concerns, smoking on campus has the potential of causing fires that can result in disastrous consequences, especially in the arid southwest climate. Please be mindful of living in the desert and do not smoke in or near areas of natural vegetation. The campus has designated smoking areas for those who choose to use tobacco products. The university reserves the right to restrict smoking even at designated smoking areas at any time, especially when local fire restrictions are in effect.

The designated tobacco areas are adjacent to the following buildings:

- Building 72 - King Engineering Building
- Building 43 - Hazy Library/Learning Center
- Building 65 - Plant Maintenance
- Thumb Butte Complex - Between TBC Apartments and M400

- Hall 9 - Village Complex
- Hall 4 - Mingus Mountain Complex

The use of any tobacco product, whether in the form of cigarettes, cigars, pipes, dipping/snuff, electronic delivery systems or chewing tobacco, is prohibited anywhere on university-owned or leased property, all buildings, parking lots, personal/university vehicles or aircraft, etc., unless in one of the six designated tobacco use areas.

#### *Worldwide*

Smoking or vaping in any enclosed facility or building on campus or where otherwise posted, is prohibited. Smoking in areas other than those specifically designated by the campus is prohibited.

We understand that this policy may be difficult for smokers and others who utilize tobacco products regularly, and the university has no intention of forcing anyone to quit. We simply ask everyone to refrain from smoking or using tobacco substances on campus except in the designated tobacco use areas for their own health and the health of others. We also realize that overcoming a dependence on tobacco can be extremely challenging. Therefore, the university, through the Wellness Center, will provide information and access to a variety of cessation programs and a wide range of supportive systems to help our students transition to a healthier lifestyle. Please contact the Wellness Center for more information regarding these programs.

Note that local fire restrictions may supersede this policy at any time and without notice. In that event, students are expected to abide at all times by these restrictions.

## 4. Animals on Campus

To provide a safe and healthy environment for members of the campus community, pets and animals are prohibited on campus, except as noted.

- **Animals/Pets:** See Housing Community Standards, for information regarding Animals/Pets ([Daytona Beach Campus](#), [Prescott Campus](#)).
- **Service Animals and Emotional Support Animals:** Animals on Campus Policies are found on the [Student Accessibility Services ERNIE page](#), the [Daytona Beach Campus website](#) or the [Prescott Arizona Campus website](#) and the [Worldwide](#)

Campus website. Specific questions related to an animal on campus can be directed to Student Accessibility Services at [dbdss@erau.edu](mailto:dbdss@erau.edu) and 386 226-7916, or [prsas@erau.edu](mailto:prsas@erau.edu) and 928-777-6751, or [wwsas@erau.edu](mailto:wwsas@erau.edu) and 386-226-6092.

The following expectations apply to any animal on campus:

- **Care Expectation** - Persons responsible for an animal on campus are accountable for the care, correction, and company of said animal(s). This may include, but is not limited to, correcting disruptive behavior(s), picking up waste, and not leaving an animal unattended in unapproved areas.
- **Outdoor Expectations** - At outdoor locations, domestic pets are allowed if they are leashed and under the supervision and restraint of the owner.
- **Unauthorized Access** - Pets and other animals, except for Service Animals and approved Emotional Support Animals, are prohibited within structures on campus. Special exemptions are given to those living in the residence halls, in which fish in aquariums 10 gallons or less are acceptable, or when RSO event approval has been granted. There is no inherent “right” to have pets on campus.
  - Individuals requiring an assistance (emotional support) animal must register with, provide appropriate documentation to and be approved by Student Accessibility Services ([Daytona Beach Campus SAS](#), [Prescott Campus SAS](#)) prior to bringing their animal onto campus. Residents who bring animals into the residence hall(s) prior to approval are subject to the Student Code of Conduct process.
  - Service animals are permitted on campus. Students who wish to bring a service animal to campus are strongly encouraged to partner with the [Student Accessibility Services \(SAS\) Office](#), especially if other academic accommodations are required. Additionally, students who plan to live in on-campus housing are strongly encouraged to inform Housing and Residential Life that they plan to have a service animal with them in student housing.
- **Wild Animals** - Feeding and caring for wild animals including feral cats is prohibited. There is a special exemption for the PAWS program.

## 5. Audio/Visual Recording

Any intentional recording (audio/visual) of someone in a location where privacy is reasonably expected without a person's consent.

The use of electronic devices to make unauthorized audio or video recordings of any person or their personal belongings without their prior knowledge, or without their effective consent, when such a recording is of information or of images taken from or of a person at a time and place where they have a reasonable expectation of privacy and where the recording is reasonably likely to cause injury or distress. Locations where privacy is reasonably expected include but are not limited to offices, bathrooms, locker rooms, and bedrooms.

Photographing, videotaping, filming or digitally recording may be further prohibited; however, notice will be given and posted when applicable.

## 6. Bystander Behavior and Complicity

Being present at or having knowledge of any violation of the Student Code of Conduct without reporting it to a university official in a timely manner is prohibited. Any Eagle or a group of Eagles who are aware of illegal activities, violations of the Student Code of Conduct, and/or other policy violations and do nothing to prevent, stop, or report it are also in violation of the Student Code of Conduct.

## 7. Campus Communication

Email is considered the central communication point through which an individual Eagle may always be reached by university personnel. The university officially communicates with Eagles through the university email system. Every Eagle is assigned an ERAU email account. Eagles should check their email daily, including junk/clutter, to ensure proper notification.

- Eagles should check their @my.erau.edu email daily.
- Failure to respond to a written request (i.e., email, text) from a university official is a violation of the Student Code of Conduct.

- Eagles are also required to update their contact and emergency information in Campus Solutions.

In the event of a campus emergency, university officials will communicate with students, faculty, and staff via the RAVE emergency notification system, which includes email, text, and voicemail. Eagles are strongly encouraged to register for RAVE through the ERNIE portal.

## 8. Campus Expression

Freedom of expression and assembly are rights of all citizens, residents, and sojourners in the United States of America. Embry-Riddle expects each member of our campus community to have an abiding interest in the university's well-being and reputation. In most instances, judgment and discretion are sufficient as a guide for action. We ask Eagles to remember that although the United States Constitution guarantees the freedom of expression and assembly, and, by judicial interpretation, campus groups have the right to official institutional recognition, these are not absolute rights. Registered Student Organizations, university personnel, and university-contracted groups are authorized to use university facilities and property for activities and events. The university, however, reserves the right to regulate the time, place, and manner in which expression and assembly may take place. In all instances, the freedom of expression and assembly on campus must be balanced by consideration for the health and safety of all members of the university community. As specified, guaranteed Constitutional rights are balanced against the important right to preserve the general welfare.

## 9. Campus Guests

All members of the campus community, including students, faculty, and staff, are responsible for the conduct of their guests while those guests are on university property or participating in university-sponsored events. Hosts are expected to inform their guests of campus policies and ensure their compliance with all applicable rules and regulations. Any violations of university policy committed by a guest may result in disciplinary action against the host, in addition to consequences for the guest. The university reserves the right to remove guests from campus if their behavior is disruptive, threatening, or otherwise violates community standards.

## 10. Coercion, Extortion, Blackmail

An Eagle shall not commit or attempt to engage in the act of securing or trying to obtain money or other items of value by the use of threats or violence, nor shall they by threats or violence force another person to perform an unwilling act.

## 11. Computer Use & Security Violations

Examples of such violations include, but is not limited to, the misuse of computing facilities, software, and hardware; unauthorized use of another individual's computer account; or misuse of one's own computer account. A computer use violation may also include:

- Unauthorized alteration of computer equipment software, network, or data.
- Unauthorized duplication or use of computer programs or files.

## 12. Discrimination

Any intentional activity by individual(s) or registered student organization(s) that could result in harassment; emotional or physical abuse or harm; embarrassment; or ridicule, which may deprive other members of the community of educational or employment access, benefits, or opportunities on the basis of their actual or perceived membership in a protected class.

## 13. Disorderly Conduct

An individual may be charged with disorderly conduct for any behavior, including unprofessional language, that can be deemed excessively aggressive, loud, lewd, indecent, obscene, disruptive, disrespectful, and/or disturbing the peace.

Inciting others to be disruptive and/or inappropriate conduct at Embry-Riddle sponsored or supervised events is also considered disorderly conduct and may result in immediate removal of any participant or guest at the discretion of the event organizer and/or Campus Safety & Security.

Participation individually or in groups on or off, or adjacent to, university property that causes damage to public or private property, injuries to other persons, or disruptions of university operations are prohibited.

- **Disruptive Behavior** - Any disorderly, disruptive, or destructive behavior that infringes upon the rights of others, as deemed by the university administration and not included above.
- **Drone Traffic** - Flying drones on campus except when complying with the university's policy, refer to the appropriate policy -
  - Daytona Beach Campus: Contact [Daytona.Safety.Request@erau.edu](mailto:Daytona.Safety.Request@erau.edu) to request a UAS Approval Form, the form must be submitted five (5) days in advance of any UAS operations outside of routine pre-approved UAS flight operations (authorized class activities, flying on approved athletic fields compliant with FAA 107 certification; COA/COE research flights approved by the Department Chair). All other UAS flights are non-exempt and must receive written approval.
  - Prescott Campus - [sUAS Flight Approval Requests](#)
- **Incivility** - Behavior or speech that detracts from a positive university environment, including rudeness, impoliteness, discourteous acts, defaming or insulting individuals or groups creating a hostile environment, and accusing others of incompetence or dismissing their expertise and character.
- **Inappropriate Behavior** - Conduct that could be perceived by a reasonable person as offensive, lewd or indecent, or obscene.
- **Interruption to Campus** - Unapproved obstruction or disruption of teaching, research, university proceedings, administration, residence hall operations, or other university sponsored activities.
- **Interruption to Traffic** - Participation of Eagles or groups of Eagles in activities that may interfere with the orderly function or normal flow of vehicle or foot traffic.
- **Lasers** - Lasers are prohibited on campus with the exception of class instruction. Prohibited items will be confiscated by Campus Safety & Security. Additional exceptions to the policy must be approved in writing by the Office of Environmental Health & Safety.

- **Risky Behavior** - Participation of Eagles or groups of Eagles in unapproved activities that may cause injuries.

## 14. EAGLEcard Use

On the Daytona Beach and Prescott campuses, the EAGLEcard serves as an official university-issued form of identification and access tool, intended solely for use by the individual to whom it is issued. It must be carried at all times on campus and used responsibly in accordance with university guidelines.

Proper care and authorized use are required to maintain access to services and privileges.

- **EAGLEcard Failure to Carry** - Cardholders are required to carry the EAGLEcard ID at all times while on campus. Each Eagle should be prepared to identify oneself and present and/or surrender one's EAGLECard upon request of university faculty, staff, Resident Advisors, and Campus Safety & Security Officers.
- **EAGLEcard Fraud** - Use of another person's EAGLEcard. Including but not limited to when someone gives their permission.

## 15. Emergency/Fire Equipment & Procedures

Eagles are prohibited from the misuse of, vandalism to, removing of, and/or tampering with fire and emergency equipment, including but not limited to, fire extinguishers, alarms, hoses, sprinkler heads, smoke detectors, AED devices, safety/emergency vehicles and property, emergency phones ("blue phones"), any signage, and video surveillance equipment. Falsely reporting a fire, bomb threat, or other emergency is also a violation of this policy. In the event of an emergency or drill, Eagles and their guests must follow the directives of university officials and/or emergency personnel.

Knowingly setting fire (arson), unintentionally setting fire, and intentionally setting off the fire alarm are also strictly prohibited.

## 16. Failure to Comply

Failure or refusal to comply with verbal or written requests and directions from university officials acting in an official capacity is a violation of the Student Code of Conduct. This includes, but is not limited to:

- **Campus and University Policy:** Violation of published university policies, rules, procedures and/or regulations, including but not limited to the Student Code of Conduct, and Campus and Departmental Policies.
- **External Agencies:** Failure to comply with and/or follow all appropriately issued directives from university administration and local, state and/or federal health, safety, fire or environmental agencies, including but not limited to the Centers for Disease Control (CDC), the Occupational Safety and Health Administration (OSHA), the Environmental Protection Agency (EPA), the Federal Aviation Administration (FAA), and the Department of Homeland Security (DHS). This includes requirements and expectations related to face coverings, other personal protective equipment, procedures intended to avoid close contact between individuals, temperature, and/or other wellness check procedures, etc.
- **Sanctions:** Violations of the terms of any assigned conduct sanction.
- **University Officials:** Failure or refusal to comply with university officials acting in an official capacity and within the scope of their authority and duties.

## 17. False Information

Providing false information or withholding information from a university official is prohibited, including Campus Safety witness statements. Providing false information or accusatory reports is prohibited. Providing false information during a student conduct hearing is also prohibited; this includes tampering with witnesses in preparing for or during the hearing process.

- **Deception:** Furnishing false information to the university or any university official with intent to deceive this may include but is not limited to false information or unsubstantiated accusatory reporting and providing false information during a student conduct hearing and submitting a fraudulent diploma or transcript to a postsecondary institution.
- **Forgery:** Forging, altering, falsifying, destroying, misusing or unauthorized use of university or official documents, records, or identification. Including

manufacturing and/or possessing false documents, including but not limited to identification cards, driver's licenses and Embry-Riddle identification cards (EAGLECard).

- **Impersonating an Official:** Identifying oneself as an agent of the university for personal or non-university business. An "agent" is defined as a person who is authorized to act for or in place of another.
- **Misrepresentation:** Unauthorized use of another person's personal information, identification, or access credential, including using someone else's EAGLECard or providing someone else's EAGLECard to another person for their use. An EAGLECard may only be used by the individual to whom it is issued and is non-transferable.
  - Using the computer login or identification of university personnel
  - Intentional misrepresentation, concealment, or omission of facts, records, checks, or money to the detriment of a person or an organization, on or off-campus.
- **Name, Logo Use and University Trademark Policy:** The Embry-Riddle Aeronautical University name and visual identity (wordmark, eagle icon, and university seal) are highly valuable brand assets that convey who we are and what we stand for. Inappropriate use or unapproved use of the Name, Logo Use and University Trademark is against Campus and University Policy.

Student clubs and organizations may not use the university name in any form without permission, whether in the name of their organization or in any other manner, such as the name of their bank account. Eagles and student clubs and organizations may not use the university logo in any form.

Please note: Submitting a fraudulent diploma or transcript to a postsecondary institution is also a violation of a Statute.

## 18. Hazing

Any intentional, knowing, or reckless act—whether committed individually or with others—against another person or persons, regardless of the individual's willingness to participate, that:

- Occurs in connection with an initiation into, affiliation with, or continued membership in any student group, team, organization, or institution-sanctioned activity, and
- Causes, or creates a risk beyond that ordinarily expected of participation in the approved activity or organization, of physical, psychological, emotional, or academic harm, including but not limited to:
  - **Abuse of power**, including but not limited to abuse of power or authority, creating an environment where individuals feel compelled to comply to avoid social, academic, or organizational penalties.
  - **Coerced consumption** of any food, alcohol, drugs, or other substances, including deprivation or excessive consumption.
  - **Compelled or coerced travel**, such as forced road trips, “kidnaps,” or scavenger hunts without clear consent and safety measures.
  - **Digital and cyber harassment**, including but not limited to in-person or digital acts, such as online harassment, coerced sharing of humiliating images or videos, or participation in harmful online challenges.
  - **Expecting individuals to carry or wear unusual items or apparel** that is not normally in good taste or consistent with the university’s values.
  - **Personal servitude**, including menial or demeaning tasks performed under coercion.
  - **Physical abuse or threats**, including but not limited to exposure to extreme elements, excessive physical activity (e.g., extreme calisthenics), confinement in a small space, whipping, beating, striking, paddling, branding, electronic shocking, or placing a harmful substance on the body.
  - **Psychological harm or harassment**, including but not limited to public humiliation, indecent stunts, line-ups, morally degrading games, or activities that may cause or are causing fear of bodily harm.
  - **Sexual misconduct**, including coercing or inducing others to perform or simulate sexual acts.
  - **Sleep deprivation**, the intentional and often forced deprivation of sleep as a means of subjecting individuals to physical and mental stress.
  - Violation of university policy or any local, state, tribal, or Federal law, whether directly or indirectly required or encouraged.

All individuals and student organizations are expected to uphold the dignity, safety, and rights of all Eagles.

Hazing is prohibited whether it occurs on-or-off-campus, regardless of the person's consent, membership status, or the endorsement of the group's leadership, advisor, coach, or alumni. Any suspected hazing activity must be reported to:

- Daytona Beach Campus
  - Campus Safety and Security, 386-226-6480
  - Department of Student Engagement and Student Union, [dbsesu@erau.edu](mailto:dbsesu@erau.edu), 386-226-6045
  - Dean of Students Office, [dbdos@erau.edu](mailto:dbdos@erau.edu), 386-226-6326
- Prescott Campus
  - Campus Safety and Security, 928-777-3333
  - Department of Student Engagement, [prdse@erau.edu](mailto:prdse@erau.edu),
  - Dean of Students Office, [prdos@erau.edu](mailto:prdos@erau.edu), 928-777-3836
- Worldwide Campus
  - Campus Safety and Security, 386-226-6480
  - Dean of Students Office 386-226-6092

## 19. Housing and Residence Life Community Standards

Refer to the Housing and Residence Life Community Standards ([Daytona Beach Campus](#), [Prescott Campus](#)) for expectations, rights and responsibilities, and the adjudication processes and possible outcomes specific to our residential communities and related to issues such as Courtesy and Quiet Hours, Damages and Vandalism, Guests, and care and upkeep assigned resident rooms, common areas, and community spaces.

## 20. Military Installations

Eagles must adhere to the Department of Defense and base regulations and requirements, as applicable, concerning standards of conduct on the installation and access to the base. The university must report all disruptive behavior to the United States Government, and students may be barred from access to a military installation.

## 21. Motor Vehicles and Other Forms of Transportation

All individuals operating vehicles or mobility devices on campus are expected to follow university regulations to ensure the safety of the community and protection of property. This includes adhering to guidelines for both motorized and non-motorized transportation, using vehicles responsibly to avoid harm or damage, and storing electronic mobility devices appropriately. Vehicle maintenance and repair activities are limited and must comply with environmental and safety standards.

- Maintenance and Storage
  - **Electronic Mobility Device - Parking and Storage** - All EMDs are prohibited from parking, being stored, or charged at any time within or via extension cord from within Campus buildings.
  - **Unauthorized Vehicle Maintenance** - Vehicle maintenance and repair activities are restricted on university property to ensure safety and environmental compliance. Personal vehicle servicing, such as oil changes, brake work, or engine repairs, is not permitted in parking areas or buildings. Limited exceptions may apply for immediate, minor fixes like replacing a flat tire, battery, or headlamp.
- Moving violations
  - **Moving Violation Motorized** - Violation of any rule or regulation governing the use of motorized vehicles on university-owned or -controlled property, as defined on the Campus Safety website ([Daytona Beach Campus](#), [Prescott Campus](#)).
  - **Moving Violation Non-motorized** - Violation of any rule or regulation governing the use of bikes, skateboards, folding Razor-like scooter, roller-skates, or in-line skates, on university-owned or controlled property as defined on the Campus Safety and Security website.
- Operation
  - **Moving Vehicle Harm** - Property damage or physical harm caused by the operator and/or registered owner of a moving vehicle.

## 22. Property Damage

Respect for property is a shared responsibility within the university community. Any actions that result in damage, misuse, or destruction of public or private property, whether intentional or through participation in harmful activities, are prohibited and subject to disciplinary action.

- **Activities that may cause damage** - Participation of Eagles or groups of Eagles in activities which may cause damage to public or private property
- **Damage or Misuse** - Damage or misuse of private or public property
- **Vandalism** - Vandalism or malicious destruction of private or public property.

## 23. Publicity or Marketing

Publicity and marketing efforts on campus must follow established guidelines to ensure fairness, clarity, and respect for shared spaces. All materials must be approved, posted only in designated locations, and removed promptly by the responsible party at the agreed-upon time. Unauthorized postings or removal of materials that are not your own is not permitted. Posting is restricted to Registered Student Organizations, and campus departments.

- **Unapproved Posting** - posting without the required approval.
- **Unapproved Content** - posting or highlighting unapproved messages or advertisements.
- **Unapproved Location** - posting, hanging, or distributing messages or advertisements in unauthorized locations. This includes limiting posters to one flyer/poster per subject matter or topic to maintain good stewardship of bulletin board limited space.
- **Untimely Removal** - Removing items of publicity that are not yours to remove and or failing to remove your materials by the agreed upon take-down date/time.

## 24. Registered Student Organization Standards

Refer to the Registered Student Organization standards ([Daytona Beach Campus](#), [Prescott Campus](#)) for expectations, rights and responsibilities, and the adjudication processes and possible outcomes specific our residential communities and related to registration, recognition, activities, and event hosting.

## 25. Sexual Harassment

Embry-Riddle Aeronautical University does not tolerate sexual harassment. Such conduct is harmful to the well-being of our community members, our learning and working environments, and the collegial relationships among students, faculty, and staff that characterize the culture of Embry-Riddle. All forms of sexual harassment under the Title IX Sexual Harassment Policy or the University Sexual Misconduct Policy are regarded as serious offenses, and violations may result in disciplinary action, including the possibility of separation from the university. For more information, visit [Title IX Compliance](#).

## 26. Solicitation of Money, Goods, or Services

Solicitation of and by ERAU students for money, goods, or services is prohibited without prior approval. Recognized Student Organizations (RSOs) may request approval through the event registration process on Eagle Life. Individuals and other ERAU Entities such as athletic teams may request approval through the Business Office. Door-to-door solicitation in the residence halls will not be approved.

## 27. Theft

Theft is the wrongful appropriation (theft with intent to temporarily deprive the owner of possessions), unauthorized possession, and/or sale of stolen property. Any form of identity theft or unauthorized acquisition of another person's personal information, identification, and/or access credentials.

## 28. Threat

The university takes the overall safety of the campus and its community very seriously. The university reserves the right to dismiss a student immediately and without a formal conduct determination if there is sufficient evidence that the student is engaging in, or is likely to engage in, behavior that either poses a danger to themselves, or others, or disrupts the learning or living environment. Students who are dismissed from Embry-Riddle Aeronautical University (Daytona, Prescott & Worldwide Campuses) are not eligible for readmission and are permanently trespass from all university properties.

## 29. Unauthorized Entry or Use

Use of university facilities, equipment, and vehicles without proper authorization is prohibited, including unauthorized entry or attempted entry; unauthorized use or misuse of personal and/or university electronics, software, and systems; misuse or wrongful appropriation of keys, access codes, and EAGLECards; tampering with entry systems and RFID readers; and/or gaining unauthorized access to information, property, or persons. Possession of items used to gain unauthorized entry is prohibited.

## 30. Violation of Local, State or Federal Law

Committing or attempting to commit any act that is a violation of local, state and/or federal laws on-or-off-campus is prohibited. Behaviors and violations off-campus are referred for adjudication under the Student Code of Conduct at the discretion of the university administration. Eagles are expected to be respectful at all times with law enforcement, federal agencies, and/or emergency personnel.

### *Arrest Notification*

Any Eagle accused of, arrested, or convicted for a misdemeanor or felony crime, or sexual offense, regardless of the incident location, must notify the university - for the Daytona Beach and Prescott Campuses, students will notify Campus Safety & Security; Worldwide students will notify the Dean Of Students Office of the incident and/or their status within 24 hours or on the first business day following the incident. Proof of final judgment, sentence or disposition related to the matter must be submitted within 48 hours of judgment or at the time of enrollment, whichever comes first.

Flight, Maintenance, and ROTC students and Athletes, among others, may have additional reporting responsibilities.

### *Criminal Violations*

Though Federal law requires colleges and universities to report campus crime data for the criminal offenses listed below, Eagles arrested, or convicted for any misdemeanor or felony crime, or sexual offense, regardless of the incident location, must report this information to the appropriate campus authority. Criminal offenses include:

- Aggravated Assault
- Arson
- Burglary
- Criminal homicide
- Dating Violence
- Destruction/damage/vandalism of property
- Domestic Violence
- Drug and Narcotics Violations
- Hazing
- Intimidation
- Larceny - theft
- Liquor Law Violations
- Motor Vehicle Theft
- Robbery
- Sexual Assault
- Simple Assault
- Stalking
- Weapon Law Violations

### 31. Weapons & Other Dangerous Materials

Embry-Riddle Aeronautical University (ERAU) strictly prohibits the possession, use, or introduction of weapons, ammunition, hazardous materials, explosives, or simulated weapons on university-owned or controlled property, including parking areas, or at any ERAU-sponsored event.

Prohibited items include but are not limited to:

- Any device designed to or that could be capable of firing or launching a projectile, or any object that could be classified or used as a weapon with the potential to cause harm or pose a safety risk.
- Archery equipment, crossbows, and arrows.
- BB, pellet (including airsoft), paintball guns, and slingshots.

- Chemical deterrents (e.g., greater than 2 oz pepper spray).
- Electroschock weapons (e.g., Tasers).
- Fencing tools, including foil, saber, and epee, in both electric and non-electric variants.
- Firearms, ammunition, and firearm-specific parts.
- Hazardous chemicals and explosive materials (including fireworks).
- Knives or swords (except pocketknives under three inches or multi-tools).
- Laser-emitting devices, unless specifically authorized or approved for academic or institutional purposes.
- Martial arts weapons, brass knuckles, machetes, blow darts, spears.
- Simulated or replica weapons.
- Use of 3D printing or machine equipment to manufacture weapons, firearm components (including “ghost guns”), suppressors, ammunition, or any object that could harm, intimidate, or could reasonably be perceived as a weapon is prohibited.

## 32. Hazardous Materials:

The possession or use of hazardous or explosive materials is strictly prohibited. These include, but are not limited to:

- Excessive quantities of spray paint
- Explosive chemical compounds or mixtures (e.g., dry ice bombs)
- Flammable liquids, solvents, and vehicle fluids (gasoline, jet fuel, oil)
- Modified or damaged lithium-polymer (LiPo) batteries
- Pyrotechnic devices (e.g., fireworks, fog, smoke, or fire machines)

### Responsibility and Reporting:

- Failure to promptly report violations to Campus Safety and Security may result in disciplinary actions.
- Individuals who become aware of or are present during violations involving weapons or hazardous materials may be held equally responsible.

### Exceptions:

- Any person may carry chemical spray (e.g., pepper spray), in a compact vessel of not more than two ounces, to be used solely for personal self-defense to the extent permissible by law.
- Authorized Campus Safety & Security Officers and authorized law enforcement personnel performing official duties are exempt from this policy.
- Weapon use, including simulated weapons, is a high-risk activity and requires advance written approval. Starting pistols (authorized employees only) at athletic events and replica weapons for ROTC drills or university-sponsored theatrical productions are permitted with approval. Registered Student Organizations (RSOs) may submit a Safety Risk Review request at least ten (10) business days prior to the event. Written approval from both the Director of Campus Safety and Security and the Associate Vice President of Safety and Risk Services is required and may be granted only following completion of the Safety Risk Review process.

## **Student Code of Conduct Adjudication Process**

### ***Administrative Hearing Process***

The Student Code of Conduct administrative hearing process is an educational, administrative process and applies the preponderance of evidence standard, which indicates that it is more likely than not that an incident did, or did not, occur. The process does not apply the rules of evidence, the rules of civil or criminal procedure, or the standards of the legal system.

A conduct officer has the responsibility to receive and, where appropriate, investigate complaints arising out of a claim that the Student Code of Conduct may have been violated. After receiving a complaint, a determination will be made regarding filing charges.

- Each student or registered student organization (RSO) charged with a violation of the Student Code of Conduct will be scheduled for an administrative hearing conference. During the administrative hearing conference, the respondent student or respondent RSO representative will review their Embry-Riddle Rights and Responsibilities and the Student Code of Conduct Process and will accept or deny responsibility for the charge(s) in question.

- If the respondent student/respondent RSO accepts responsibility for the charge(s), the conduct officer will briefly discuss the case and corrective action, then provide appropriate sanction(s).
- If the respondent student/respondent RSO does not accept responsibility for the charges, the conduct officer will determine whether, or not, the preponderance of the evidence supports a finding of responsibility.
  - If yes, at a later date, the conduct officer will notify the respondent student/respondent RSO of their determination and the assigned sanction(s).
  - If no, at a later date, the conduct officer will notify the respondent student/respondent RSO of the completed review and their determination. The matter will then be closed with no further action taken.

Any student who leaves the University prior to the resolution of an alleged violation(s) will not be allowed to register for future semesters until the matter has been resolved through the Student Code of Conduct process.

The sanctions imposed will depend on the severity of the violation(s), the potential impact of the violation on the community, and/or the respondent student's/respondent RSO's prior disciplinary record. Evidence presented at an administrative hearing may warrant further investigation and/or disciplinary action.

## ***Rights & Responsibilities***

As part of their rights and responsibilities, respondent students/respondent RSOs accused of violating Embry-Riddle policies are entitled to an administrative hearing before a conduct officer, are considered not responsible until found responsible, and are entitled to the below rights and subject to these responsibilities. Respondent students/respondent RSOs have the responsibility to respond to requests for meetings with officials investigating cases as it is critical to the administrative hearing process and ensures that students have all of their concerns addressed. Failure of respondent students/respondent RSOs to respond to meeting requests may result in sanctions being levied without respondent students/respondent RSOs exercising their right to have input considered. For respondent students/respondent RSOs who participate in an administrative hearing, the following rights apply:

- To have a meeting, sometimes known as a “hearing” with a Conduct Officer designated by the university to hear the case.
- To be heard and to provide a response.
  - Respondents should be aware that a solicited or unsolicited admission of responsibility for a Student Code of Conduct or policy violation(s) may be used by conduct officers when considering disciplinary action. Any individual may be considered an agent of the university, including faculty, staff, campus safety officers, Resident Advisors, and/or student employees, and agents are obligated to report information if it's shared with them.
- To be considered “not responsible” for any violation(s) until responsibility is established.
- To receive notice of an initial conduct meeting with the Conduct Officer. This notice will include a brief summary of the alleged incident, the specific Standard(s) of Conduct that were allegedly violated, and a time and place when the meeting will be held. Worldwide students’ notification will require the student to provide three available dates/time for the conduct meeting.
- To be informed of the evidence available to the university.
- To select a support person of their choosing to accompany them throughout the conduct proceeding.
  - The support person may be an SGA-related advisors/support persons, friend, mentor, family member, attorney, or any other supporter, who has not been involved in the case.
  - If planning to bring a support person, please notify the Conduct Officer at least one business day prior to your scheduled meeting.
  - Support persons, including attorneys, are not permitted to speak on behalf of the respondent to participate directly in the student conduct process, unless authorized by the conduct officer.
    - Support persons are expected to refrain from interference with the conduct proceeding. Any support person who fails to adhere to these expectations during any part of the proceeding will be warned. If the support person continues to disrupt or otherwise disrespect the limits of the support person role, the Conduct Officer has the discretion to ask the support person to leave the meeting and/or proceeding. When

a support person is removed, the proceeding will continue without the support person present. The support person's future role in the process will be at the discretion of the Conduct Officer.

- To receive reasonable accommodation when requested. All decisions about reasonable accommodation are made by the Conduct Officer and are at the discretion of the university.
- To be informed of the outcome of the proceeding, including whether the student has been found "not responsible" or "responsible" for any policy violations, and if found responsible, the sanction(s) that are issued.
- To request an appeal of the finding of "responsible" and/or the sanction(s) issued.

It is the student's responsibility to check their ERAU email daily, including junk/clutter, to ensure proper notification. It is especially important for students to check email if they are involved in an administrative hearing, whether a witness, victim, or respondent student. Respondent students/Respondent RSOs will be notified of the administrative hearing outcome officially in writing via their Embry-Riddle email account.

Additionally, Eagles have the responsibility to refrain from interfering with the student conduct process, by:

- Disrupting or interfering with the orderly conduct of a meeting with a complainant, a respondent, or with witnesses.
- Attempting to discourage an individual's proper participation in, or use of, the student conduct process.

### ***Administrative Hearings with a Conduct Officer***

A student or registered student organization who has been charged with a Student Code of Conduct violation, will have the opportunity to participate in an administrative hearing held by a conduct officer.

Initial Meeting:

The conduct officer will meet with the student to:

- Review Rights and Responsibilities.
- Provide a summary of the alleged incident
- Review the specific Standard(s) of Conduct the student is alleged to have violated

- Discuss the incident with the student
- Provide the student an opportunity to respond, including an opportunity to provide any information that the student wishes to be considered

At the conclusion of the initial meeting, the Conduct Officer may elect to (a) pause the proceeding in order to conduct further investigation, or (b) proceed with making a finding of “responsible” or “not responsible” and determining appropriate sanction(s) accordingly (see next section, “Sanctions”).

## ***Investigation***

If there is a need for further investigation beyond the initial meeting, the conduct officer may, at their discretion and at any point, gather any additional evidence that may be helpful. This may include physical evidence, including documents, photos, digital communications, card swipe data, EagleVision recordings, online course postings, etc., and it may also include further witness testimony from other parties involved. The conduct officer may also choose to contact the student again at any time throughout the proceedings for further information or clarification.

The university may elect to add additional charges later during the conduct process with notification to the student based on new discoveries during the investigation or administrative hearing process.

The conduct officer, in consultation with the Dean of Students Office, has the authority to dismiss charges in a student conduct case after further investigation and if warranted.

## ***Finding(s)***

After the conduct officer has completed an initial meeting with the student, and/or any additional investigation, they will make a decision about whether the student is “responsible” or “not responsible” for violating each incident of prohibited conduct as charged.

## ***Failure to Respond or Participate***

If a respondent student/respondent RSO fails to attend a scheduled administrative hearing, a determination of responsibility may be made in their absence. Failure to appear may constitute accepting responsibility for all charges, and such an absence may not be

considered grounds for an appeal. Once responsibility is established, appropriate sanction(s) will be assigned.

The university reserves the right to pursue disciplinary action in a student conduct matter if a student violates a policy and withdraws from the university before conduct action is able to be taken.

### *Break Periods*

If an incident occurs during a break period or at any other time that presents unusual circumstances, such as a Conduct Officer not being available, the university reserves the right to proceed by appointing an administrator to hear the case.

### *Evidentiary Standard*

In all cases of student conduct, the Student Code of Conduct administrative hearing process requires a standard of proof known as preponderance of evidence which indicates that it is more likely than not that the alleged student is responsible. We do not use technical rules of evidence.

### *Administrative Disclosures and Notifications*

The university is required to report student conduct to university-related representatives who are regulated by additional agencies, including Athletics, Flight Department (if flying on campus), Student Engagement, Human Resources (if a student employee), Aviation Maintenance department, and ROTC.

## ***Outcomes***

Student conduct sanctions are an educational intervention imposed for violation(s) of the Student Code of Conduct. Examples of sanctions are provided in the list below and are not inclusive of all options. More than one sanction may be imposed for any single violation when deemed appropriate. Typically, punitive outcomes are combined with educational and intervention strategies.

Students and RSOs are expected to comply with sanctions imposed through the student conduct process. Failure to complete sanctions may result in registration holds, fines, and/or additional sanctions or charges of the Failure to Comply. Students and RSOs must

adhere to the time frames established to complete the sanction(s); otherwise, further repercussions will be examined for their case.

Student conduct records and reports remain on file in the Dean of Students Office for a period of seven years from final case resolution. Records of suspended or dismissed students are maintained indefinitely.

### *Interim Measures*

- **Interim University Suspension:** Interim suspension is a temporary suspension of a student or RSO while a Student Code of Conduct case is pending. This action will be taken if there is a threat to the health and safety or significant disruption of the university community or its members. Students who are under interim suspension are generally not permitted on campus and are subject to all terms and conditions applied. Students who live in the residence halls and are issued interim suspension must follow all instructions for temporarily vacating their residence hall room.

### *Educational Advisement*

In lieu of formal charges, a Conduct Officer may elect to assign the outcome of “Educational Advisement.” This means that the student has successfully completed a meeting or other approved communication with the Conduct Officer or designated university official to:

- Discuss how the student’s minor policy infraction(s) have impacted the student and/or the campus community.
- Ensure that the student clearly understands the policy and rules for the future.

The outcome of Educational Advisement is considered a proactive, administrative courtesy and is therefore not entered into the student’s official conduct record nor is it eligible for appeal.

## *Sanctions*

- **Warning:** A conduct warning is a written notice given to a student or RSO whose behavior is in violation of the Student Code of Conduct.
- **Conduct Probation:** Conduct probation is a sanction imposed for a specific period of time. The probationary period allows a student to demonstrate acceptable behavior in order to continue enrollment at Embry-Riddle. Guidelines for behavior may be included as a condition of the probation. If an offense is committed during the probation period, action may be instituted that results in suspension or dismissal.
- **Residence Hall Transfer:** Involuntary transfer of a residence hall student to another residence hall room, housing unit, or residence hall.
- **Deferred Eviction from the Residence Halls:** Notice that any additional policy violation(s) may result in immediate eviction from the residence halls. Unless specified otherwise, a Deferred Eviction will remain in effect for one calendar year from the date it is issued. Note that students who are evicted from the residence halls due to conduct concerns are still financially responsible for the remainder of their housing contract.
- **Residence Hall Suspension or Termination:** Suspension or termination from university housing is imposed when a student's presence in campus housing is considered disruptive or unsafe. An interim housing suspension may also be imposed when appropriate as determined by the Dean of Students Office or Housing & Residence Life in conjunction with Campus Safety & Security. Conditions for returning to on-campus housing may be required. The Housing & Residence Life Director or their designee has the right to suspend or terminate a student outside of the Student Code of Conduct process.
- **Suspension:** Suspension is an involuntary disenrollment and separation of the student or RSO from the university for a specific period of time. Readmission to the University may be granted after the suspension period and the accompanying conditions have been satisfactorily met. Students will also be trespass from the University.
- **Dismissal:** Dismissal is the involuntary and permanent disenrollment and separation of the student or RSO from all campuses of the university. Students will also be trespass from the University.

*Reflective assignments, restorative projects, and protective interventions*

- **Educational and Intervention Strategies:** Work assignments, educational projects, community service, research reports, counseling evaluation, etc. may be deemed appropriate within the mission of the university. A hold on course enrollment may be imposed until completion of the sanction.
- **Loss of Privileges:** Denial of specific privileges for a specific period of time may be imposed. Privileges may vary but can include access to parking, computer labs, dining facilities, on-campus housing, employment, participation in registered student organizations, etc.
- **No Contact:** No contact is a restriction from entering specific campus areas and/or all forms of contact with certain person(s) as managed by Campus Safety & Security.
- **Parental Notification:** Students may be required to notify their parents/guardians as a result of a responsible finding for any Student Code of Conduct violation.
- **Participation Restrictions:** Eagles restricted from holding executive roles and/or leadership positions and restricted from participation in university activities and/or programs within the university for a specific period. RSOs may be closed, suspended, or dissolved. This may be temporary or permanent.
- **Restitution:** Compensation for loss, damage, or injury may be imposed and may take the form of appropriate service and/or monetary or material replacement.
- **Trespassed:** Depending on the type of conduct, a student may be trespassed, or restricted, from a building, set of buildings, or the entire campus.

Embry-Riddle will not provide refunds of tuition or fees following conduct related outcomes and sanctions.

## ***Appeals***

Students may request to appeal the findings in a student case (“responsible” and/or the sanction(s) assigned. In all cases, “business days” are defined as Mondays through Fridays, excluding university holidays.

## Grounds for Appeal

Students may appeal their case based on any of the following grounds:

- A sanction that is disproportionate to the violation(s)
- A deviation from written procedures
- A demonstrable bias in the conduct proceeding
- New information, unavailable at the time, that could impact the original findings(s) and/or sanction(s)

In general, appeals are deferential to the original hearing decision and are not intended as a rehearing of the entire case.

### *Request for Appeal Process*

The purpose of this stage of the process is to evaluate the student's rationale and grounds for their appeal and determine whether the student will be granted an opportunity for a hearing.

Detailed instructions about how to schedule a Pre-Appeal Meeting (below) and submit an Appeal Request Form (below) will be included in the final decision letter in the case sent to the student by the Conduct Officer.

### *Pre-Appeal Meeting*

If a student is considering an appeal, the student must email the Dean of Students office to inform them of their desire to appeal. The student must send this email within two (2) business days of receipt of the Conduct Officer's decision letter. This email does not need to be lengthy in content; it simply serves to notify the Dean of Students Office that the student is interested in appealing.

Upon receipt of this email, the Dean of Students Office will arrange for the student to meet with another university official who serves as a Conduct Officer - different from the official who already heard the case - for a Pre-Appeal Meeting. The university will make every effort to schedule this meeting within two (2) business days of the student's email requesting a pre-appeal meeting.

The goals and purposes of the Pre-Appeal Meeting are to:

- Inform and educate the student about the appeals process
- Discuss with the student their rationale and grounds for appeal
- Assist the student in thinking through the content they would like to include on their Request for Appeal Form, should they choose to submit it

Important note: The university official in the Pre-Appeal Meeting serves as a neutral party. Their role is not to guide, direct, encourage, or discourage, in any way, the submission of an appeal request by a student. Rather, their role is to inform and educate the student about the appeals process so the student - on their own - has the knowledge needed to submit an informed and well-written appeal if they wish. All decisions about how to proceed are ultimately the sole responsibility of the student.

After the Pre-Appeal Meeting, the student may choose to end the process and not pursue an appeal, or the student may move to Step B.

#### *Submit a Request for Appeal Form*

If the student wishes to proceed with requesting an appeal, the student must fill out and submit a Request for Appeal Form within two (2) business days of the date the Pre-Appeal Meeting was scheduled to take place. Detailed instructions for submitting a Request for Appeal Form will be provided to the student after the Pre-Appeal Meeting.

#### *Appeal Process*

The appeal request will be reviewed by an appellate officer, which is the Dean of Students or their designee. A great degree of deference is given to the original conduct officer, and the presumption is that the original conduct review was appropriately conducted, and the burden is on the party requesting the appeal to articulate that the appeal has merit. It will be dismissed if the appeal lacks merit, and the original decision may stand. If the appellate officer determines there is merit for an appeal, the facts of the case will be reviewed with the student/RSO. Appeals can result in one of the following ways:

- The respondent student's/respondent RSO's original finding(s) and sanction(s) will be upheld.
- The respondent student's/respondent RSO's original finding(s) and/or sanction(s) will be modified.
- The case will be reconsidered with specific directives from the appellate officer. This may take the form of a completely new conduct review by a different conduct

officer, reconvening the original conduct officer to consider new or specific information or other appropriate means. All efforts will be made to correct the error and/or include the additional information with as little intrusion as possible.

The standard of a preponderance of evidence (more likely than not) will be used in all decision-making.

Once the appellate officer has rendered a decision, the respondent student/respondent RSO will receive a written notice of the outcome. When applicable, the impacted party will receive the same notice simultaneously.

This outcome is considered the university's final decision, and there will be no further review of the incident.

Unless otherwise explicitly stated, any sanctions, excluding interim measures, assigned by the conduct officer are placed on hold when an appeal is submitted. Upon the final decision being made by the appellate officer, any and all sanctions will immediately go into effect.

If a respondent student/respondent RSO is determined to have violated any section of the Student Code of Conduct after failing to attend an administrative hearing, the respondent student/respondent RSO will not have the right to appeal that decision.

In addition, if a respondent student/respondent RSO is suspended from the institution due to failing to comply with their previously assigned sanction(s), the respondent student/respondent RSO will not have the right to dispute or appeal the suspension.