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I. PURPOSE

Augsburg University (“Augsburg” or “the University”) has adopted standards of behavior and policies which require students and their organizations to lead in matters of behavior with integrity. Augsburg strives to provide a community that protects each student's freedom to learn and that seeks the orderly resolution of human problems while honoring the fundamental rights of all. It is the goal of the University to create and maintain a respectful environment for members of the University community, including students, staff, faculty, administration, and visitors. Such an environment is congruent with the University mission and values and, as such, serves to enhance the teaching-learning process.

All members of the Augsburg University community are expected to act responsibly and with integrity. Students and their organizations are subject to sanctions for conduct which occurs on or off campus (including online conduct) when that behavior is detrimental or disruptive to the purpose or mission of the University. Should an act violate both University regulations and public law, the respondent is subject to dual jurisdiction.

Additional University policies are listed in other sections of the Student Guide and in other University publications. Examples of these publications include but are not limited to the [University Catalog](#), [Residence Life Handbook](#), and [A-mail](#).

II. SCOPE OF POLICY

This University Standards of Conduct (“Policy”) applies to all University students, prospective students, student organizations, and non-Augsburg residents.

III. DEFINITIONS

Student: an individual who:

- has matriculated at Augsburg University and
- is currently enrolled in the University’s academic program or, during academic breaks through a term’s last day to register for that term’s classes, is eligible to register for the upcoming academic term most relevant to their academic program.

Prospective student: an individual who has been admitted to the University but has not yet matriculated.

Student organization: an organization at the University in which two or more of the members are students enrolled at the University, whether or not the organization is established or recognized by the University. A student organization can include but is not limited to a [registered student organization in Campus Life](#), [athletic team](#), scholar program, residence hall floor, student employees in a department, society, or association.

Registered student organization: a group that has been officially recognized by the University as a student organization under the processes outlined in the [Student Organization Handbook](#).

Non-Augsburg resident: an individual who lives in a University residence hall who:

- was enrolled at Augsburg but is still permitted to reside in the residence halls, or
- is enrolled or eligible to register at another institution of higher education and is permitted to reside in the residence halls.

Report: an account of an alleged violation of University's Standards of Conduct that has been provided to a University Campus Security Authority or mandated reporter.

Case: a report that is moving forward through this Policy's informal resolution process or conduct adjudication process.

Complainant: an individual who is alleged to have been subjected to conduct that may violate the University's Standards of Conduct.

Respondent: an individual or organization (i.e., Student, Prospective Student, Student Organization, or Non-Augsburg Resident) who is alleged to have violated the University's Standards of Conduct.

Misconduct: behavior that violates the University's Standards of Conduct.

Conduct officer: a trained staff member who investigates and adjudicates cases under this Policy. When more than one conduct officer is appointed, references in this Policy to a conduct officer include the plural, as applicable.

Appeals officer: a trained staff member who hears a respondent's appeal of a sanction under this Policy. When more than one appeal officer is appointed, references in this Policy to an appeals officer include the plural, as applicable.

Credibility: in dispute when a conduct officer must choose between competing narratives to resolve a case.

Preponderance of evidence: the evidentiary standard used by the decisionmaker to determine whether it is more likely than not that a Policy violation has occurred.

IV. PROHIBITED CONDUCT

1. Academic Misconduct

Academic misconduct is defined as:

- Plagiarism:** the use of facts, opinions, and language taken from another writer without acknowledgement.
- Other forms of academic dishonesty,** including:

- Using unauthorized external assistance in the completion of course assignments and examinations.
- Handing in material for course assignments that has been, in large part, used to meet requirements in other courses without gaining previous permission by the instructor.
- Presenting as one's own work what has been done wholly or in part by another person or a professional service without gaining the previous permission of the instructor.
- Failing to acknowledge that work which has not been assigned as collaborative work has been done with the inappropriate help of others.
- Failing to list all collaborators for a course assignment.
- Fabricating research in the completion of assignments.
- Interfering with the work of another student.
- Knowingly assisting another student to engage in academic dishonesty.

Relevant policies: [Academic Honesty Policy](#)

2. Acts of Dishonesty

Acts of dishonesty are defined as:

- False information:** Knowingly furnishing false information to a University official.
- Forgery:** Forgery, alteration, or misuse of University documents, records, or identification.
- Omission:** Acts of omission, including but not limited to the failure to provide required or requested information to the University.
- Possession of fake identification:** Possession of false identification or a fake ID.
- Other acts of dishonesty:** Other non-academic acts of dishonesty, including acts constituting fraud and/or violations of local, state, or federal law.

3. Alcohol Misuse

Alcohol misuse is defined as:

- Excessive consumption:** Consumption of alcoholic beverages resulting in public intoxication or a state of intoxication that endangers oneself or others.
- Law or University policy violation:** Use, possession, sale, distribution, manufacture, or within the presence as a minor of alcoholic beverages as prohibited by law or University policies.
- Possession of paraphernalia:** Possession of alcohol paraphernalia (e.g., shot glasses, bottles, cans, etc.), whether being used or not.

Relevant policies: [Alcohol and Other Drug Policy](#), [Emergency Contact Policy](#), [Means Restriction Policy](#), [Medical Amnesty Policy](#), [Residence Life Handbook](#)

4. Bystanding and Complicity

Bystanding and complicity is defined as condoning, supporting, encouraging, and/or failing to appropriately address or report known or obvious violations of these Standards of Conduct.

5. Cigarette Use and Vaping

Cigarette use and vaping is defined as use of any cigarettes or electronic cigarettes (“vaping”) indoors or in prohibited outdoor areas on University property or at University-sponsored events where such use is prohibited.

Relevant policies: [Smoking and Clean Air Policy](#)

6. Damage to Property

Damage to property is defined as intentional, reckless, or unauthorized damage to, destruction of, or vandalism of University property or the property of others.

7. Discrimination and Harassment

Discrimination and harassment are defined as:

- A. **Discrimination:** Denying a student an opportunity to participate in an educational activity because of their protected class.
- B. **Discriminatory harassment:** Conduct (including verbal, nonverbal, or physical conduct) based on an individual’s protected class, when submission to that conduct is made, either explicitly or implicitly, a term or condition of an individual’s educational experience, or the individual’s submission or rejection of such conduct is used as the basis of an educational program or activity decision affecting such individual; or such conduct would be determined by a reasonable person to be so severe or pervasive that it substantially and unreasonably interferes with an individual’s education, or creates an intimidating, hostile, or offensive educational environment (“hostile environment” harassment).
- C. **Bias incident:** Single or multiple acts of verbal, written, electronic, or physical expressions of discriminatory bias, hate, intimidation, or hostility against an individual or group or their property because of the individual’s or group’s actual or perceived protected class status.

Relevant policies: [Nondiscrimination and Harassment Policy](#)

8. Disruptive and Disorderly Conduct

Disruptive and disorderly conduct is defined as:

- A. **Classroom disruption:** Behaviors or language in one’s class, whether physical or virtual, that hinder normal academic functioning.
- B. **Disruption of University functioning:** Obstruction of the University’s normal functioning, including but not limited to teaching, research, administration, residences, or activities.
- C. **Hosting a disruptive event:** Hosting a gathering that is disruptive to the community.
- D. **Lewd or obscene conduct:** Conduct that is considered lewd or obscene by a reasonable person including but not limited to voyeurism, public urination/defecation, and public exposure of intimate body parts.
- E. **Obstruction of traffic:** Obstructing the free flow of pedestrian or vehicular traffic on University property or at University-sponsored or -supervised events.

- F. **Potential damage to property:** Conduct that may lead to damage or destruction of property.
- G. **Potential injury or harm:** Conduct that may lead to injury or harm to others.
- H. **Other disruptive or disorderly behaviors:** Other conduct that a reasonable person would consider to disrupt, harm, or negatively impact the University community or those in attendance at a University-sponsored event.

Relevant policies: [Classroom Disruption Policy](#), [On-Campus Demonstration Policy](#)

9. Detrimental Conduct

Detrimental conduct is defined as conduct on or off campus that is offensive or contrary to the mission of the University or which discredits the University.

10. Drugs and Prescription Medication Misuse

Drug and prescription medication misuse is defined as:

- A. **Law violation:** Illegal or unauthorized use, possession, manufacture, or distribution of narcotics, drugs, or other controlled substances defined as such by local, state, or federal laws.
- B. **Prescription medication:** Using another's prescription medication.
- C. **Possession of paraphernalia:** Possession of drug paraphernalia, whether it is being used or not.

Relevant policies: [Alcohol and Other Drug Policy](#), [Emergency Contact Policy](#), [Means Restriction Policy](#), [Medical Amnesty Policy](#), [Residence Life Handbook](#)

11. Failure to Comply

Failure to comply is defined as:

- A. **Adherence to prior agreement:** Failure to comply with obligations previously agreed upon between the respondent and the University (e.g., violation of "No Contact Directive", etc.).
- B. **Completion of sanctions:** Failure to complete sanctions administered through any University disciplinary adjudication process.
- C. **Following directives of University officials:** Failure to comply with the directives of official representatives of the University (e.g., public safety, residence life staff, dining hall authorities, library personnel, etc.).
- D. **Meeting absence:** Failure to meet with a University official when properly notified to do so as a respondent in any University disciplinary adjudication process.
- E. **Public health:** Failing to follow University policies, procedures, or any other requirements implemented to reduce the risk of contracting or spreading infectious diseases.

12. Fire Safety

Fire safety is defined as:

- A. **Arson:** Intentionally or recklessly causing a fire that damages University or personal property or causes injury and/or death.
- B. **Evacuation:** Failure to evacuate during a fire drill.
- C. **Open flames or coils:** Unauthorized possession or use of items that utilize an open flame or an open coil.
- D. **Tampering with equipment:** Tampering with fire safety equipment, including but not limited to disabling equipment, improperly setting off alarms, and/or improper use of fire safety equipment.
- E. **Obstruction of exits/corridors:** Blocking exits and corridors that prevent the orderly, timely, and safe evacuation from spaces and buildings.
- F. **Other fire safety policies:** Other behaviors that violate fire code policies or put the community at risk around fire safety.

Relevant policy: [Fire Safety Policy](#), [Residence Life Handbook](#)

13. Law Violations

Law violations are defined as violations of federal, state, and/or city ordinances and laws.

14. Mistreatment or Harm of Others

Mistreatment or harm of others is defined as:

- A. **Abusive conduct:** Behaviors or language that are disrespectful, degrading, and/or abusive of any person that would not rise to the level of harassment or bullying, including but not limited to swearing, slurs, insults, and/or unwelcome communication.
- B. **Harassment or bullying:** Behavior directed at a specific person that degrades or shows hostility or aversion towards an individual and which would be determined by a reasonable person to be so severe or pervasive that it substantially and unreasonably interferes with an individual's education, or creates an intimidating, hostile, or offensive educational environment.
 - The University considers the following types of behavior to be examples of harassment or bullying:
 - Unwelcome physical contact or isolation that places someone in fear or apprehension of immediate harm.
 - Intimidation through written or physical conduct directed toward an individual or individuals that unreasonably interferes with their full participation in the University community or that is intended to create or may be reasonably determined to have created a threatening or hostile environment.
 - Slandering, ridiculing, or maligning a person or their family; persistent name calling, which is hurtful, insulting or humiliating; remarks that would be viewed by others in the community as abusive and offensive; use of nicknames after being warned that the nickname is considered by the victim to be offensive.

- Engaging in social or cyber-bullying via mail, email, text message, social media, phone, voicemail, or other communication; deliberately interfering with mail, email, text messages, social media, phone, voicemail, or other communication.
- For purposes of this definition, not all communication about a person will be considered to be directed at that person.
- C. **Hazing:** Committing an act against a person or coercing a person to commit an act that creates a risk (i.e., physical, mental, or emotional) of harm to that person in order for the student to be a member of or affiliated with a student organization, club, or sports team.
- D. **Physical injury or harm:** Conduct that causes physical harm to the health or safety of another person.
- E. **Retaliation or intimidation:** Retaliation or intimidation against another student or member of the Augsburg community for their participation in any disciplinary adjudication process.
- F. **Threats:** Written or verbal conduct that causes a reasonable expectation of injury to the health or safety of any person, a reasonable fear of harm in another person, or a reasonable expectation of damage to another's property.

Related policies: [Hazing Policy](#), [Retaliation Policy](#)

15. Responsibility for Guests

Responsibility for guests is defined as being responsible for the actions of guests on University property or at a University-sponsored event.

16. Residence Life Handbook Violations

Residence Life Handbook violations include:

- A. **Cleanliness and sanitation:** Failure to maintain one's residence in a state that a reasonable person would consider clean or sanitary.
- B. **Failure to report issues:** Failing to report a known or obvious structural or facilities issue in the residence halls, including but not limited to broken or damaged University property, pests, or mold.
- C. **Guests:** Failing to accompany non-residential guests, or allowing guests to stay in residence for longer than what University policy allows.
- D. **Refusal of entry to residence:** Refusal to allow a University official authorized entry into a residence, including but not limited to health and safety checks, welfare checks, room searches, and maintenance repairs.
- E. **Prohibited items:** Possession of prohibited items that are prohibited in the residence halls.
- F. **Quiet hours:** Violation of published quiet hours in the residence halls.
- G. **Unauthorized animal:** Possession or knowledge of an unauthorized animal in a residence.

Relevant policy: [Residence Life Handbook](#)

17. Sexual Misconduct

Sexual misconduct is defined as:

- A. **Dating violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
- B. **Domestic violence:** A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner; a person with whom an individual shares a child in common; a person who is a current or former cohabitant of the individual as a spouse or intimate partner; a person similarly situated to a spouse of the individual under Minnesota's domestic or family violence law; or any other person against an adult or youth who is protected from that person's acts under applicable domestic or family violence laws of Minnesota (or the jurisdiction in which the crime of violence occurred).
- C. **Hostile environment harassment:** Unwelcome conduct of a sexual nature, including sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature, when such conduct has the purpose or effect of substantially and unreasonably interfering with an individual's employment or education, or of creating an intimidating, hostile, or offensive employment or educational environment.
- D. **Quid pro quo harassment:** Unwelcome conduct of a sexual nature, including sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature, when submission to that conduct is made, either explicitly or implicitly, a term or condition of an individual's educational experience or employment, or the individual's submission or rejection of such conduct is used as the basis of an educational program or activity decision or employment decision affecting such individual.
- E. **Sexual assault:** Any actual or attempted sexual contact, including penetration and contact with any object, with another person without that person's consent. Such conduct includes but is not limited to rape, fondling, incest, and statutory rape.
- F. **Sexual exploitation:** Taking sexual advantage of another person for the benefit of anyone other than that person without that person's consent.
- G. **Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for theirs or other people's safety, or to suffer substantial emotional distress.
- H. **Intimate Partner Violence:** Any physical or sexual harm or a pattern of any coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim caused by a current or former spouse of the individual or a person in a sexual or romantic relationship with the individual.

Relevant policy: [Sexual Misconduct Policy](#)

18. Taking of Property or Services

Taking of property or services is defined as the intentional, attempted, or actual taking of University property or services, or the property or services of others, on or off campus, including but not limited

to theft, temporary possession, depriving of possession, or unauthorized use of intellectual property (e.g., copyrighted material).

19. Technology Misuse

Technology misuse is defined as:

- A. **Copyright violations:** Making illegal copies of software or media, or using technology that violates a license or contract.
- B. **Excessive use:** Use of the University's technology resources to the exclusion of others.

Relevant policies: [Computing Resources Use Policy](#)

20. Unauthorized Recording

Unauthorized recording is defined as:

- A. **Classroom recording:** Taking pictures or video/audio recordings of a class or classroom material without permission from the instructor.
- B. **Recording in prohibited locations:** Taking pictures or video/audio recordings of another person in a locker room, changing room, or restroom; or without the person's explicit consent under circumstances in which the person has a reasonable expectation of privacy.
- C. **Intellectual property rights:** Taking pictures or video/audio recordings that violate the intellectual property rights of others.
- D. **Sharing unauthorized recordings:** Unauthorized sharing of a picture or a video/audio recording, including but not limited to posting a picture or a video/audio recording online, that causes harm, violates intellectual property rights, or violates applicable laws.

Relevant policies: [Classroom Recording Guidelines](#), [Family Educational Rights and Privacy Act \(FERPA\)](#)

21. University Facilities and Resources Misuse

University facilities and resources misuse is defined as:

- A. **Private business:** Unauthorized use of University property or resources for personal gain, including but not limited to conducting a private business or activity.
- B. **Unauthorized entry and access:** Gaining authorized entry for oneself or providing unauthorized access to others to University property and facilities to another individual, including but not limited to loaning or providing one's keys or fob.

Relevant policies: [On-Campus Commercial Activity Policy](#)

22. University Policies

University policies are defined as violating other University policies, rules, or regulations published in hard copy or online on the University website.

23. Weapon Use or Possession

Weapon use or possession is defined as use or possession of dangerous weapons or materials (e.g., ammunition, explosives, firearms, fireworks, guns [air, BB, paintball, facsimile, pellet], knives, pepper spray, tasers/stun guns, etc.) on University property.

Relevant policy: [Weapons Policy](#)

24. Other

Other is defined as engaging in conduct that violates the spirit of these Standards of Conduct.

V. CONFIDENTIAL RESOURCES

The University recognizes that some individuals may wish to keep their concerns confidential. Confidential communications are those communications which cannot be disclosed to another person, without the reporter's consent, except under very limited circumstances, including but not limited to allegations involving the physical abuse, sexual abuse, or neglect of a child (under the age of 18) or vulnerable adult or an imminent threat to the life of any person. Individuals who desire the details of Misconduct to be kept confidential should speak with a medical professional, professional counselor, minister or other pastoral counselor, or trained victims' advocate.

Individuals that desire the details of the report be kept confidential should contact any of the following confidential employees and other external confidential resources.

1. Confidential Employees

- [Campus Ministry](#)
612-330-1732
- [Center for Wellness and Counseling](#) (CWC)
612-330-1707

Some confidential employees serve in multiple roles on campus. If you are seeking assistance from one of the confidential employees in their role as a confidential employee, you should contact them through the office contact information listed above and should make clear prior to disclosing any information that you are seeking their assistance as a confidential employee. Although the University employs licensed counselors in teaching roles, these individuals are not confidential employees and, upon becoming aware of information about Misconduct in their role at the University, may be required to report the matter to the University.

2. Other External Confidential Resources

- [Aurora Center](#)
Located on U of MN-Twin Cities Campus. Helpline provides assistance 24-hours a day, 365 days a year.

24-Hour Hotline: 612-626-9111

Also: 612-626-2929

aurora@umn.edu

- [BetterMynd](#)

CWC, in partnership with BetterMynd, provides students with access to a dedicated Crisis Hotline that enables students to receive immediate crisis support, assessment, and intervention (as necessary), from a master's level behavioral health clinician 24 hours per day, 7 days per week, 365 days per year.

24-Hour Hotline: 844-287-6963

Please note that if a concern is reported only to a confidential employee or other external confidential resource and not to a non-confidential employee at the University, the University will be unable to provide certain supportive measures that would require involvement from the University (such as issuing a no-contact directive), conduct an investigation into the particular report, or pursue disciplinary action. Individuals who first speak with a confidential employee may later decide to make a report to the University or to local law enforcement.

3. Non-Confidential Communications

Non-confidential communications are those communications with any University employee who is not a confidential employee as identified above. Only confidential employees can promise confidentiality. All other University employees who become aware of information about Misconduct may be required to report that to the University (see [Campus Security Authority](#), [Sexual Misconduct Policy](#)). University employees who are not confidential employees will strive to remind an individual of their reporting obligations before the individual has disclosed a situation that requires reporting to the University.

Although most University employees cannot promise confidentiality, the University is committed to protecting the privacy of individuals involved in a report of Misconduct and will take reasonable steps to protect the privacy of the parties and witnesses during the conduct adjudication process. The University will not disclose personally identifiable information related to a report of Misconduct, except in the following circumstances:

- To carry out the University's obligations under this Policy;
- When the University has obtained prior written consent from a person with the legal right to consent to the disclosure;
- When the information is disclosed to a parent, guardian, or other authorized legal representative with the legal right to receive disclosures on behalf of the person whose personally identifiable information is at issue;
- As required by Federal law, Federal regulations, or the terms and conditions of a Federal award; and
- As required by state or local law, when permitted by FERPA.

In addition, although the University will strive to protect the privacy of all individuals involved to the extent possible consistent with the University's legal obligations, the University may be required to share information with individuals or organizations outside the University under reporting or other obligations under federal and state law, such as reporting of Clery Act crime statistics and mandatory reporting of child abuse and neglect. In addition, if there is a criminal investigation or civil lawsuit related to the alleged Misconduct, the University may be subject to a subpoena or court order requiring the University to disclose information to law enforcement and/or the parties to a lawsuit. In these cases, personally identifying information will not be reported to the extent allowed by law and, if reported, affected students will be notified consistent with the University's responsibilities under FERPA, as allowed by law.

VI. GENERAL PROVISIONS FOR THE CONDUCT ADJUDICATION PROCESS

1. Values

The Conduct Adjudication Process is guided by the following values:

- **Education** - Augsburg students are informed citizens. They understand the University's Standards of Conduct.
- **Community** - Augsburg students are thoughtful stewards. They understand their actions and behaviors not only impact themselves but also their surrounding communities.
- **Accountability** - Augsburg students are critical thinkers. They not only understand how their behavior is congruent with the Standards of Conduct but are familiar with how they need to model behavior moving forward.
- **Justice** - Augsburg students are responsible leaders. They take steps to restore relationships and trust with the Augsburg and surrounding community on account of their actions.

2. Learning Outcomes

As a result of participating in the Conduct Adjudication Process, students and their organizations will be able to:

- Understand their rights and responsibilities that are delineated in this process.
- Identify policies in the University's Standards of Conduct.
- Identify the Misconduct in which they engaged and why it is a violation of this Policy.
- Explain how accepting responsibility for their choices and behaviors help them become a better member of the Augsburg community.
- Understand how their decisions impact their lives as well as the lives of those who are a part of the University and broader community.
- Develop individual goals to ensure they abide by the University's Standards of Conduct.
- Address future behaviors and decisions to refrain from Misconduct in the future.

3. Medical Amnesty

The University strongly encourages reporting instances of Misconduct, including by those who are alleged to have violated this Policy in regard to alcohol and/or other drug violations. Please see the University's [Medical Amnesty Policy](#) for more information.

4. Requests for Reasonable Accommodations

If a respondent has a disability and wishes to request reasonable accommodations in order to have an equal opportunity to participate in any process outlined in this Policy, they can do so by contacting CLASS Disability Resources at class@augsborg.edu.

5. Supportive Measures

After receiving a report of alleged Misconduct, the Dean of Students (or designee)¹ will consider whether supportive actions, accommodations, or protective measures are reasonably necessary or appropriate to protect the parties and the broader University community. Such supportive measures will be available without fee or charge to the complainant, respondent, and others adversely impacted by the report, if requested and reasonably available. Such measures are designed to restore or preserve equal access to the University's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the University's educational environment, or to deter Misconduct.

Examples of possible supportive measures may include:

- Establishing a "no contact" directive prohibiting the parties involved from communicating with each other;
- Changing an individual's on-campus residency, dining, or transportation arrangements;
- Special parking arrangements;
- Assistance in finding alternative housing;
- Changing an individual's student or employee status or job responsibilities;
- Changing an individual's work or class schedule;
- Leaves of absence;
- Providing academic accommodations or providing assistance with academic issues;
- Providing security escorts;
- Increased security and monitoring of certain areas of campus;
- Access to counseling and medical services;
- Training and education programs related to Misconduct; and
- Assistance in identifying an advocate to help secure additional resources or assistance, including off-campus and community advocacy, support, and services, legal assistance, visa and immigration assistance, and student financial aid.

¹ Throughout this Policy, any reference to the Dean of Students will also assume a designee may take on that role.

The University determines which measures are appropriate for a particular individual on a case-by-case basis. Such measures will vary based on the particular facts and circumstances, including but not limited to the specific need expressed by the individual, the age of the individuals involved, the severity or pervasiveness of the allegations, any continuing effects on the individual, whether the complainant and respondent share the same residence hall, dining hall, class, transportation, or job location, and whether other judicial measures have been taken to protect the individual. The Dean of Students will be responsible for determining what measures will be put in place.

To request an accommodation or supportive measure, individuals should contact deanofstudents@augsborg.edu.

The University will maintain as confidential any supportive measures provided to an individual, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the accommodations or protective measures. The University will only disclose information necessary to provide the accommodations or protective measures in a timely manner to individuals who need to know the information in order to effectively provide the accommodations or protective measures. The Dean of Students will determine what information about an individual should be disclosed and to whom this information will be disclosed based on the facts and circumstances of the specific situation and the accommodation to be provided.

Any concern about a violation of a supportive measure should be reported to the Dean of Students promptly.

6. Obligation to Act in Good Faith

Reports of alleged Misconduct should be made only in good faith. Reports that are not made in good faith may be a form of retaliation under this Policy.

7. Obligation to Be Truthful

All parties and witnesses have an obligation to be truthful in any process outlined in this Policy. Engaging in dishonesty or encouraging others to engage in dishonesty may be considered retaliation or interference with the process under this Policy. A determination as to whether Misconduct occurred, alone, is not a sufficient basis to find that a party, witness, or others participating in this process violated the obligation to be truthful.

8. Presumption of Non-Responsibility

The presumption is that the respondent is not responsible for Misconduct. The respondent is presumed not responsible until a determination regarding responsibility is made at the conclusion of the conduct adjudication process. The respondent will be deemed responsible for Misconduct only if the conduct officer concludes that there is a preponderance of evidence to support a finding that the respondent is more likely than not engaged in Misconduct.

9. Reservation of Flexibility

The procedures set forth in this Policy reflect the University's desire to respond to reports in good faith and in compliance with legal requirements. The University recognizes that each case is unique and that circumstances may arise which require that it reserve some flexibility in responding to the particular circumstances of the matter. The University reserves the right to modify the procedures or to take other administrative action as appropriate under the circumstances.

10. Retaliation and Interference with Process

Retaliation and interference with process is any act of intimidation, threat, coercion, or discrimination or any other adverse action or threat thereof against any individual for the purpose of interfering with this Policy. or because the individual has made a report, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy. Encouraging or assisting others to engage in Retaliation or to interfere with the process are also considered Retaliation and Interference with Process and violate this Policy.

Please see the University's [Retaliation Policy](#) for more information.

VII. CONDUCT ADJUDICATION PROCESS

1. Reporting an Incident

1.1 How to Report

Augsburg students, staff, faculty, and community members are encouraged to report any Misconduct by current or prospective students, non-Augsburg residents, and student organizations to the University. Reports can be filed in the following ways:

- [Incident Report Form](#)
- **Department of Public Safety** (emergency and non-emergency)
612-330-1717 (24/7)
publicsafety@augsborg.edu
Urness-Mortensen Lobby
Report an incident through CampusShield app (available on [Apple](#) or [Android](#) devices).
- **Dean of Students Office**
612-330-1160
deanofstudents@augsborg.edu
Memorial Hall 118
Report an incident through the [Report It website](#).
- **Title IX Coordinator**
612-330-1034
titleix@augsborg.edu

1.2 Meeting with the Complainant

In the event that a complainant is named in the report, the Dean of Students will reach out to the complainant to set up a preliminary meeting. The purpose of the preliminary meetings is to allow the University to gain a basic understanding of the nature and circumstances of the report.

As part of the initial meeting with the complainant, the Dean of Students will:

- assess the nature and circumstances of the allegation;
- address immediate needs of the complainant and the campus, in consultation with appropriate campus officials;
- notify the complainant of the right to contact law enforcement and seek medical treatment;
- notify the complainant of the importance of preservation of evidence;
- provide the complainant with information about on- and off-campus resources;
- notify the complainant of available supportive measures;
- provide the complainant with an explanation of this Policy;
- discuss the complainant's expressed preference for the manner of resolution and any barriers to proceeding; and
- explain the University's policy prohibiting retaliation.

1.3 Review of Case and Referral to Appropriate Disciplinary Process

The Dean of Students will assess any report received to determine the applicable University policy, if any. If the alleged conduct, if true, would not be a violation of this Policy, but would violate another University policy, the Dean of Students generally will refer the matter to another applicable disciplinary procedure, including:

- [Academic Honesty Policy](#), which investigates and adjudicates alleged cases of plagiarism and other forms of academic misconduct.
- [Classroom Disruption Policy](#), which investigates and adjudicates cases of classroom misconduct that hinders normal academic functioning, unless a School Director refers a case to this Policy.
- [Discrimination and Bias Policy](#), which investigates and adjudicates alleged cases of discrimination with respect to protected classes under the University's Notice of Non-Discrimination, unless the Vice President of Equity and Inclusion refers a case to this Policy.
- [Sexual Misconduct Policy](#), which investigates and adjudicates alleged cases of sexual misconduct (i.e., quid pro quo harassment, hostile environment harassment, sexual exploitation, sexual assault, dating violence, domestic violence, and stalking).

The Dean of Students, in collaboration with other University officials, also has discretion to take no further action if it is determined that the alleged conduct, if true, would not violate any University policy.

2. Informal Process

Following a report that alleges that a respondent engaged in Misconduct, the University may facilitate an informal resolution process at any time prior to reaching a determination regarding responsibility. In some cases, informal resolution may not be appropriate.

If the complainant (if applicable), the respondent, and the University all agree to pursue an informal resolution, the Dean of Students will attempt to facilitate a resolution that is agreeable to all parties. Under the informal process, the University will only conduct such fact-gathering as is useful to resolve the alleged violations by the respondent and as is necessary to protect the interests of the parties, the University, and the University community.

The University will not compel a complainant or respondent to engage in mediation, to directly confront the other party, or to participate in any particular form of informal resolution. Participation in informal resolution is voluntary, and the complainant and respondent have the option to discontinue the informal process and request participating in the conduct adjudication process at any time prior to reaching an agreed-upon resolution. In addition, the University also always has the discretion to discontinue the informal process and move forward with the conduct adjudication process. If at any point during the informal resolution process prior to reaching an agreed-upon resolution, the complainant or respondent or the University wishes to cease the informal resolution process and to proceed through the conduct adjudication process, the informal resolution process will stop and the conduct adjudication process outlined below will be invoked.

The University will obtain the parties' voluntary, written consent to the informal resolution process.

Any informal resolution must adequately address the concerns of the complainant (if applicable), as well as the rights of the respondent and the overall intent of the University to stop, remedy, and prevent violations of these Standards of Conduct. The proposed resolution may include institutional responses, requirements, or sanctions imposed on the respondent.

The informal resolution process ends when a resolution has been reached or when the complainant (if applicable), the respondent, or the University terminates the process. A successful informal resolution results in a binding agreement between the parties. If the parties and the University agree in writing to the terms and conditions of a proposed resolution, the case will be resolved without further process under this procedure. If all relevant parties and the University do not agree in writing to the terms and conditions of the proposed resolution, the case will be referred to the conduct adjudication process.

Appeals are not allowed in cases where the parties have agreed to an informal resolution process.

3. Adjudication Process

3.1 Cases Involving Complainant

In cases that involve a complainant, the University generally allows the complainant to determine whether they want to move forward with the conduct adjudication process. However, the University reserves the right to move forward with the conduct adjudication process even if a complainant chooses not to move forward. If the University decides that it has an obligation to move forward with the conduct adjudication process, the Dean of Students will notify the complainant before proceeding.

In a situation in which the complainant requests that their name or other identifiable information not be shared with the respondent or that no action be taken against the respondent, the Dean of Students will make a fact-specific determination considering the following factors:

- the complainant's request not to proceed with initiation of the conduct adjudication process;
- the complainant's reasonable safety concerns regarding initiation of the conduct adjudication process;
- the risk that additional Misconduct would occur if the conduct adjudication process is not initiated;
- the severity of the alleged Misconduct, including whether the conduct, if established, would require the removal of a respondent from campus;
- the age and relationship of the parties;
- the scope of the alleged Misconduct, including information suggesting a pattern, ongoing Misconduct, or Misconduct alleged to have impacted multiple individuals;
- the availability of evidence to assist a conduct officer in determining whether Misconduct occurred;
- whether the University could end the alleged Misconduct and prevent its recurrence without initiating the conduct adjudication process; and
- other relevant factors.

The University will take all reasonable steps to respond to the report consistent with the request for confidentiality or request not to pursue an investigation made by the complainant; however, the scope of the response by the University may be impacted or limited based on the nature of the complainant's request. The University will likely be unable to conduct an investigation into the report or to pursue disciplinary action against the respondent and also maintain confidentiality. Action while honoring the complainant's request could include steps to limit the effects of the alleged Misconduct and prevent its recurrence that do not involve an investigation or disciplinary action against the respondent or reveal the identity of the complainant.

There may be times when, in order to provide a safe environment for all students and employees, the University may not be able to honor a complainant's request for confidentiality or non-action. The presence of one or more of the factors above could lead the University to move forward with the conduct adjudication process (even without the participation of the complainant). In this instance, the Dean of Students will inform the complainant about the chosen course of action and may, at the

complainant's request, communicate to the respondent that the complainant asked the University not to investigate and that the University determined it needed to do so. A complainant can choose not to participate in the conduct adjudication process.

3.2 Cases Not Involving Complainant

In cases not involving a complainant, the Dean of Students will determine whether to move forward with the conduct adjudication process.

4. Notice of Allegations

4.1 Content of Notice

When a decision has been made to move forward with the conduct adjudication process, the University will send a notice of allegations letter to the respondent's official University email. This letter will contain the following:

- a summary of the alleged Misconduct;
- the date of the alleged Misconduct, or if unknown, the date the alleged Misconduct was reported;
- the name of the conduct officer assigned to their case;
- instructions on how to set up an adjudication meeting with their conduct officer; and
- any Interim Measures the University is taking prior to the respondent's adjudication meeting.

4.2 Expedited Decision

In specific cases that occur in the last two weeks of the semester or during academic breaks, or specific cases involving health and safety checks of the residence hall rooms, the University may make a decision as to whether a respondent is found responsible or not without an adjudication meeting with the respondent. In such cases, the respondent will receive a notice of determination, and such decisions are still appealable.

5. Interim Measures

Depending on circumstances, interim measures may be taken and decided by the Dean of Students.

All actions listed below typically last until the conduct adjudication process has been completed. The Dean of Students reserves the right to add, modify, or remove interim measures while a case is pending based on relevant circumstances; in such an event, a respondent will be notified about changes to interim measures via their University email.

Interim measures may last beyond the conduct adjudication process if the conduct officer and/or Dean of Students determines that such actions should remain in place either (a) until sanctions are completed by the respondent or (b) as an imposed sanction itself.

A respondent's emergency contact may be contacted when interim measures are assigned that involve a determination that the respondent poses an immediate threat to the safety of self, other

persons, or properties; or poses a disruptive threat to the operations of the University (see [Emergency Contact Policy](#)).

Potential interim measures include but are not limited to the examples listed below.

5.1 Interim Modifications

- **Class modifications** - A respondent may have their class sections adjusted.
- **Employment modifications** - A respondent may have their employment schedule or duties adjusted, or be administratively removed from work for an interim period.
- **Living modifications** - A respondent may be reassigned to another residence.
- **Service modifications** - A respondent's engagement in a service provided by an office or department on campus may be modified.
- **Other modifications** - A respondent may have other interim modifications made to their campus experience.

5.2 No Contact Directive

A “no contact directive” is a University-issued directive that prohibits one or both parties from communication or contact with another. No contact directives may be mutual or one-sided.

When a “no contact directive” is issued, the University prohibits one or both parties from communicating or attempting to communicate with each other. This includes no contact in person; by telephone; via voicemail; via a third party; via notes, letters, or other written communication; by email or electronic messaging system; by any other internet-based communication such as social media; or by any other means.

5.3 Ban From Residence Halls Order

When a “ban from residence halls order” is issued, the University prohibits a respondent from accessing specific buildings and/or residence halls.

5.4 Trespass Order

When a “trespass order” is issued, the University prohibits a respondent from being on Augsburg University property. Augsburg University property is any property associated with the general campus address of 2211 Riverside Avenue, Minneapolis, MN 55454. Augsburg University's campus boundaries are 20th Avenue South to 25th Avenue South, and Interstate 94 to Riverside Avenue.

5.5 Dean of Students Hold

When a “Dean of Students Hold” is issued, the University prohibits a respondent from registering for classes.

5.6 Restricted Activities Order

When a “restricted activities order” is issued, the University restricts or bans a respondent from participation, membership, or status in some or all activities, events, organizations, and programs that are hosted, recognized, sponsored, or supervised by the University.

5.7 Account Deactivation Order

When an “account deactivation order” is issued, the University prohibits a respondent from accessing their AugNet account, including but not limited to their email, Google Drive, Records and Registration, Navigate, Moodle, Housing Portal, Auggie Life, and any other services a respondent could access through their login credentials. In the event that this occurs, the University will conduct communications through phone and/or certified mail.

5.8 Degree Hold

When a “degree hold” is issued, the University will withhold a respondent’s degree.

5.9 Summary Removal From Housing

A “summary removal from housing” requires that the respondent vacate their residence immediately. It may be imposed when the Director of Residence Life, Director of Public Safety, or Dean of Students (or designees) have reasonable cause to believe the respondent poses a threat to the safety of other persons or property in the residence halls. Any respondent so evicted who returns to University housing during the period of removal from housing may be subject to permanent denial of housing and further sanctions. Once summary removal from housing has been imposed, permission to enter University housing must be granted in writing and in advance by the Director of Residence Life or the Dean of Students (or designees). Any respondent subject to summary removal from housing shall be required to remain out of University housing until an adjudication meeting is held. Any respondent subject to summary removal from housing will not be allowed to move back onto campus until they have received their notice of determination.

5.10 Summary Suspension

A “summary suspension” requires that the respondent immediately leave the campus. The University may impose a summary suspension when the Dean of Students or the Director of Public Safety (or designee) have reasonable cause to believe the respondent poses a threat to the safety of self, other persons, or properties; or poses a disruptive threat to the operations of the University. Any summarily suspended respondent who returns to campus during the period of summary suspension may be subject to expulsion. Permission to be on campus may be granted for a specific purpose; however, it must be granted in advance and in writing by a conduct officer. Any respondent subject to summary suspension shall be required to remain off campus until they have received their notice of determination.

6. Adjudication Meeting

6.1 Purpose

An adjudication meeting is used to provide a respondent an opportunity to discuss the alleged Misconduct with their conduct officer, or to provide an explanation, including any denial of the allegations. Any appropriate facts and information will be reviewed.

6.2 Timing

Once a respondent is sent a notice of allegations, a respondent is responsible for contacting their assigned conduct officer to schedule an adjudication meeting appointment. In order to ensure a timely process, the University requires that a respondent initiate communication within 7 calendar days of the initial notice of the alleged Misconduct in order to schedule their adjudication meeting. However, if a respondent does not communicate with the University within this timeframe, the adjudication meeting may be postponed until the respondent connects with the University.

6.3 Conduct Officer

Most cases will be led by one conduct officer, though depending on the case, a case may involve more than one.

A conduct officer may need to change in the middle of a case; if this occurs, the respondent will be notified via their University email.

6.4 Advisor

A respondent may be accompanied by one advisor of their choice.

An advisor may be a faculty member, staff member, or student at Augsburg University; a family member (e.g., parent, spouse, sibling); or legal counsel. Individuals involved in the case being adjudicated cannot serve as advisors.

An advisor's role and purpose is to support the respondent and accompany them to meetings and proceedings relating to the Conduct Adjudication Process. A respondent must represent themselves during the process; advisors (including legal counsel) may not represent a respondent. Although an advisor may confer with a respondent, the advisor cannot actively participate in the process, appear in lieu of the respondent, speak on respondent's behalf (either in person or in written communications), communicate directly with any University official involved in the process, or attempt to interrupt or delay the process.

As a general matter, Augsburg University will not delay its process to accommodate an advisor's schedule.

If a respondent brings an advisor, the respondent must sign an [Information Release Form](#) authorizing relevant information about the case to be disclosed to their advisor. Additionally, the

advisor must sign an [Advisor Agreement](#). Failure to sign both of these documents will result in Augsburg dismissing the advisor.

Augsburg University reserves the right to dismiss an advisor at any time.

6.5 Failure to Schedule or Show

If a respondent fails to contact the University to schedule an adjudication meeting, or if a respondent fails to attend their adjudication meeting, the conduct officer has two options:

- The conduct officer can make a decision regarding the alleged Misconduct without the respondent's input.
- The conduct officer can connect with a respondent and require they meet for an adjudication meeting.

Additional sanctions may be administered for failing to show up to an adjudication meeting. Any additional sanctions administered are not appealable.

Failure to comply with the University after repeated attempts may result in a meeting with the Dean of Students.

7. Evidence and Witnesses

7.1 Evidence

A respondent accused of alleged Misconduct may provide additional evidence (i.e., physical or electronic) that is relevant to the alleged Misconduct. A respondent must provide such evidence to their conduct officer no later than 48 hours after the conclusion of the adjudication meeting.

7.2 Witnesses

A respondent may provide a list of witnesses that includes the following information:

- Names.
- Contact information.
- How the individual could speak to the circumstances around the alleged Misconduct (e.g., the witness was present during the incident, the respondent spoke to the witness immediately following the incident, etc.).

The University believes in the good character of all of its students; because of that, character witnesses are typically not heard. The conduct officer may also identify additional witnesses themselves that they believe could speak to the alleged Misconduct.

A respondent may provide a list of witnesses to the conduct officer no later than 48 hours after the conclusion of the adjudication meeting.

It is up to the discretion of the conduct officer to hear witnesses. If a decision is made to not hear a witness, the rationale will be stated in the decision letter.

8. Notice of Determination

8.1 Decision-Making Process

The conduct officer will determine whether a respondent is responsible for Misconduct, based on the preponderance of the evidence, and if so, will determine appropriate sanctions. Most violations are of a minor nature and do not involve suspension or expulsion from the academic program.

8.2 Content of Notice

The conduct officer will send a decision letter to the respondent via their University email. The decision letter will include:

- A summary of the alleged Misconduct.
- Indication of whether the respondent admitted to or denied the alleged Misconduct, as well as a brief summary of what the respondent explained.
- Rationale as to why witnesses were not interviewed (if applicable).
- A list of each alleged Standards of Conduct violation and whether the respondent is found responsible or not responsible. If a respondent is found responsible, the letter will also include:
 - The rationale of the decision of the conduct officer.
 - The sanctions imposed, along with any applicable deadlines and links.
 - Details on how to appeal the decision.

In addition to the respondent, the following individuals will be copied on the letter:

- The conduct officer.
- The Dean of Students.
- The Program Coordinator in the Dean of Students Office.
- In cases involving sanctions of administrative withdrawal, admission revocation, degree withholding or revocation, suspension, or expulsion:
 - The Provost.
 - The Associate Provost.
 - The University Registrar.
- If a respondent lives on campus:
 - The Director of Residence Life.
 - The Assistant Director of Residence Life.
 - The Area Coordinator of the building in which they live.
- If the respondent is currently participating on an intercollegiate athletic team:
 - The Head Coach.

8.3 Notation on Transcript

Unless a sanction involves the administrative withdrawal, degree withholding or revocation, suspension, or expulsion of a respondent, the decision letter is an internal document as delineated in the Federal Education Rights and Privacy Act, and such decisions are not notated on a respondent's transcript.

9. Sanctions

If a respondent is found responsible for Misconduct, sanctions that may be imposed include but are not limited to one or more the following:

9.1 Letter of Warning

A written reminder for the respondent to abide by University rules, regulations, policies, and procedures.

9.2 Fines

A monetary charge which may be a fine, an assessment for the cost of repair or replacement of damaged or destroyed property, and/or an assessment for costs related to the case. Augsburg Day Student Government (ADSG) has approved a policy of charging monetary fines as sanctions in specific cases; this Policy is reviewed every two years by ADSG. The University has predetermined fines for certain policy violations.

Fines are waived if a respondent contacts Public Safety or other officials for assistance because of an alcohol or drug poisoning concern for self or others (see [Medical Amnesty Policy](#)).

Fines for **alcohol and marijuana violations** include:

- Underage possession or consumption/use, or public consumption/use:
 - First offense: **\$50**
 - Second offense: **\$100**
 - Third offense: **\$150**
- Providing alcohol to minors, being overly intoxicated, or of-age possession in Urness:
 - First offense: **\$100**
 - Second offense: **\$200**
 - Third offense: **\$300**

Fines for **other drug violations** include:

- Illegal possession or use, possession of drug paraphernalia:
 - First offense: **\$150**
 - Second offense: **\$200**
- Possession of purchase of large amounts, providing or dealing to others, evidence of dealing:
 - First offense: **\$300**
 - Second offense: **\$400**

Fines for **fire safety violations** include:

- Possession of items that utilize an open flame or coil, smoking indoors, failure to evacuate during fire drill: **\$100**
- Tampering with fire safety equipment, blocking exits and corridors: **\$300**

Fines for **clean air policy violations** include:

- Use of electronic cigarettes (“vaping”) indoors: **\$100**
- Repeated use of electronic cigarettes (“vaping”) indoors: **\$300**

Fines for **unauthorized animals** include:

- First offense: **\$250**
- Second offense: **\$500**

If a respondent does not complete sanctions by the given deadline, a **\$50** charge will be assessed to that respondent’s account.

A respondent will be assessed a fine if a respondent has **intentionally caused damage or a respondent’s unauthorized animal has caused damage to University property**. The amount of the fine will be determined by the extent of damage caused to property.

A respondent will be assessed a fine if a respondent has **screened copyrighted material** without obtaining authorization. The amount of the fine will be determined by the market cost of purchasing distribution rights.

9.3 Community Education

Community education opportunities include:

- **Community engagement opportunity:** Community engagement opportunity (on or off campus).
- **Staff / faculty meeting:** A meeting with an Augsburg staff or faculty member to discuss the case and reflect on the respondent’s Misconduct.
- **Workshop completion:** Participation in a workshop, training, online module, or other event (on or off campus).
- **Written paper:** A written paper on the case to reflect on the respondent’s Misconduct.
- **Other community educational experience:** Other experiences developed by the conduct officer.

9.4 University Directives

University directives include:

- **Alcohol restrictions:** Restrictions in regard to being in the presence of, usage of, or having possession of alcohol.
- **No contact directive:** The University prohibits one or both parties from communicating or attempting to communicate with each other. This includes no contact in person; by telephone; via voicemail; via a third party; via notes, letters, or other written communication; by email or electronic messaging system; by any other internet-based communication such as social media; or by any other means.

- **Conduct acknowledgement:** A signed acknowledgement by a respondent to adhere to the University's Standards of Conduct.
- **Residential reassignment:** Move between residence hall rooms.
- **Other University directives:** Additional directives from University officials to ensure that a respondent is adhering to University policies.

9.5 Restriction of Privileges

Restriction of privileges include:

- **Property restriction:** Restrictions, bans, or trespass from some or all University buildings, facilities, or property.
- **Service restriction:** Restrictions or bans on utilizing some or all University services.
- **Activity restriction:** Restrictions or bans in participation, membership, or status in some or all activities, events, organizations, and programs that are hosted, recognized, sponsored, or supervised by the University.

9.6 Property Removal

Property removal includes:

- **Confiscation of property:** Confiscation of property if possessed / used in violation of campus policy and/or state and federal laws (e.g., fireworks, weapons, ammunition, illegal drugs, hookahs, etc.).
- **Disposal of property:** Disposal of property if possessed / used in violation of campus policy and/or state and federal laws (see above).
- **Removal of animal:** Removal of an unauthorized animal from University property.

9.7 Warning of Last Chance

A **warning of last chance** is a written reminder for the respondent to abide by University rules, regulations, policies, and procedures. A further violation may result in an adjudication meeting seeking a respondent's removal from on-campus housing (if a resident), suspension, or expulsion.

9.8 Emergency Contact Notification

If a respondent does not complete sanctions involving a determination of responsibility for violating the University's [Alcohol and Other Drugs Policy](#) and the respondent is under 21 years of age, their emergency contact will be contacted.

9.9 Dean of Students Hold

A **Dean of Students Hold** means a respondent is prohibited from registering for classes until the completion of additional sanctions.

9.10 Administrative Withdrawal

An **administrative withdrawal** means that a respondent is withdrawn from a class by the University.

9.11 Admission Revocation

Admission revocation means that the University revokes admission for serious violations of the standards of conduct once admitted but prior to matriculation.

9.12 Degree Conferral

Degree conferral includes:

- **Withholding degree:** The University withholds awarding a degree otherwise earned until the completion of additional sanctions.
- **Revocation of degree:** The University revokes a degree for serious violations of the standards of conduct prior to graduation.

9.13 Removal From On-Campus Housing

Removal from on-campus housing includes:

- **A termination of housing contract**, which cancels a respondent's housing contract. A respondent would still be responsible for the full amount of any cancellation fees (as stated in the housing contract).
- **A temporary removal from housing**, which is for a specified period of time ending before the completion of the current academic term. A respondent who is temporarily removed is not permitted in the residence halls for the specified period unless they need to conduct University-related business (with written permission from the Dean of Students [or designee]). A respondent would still be responsible for the full payment of their current contract.
- **A removal from housing**, which is a removal from the residence halls for the remainder of the current term and/or duration of future academic terms. A respondent who is evicted is not permitted in the residence halls for the specified removal period unless they need to conduct University-related business (with written permission from the Dean of Students [or designee]). A respondent would still be responsible for the full payment of their current contract. A respondent must receive approval from the Director of Residence Life (or designee) to sign a housing contract for a future term.
- **A permanent removal from housing**, which means a respondent is no longer allowed to live in the residence halls. A respondent who is permanently removed from housing are not permitted in the residence halls unless they need to conduct University-related business (with written permission from the Dean of Students [or designee]). A respondent would still be responsible for the full payment of their contract.

9.14 Suspension

Suspension means that the respondent will be barred from re-enrolling for a specified period of time. Record of the suspension becomes part of the permanent files of the Dean of Students' Office and the Office of the Registrar. Typically, this is for a semester, academic year, or more. A respondent who is suspended is not permitted on University property for the duration of their suspension; if the respondent needs to conduct University-related business, they must obtain written permission from the Dean of Students.

If a respondent is enrolled in courses at the time a suspension sanction is assigned, the University will administratively withdraw the respondent from those courses, unless otherwise indicated in the conduct officer's decision letter.

9.15 Expulsion

Expulsion means that the respondent will be barred from the total education program at a specified date. If the date of expulsion occurs while a term is in progress, the respondent will be eligible for any refund that is in keeping with the refund schedule published in the University Catalog. Unless this action is changed by a subsequent review by the Dean of Students, the respondent is permanently barred from re-enrolling and a record will be kept in the Dean of Students' Office and the Office of the Registrar. A respondent who is expelled is not permitted on University property; if the respondent needs to conduct University-related business, they must obtain written permission from the Dean of Students.

If a respondent is enrolled in courses at the time an expulsion sanction is assigned, the University will administratively withdraw the respondent from those courses, unless otherwise indicated in the conduct officer's decision letter.

9.16 Organizational Suspension

Organizational suspension means that the student organization will become unregistered, cease all activities, and disband for a period of time. The student organization may register with the University once the determined period of time elapses.

9.17 Organizational Expulsion

Organizational expulsion means that the student organization will become unregistered, cease all activities, and be permanently banned from the University. Unless this action is changed by a subsequent review by the Dean of Students, the respondent is permanently barred from registering and a record will be kept by the Dean of Students' Office and Campus Life.

9.18 Failure to Complete Sanction

Failure to complete sanctions will result in an automatic fine, notification of a respondent's emergency contact in certain cases, and/or an adjudication meeting with the Dean of Students that may lead to further sanctions.

10. Appeals

10.1 Making an Appeal

A respondent who is found responsible for Misconduct may appeal their sanctions if they believe them to be arbitrary or capricious. Criteria for an appeal includes:

- A respondent believes there is an absence of rational connection between the facts found and the sanction assigned.
- A respondent can demonstrate a procedural error in the adjudication process.
- There is new information to provide that may affect the outcome of the adjudication meeting.

A respondent must file a request in writing to deanofstudents@augsborg.edu within 7 calendar days of receipt of the notification of the decision letter. A respondent is required to state their rationale for appealing.

The Dean of Students may decline to hear a respondent's appeal if a rationale is not provided or an appeal does not meet at least one of the aforementioned criteria.

10.2 Appeals Meeting

An appeals meeting is held to give the alleged respondent an opportunity to discuss their rationale for why they believe the sanctions of the initial conduct officer should be modified or overturned.

The respondent will be assigned an appeals officer who is different from the initial conduct officer that heard their case. The initial conduct officer will be present for the appeals meeting.

If a respondent has new evidence to provide relevant to the case, the evidence must be produced by the time of the appeals meeting.

A respondent may be accompanied by one advisor of their choice. Please see the [advisor section](#) for criteria and requirements.

10.3 Appeals Decisions

The decision by the appeals officer is final. The appeals officer will notify the respondent of their decision by sending them an appeals decision letter via their University email. The appeals decision letter will include:

- A summary of the reason for the appeals meeting.
- Rationale provided by the respondent to appeal.
- A summary of the appeals meeting discussion.
- A list of sanctions previously levied and whether they are upheld, overturned, or modified.

In addition to the respondent, the following individuals will be copied on the letter:

- Appeals officer.

- The initial conduct officer.
- The Dean of Students.
- The Program Coordinator in the Dean of Students Office.
- In cases involving sanctions of administrative withdrawal, admission revocation, degree withholding or revocation, suspension, or expulsion:
 - The Provost.
 - The Associate Provost.
 - The University Registrar.
- If a respondent lives on campus:
 - The Director of Residence Life.
 - The Assistant Director of Residence Life.
 - The Area Coordinator of the building in which they live.
- If the respondent is currently participating on an intercollegiate athletic team:
 - The Head Coach.

Unless a sanction involves the administrative withdrawal, degree withholding or revocation, suspension, or expulsion of a respondent, the decision letter is an internal document as delineated in the Federal Education Rights and Privacy Act, and such decisions are not notated on a respondent's transcript.

VIII. CONDUCT RECORDS

1. Recordkeeping

Case records (e.g., reports, letters, adjudication results, sanctions, etc.) are kept in confidential electronic storage. Records are destroyed after seven (7) years from the date of the respondent's most recent conduct violation. The office of the Dean of Students monitors compliance.

2. Early Expungement

A respondent may request that a case be expunged early from their record (i.e., prior to seven years from the date of the respondent's most recent conduct violation). In these cases, the record will not be made available to external parties (e.g., employers, graduate schools, etc.), but available to those internal to the University.

2.1 Criteria

The following criteria must be met in order for an early expungement:

- The respondent must not have been found responsible for any Misconduct for at least one calendar year prior to the request.
- The respondent must not be involved in an open disciplinary process.
- The case for which the respondent is requesting an early expungement must not have been assigned the following type of sanction:
 - Residential reassignment.

- Warning of last chance.
- Administrative withdrawal.
- Admission revocation.
- Withholding or revocation of degree.
- Removal from on-campus housing.
- Suspension.
- Expulsion.

Student organizations do not qualify for an early expungement.

2.2 Request

A respondent must email deanofstudents@augsborg.edu to request an early expungement of a case on their record.

Early expungement is a courtesy provided by the University and is not a requirement of law; the University has no obligation to provide an early expungement of a case from a respondent's record.

3. Privacy and Record Sharing

The decisions and sanctions made in a case within the Conduct Adjudication Process may be communicated to another student in compliance with applicable federal and state laws.

Upon request, the University will disclose to an individual who has alleged that they have been the subject of a crime of violence² or non-forcible sex offense³ of the final results of a case under this Policy, regardless of whether there was a determination of responsibility made. If the individual is deceased as a result of the crime, the next of kin shall be treated as the individual for the purposes of disclosure.

The University may disclose to anyone the final results of a case under this Policy if the University determines that a respondent is responsible under this Policy for committing a crime of violence or non-forcible sex offense.

IX. REVISION HISTORY

This policy was revised on March 30, 2026.

² A crime of violence is defined as any of the following: arson, assault offenses (e.g., aggravated assault, simple assault, or intimidation, including stalking), burglary, criminal homicide-manslaughter by negligence, criminal homicide-murder and nonnegligent manslaughter, destruction/damage/vandalism of property, kidnapping/abduction, robbery, or forcible sex offenses (i.e., forcible rape, forcible sodomy, sexual assault with an object, or forcible fondling).

³ A non-forcible sex offense is defined as any of the following: statutory rape or incest.

X. REVIEW PROCESS

This policy is reviewed annually by the Dean of Students Office.