ARIZONA BOARD OF REGENTS POLICY MANUAL	
5-301	Jurisdiction, Philosophy, Purpose, and Limitations upon Code of Conduct Coverage and Violations of Law and Code of Conduct Regulations
Revision Dates 11/19/2026, 6/14/2012, 9/10/1983 (effective 8/10/1983), 5/21/1983 (adopted; effective 7/1/1983)	

C. GENERAL CODE OF CONDUCT

A. Jurisdiction and Authority

1. The Arizona Board of Regents is charged by law to exercise control and supervision of the three state universities, their properties, and activities, and is authorized to enact ordinances for the government of the institutions under its jurisdiction. The Board is further required by law to adopt rules and regulations for the maintenance of public order upon all University Property under its jurisdiction. The Board has promulgated this General Code of Conduct (ABOR Policy 5-301, et seq.) in order to meet its responsibilities under Arizona law.

2. The administration at each of the state universities shall assist the Board in the enforcement of the rules and regulations set forth under this Code of Conduct, subject to the ultimate authority of the Board.

3. This Code of Conduct applies to all individuals participating in Board or University-Sponsored Activities or who are present on University Campus, including but not limited to students and employees. However, students and employees are also subject to additional governing policies.

B. Philosophy

1. The educational process is ideally conducted in an environment that encourages reasoned discourse, intellectual honesty, openness to constructive change and respect for the rights of all individuals. This Code of Conduct is designed for the promotion and protection of such an environment at each of the state universities.

2. Participating in University-Sponsored Activities or being present on a University Campus amounts to neither a surrender of those individual rights accorded to all citizens of this country nor a means for escaping the attendant fundamental responsibilities of that citizenship. Participating in University-Sponsored Activities or being present on a University Campus brings rights as well as responsibilities. This Code of Conduct shall be implemented by the adoption of sets of procedural rules appropriate for

the various segments of the University Community, which shall provide for the full protection of individual rights and freedoms.

C. Purpose and Intent

1. The primary purpose for the enactment of this Code of Conduct is to set forth in a clear and concise manner the rules and regulations of conduct expected of those who join the University Community, or who are present on the University Campus or participating in any University-Sponsored Activity.

2. It is intended that the sanctions listed in this Code of Conduct be imposed and enforced for the protection of the University Community and for the maintenance of order and stability, both with respect to activities occurring on the University Campus and with regard to all university-sponsored Activities.

D. Limitations Upon General Code of Conduct Coverage

1. The adoption of this General Code of Conduct does not prohibit any university or the Board from adopting or maintaining additional conditions, rules, regulations, and procedures not in conflict with this General Code of Conduct and which address matters not covered by this General Code of Conduct. Charges brought pursuant to this General Code of Conduct may be combined with charges brought pursuant to other conditions, rules, or regulations, provided administrative procedures for enforcement of the General Code of Conduct are used to resolve the charges.

2. Among the matters specifically excluded from coverage under this General Code of Conduct are the following:

   a. Rules and regulations that have been or will be adopted by each university which pertain to the control of vehicles on university property.

   b. Regulations and procedures relating to student academic performance, other than academic dishonesty matters, e.g., grade appeal procedures.

   c. Student housing regulations and contracts where sanctions are not imposed that extend beyond the student housing setting.

3. The General Code of Conduct is not intended to interfere with the internal corporate affairs of organizations such as the Associated Students,

sororities, fraternities, honor societies, and similar organizations, but such organizations are otherwise subject to this General Code of Conduct.

E. Violations of Law and General Code of Conduct Regulations

Members of the University Community and other individuals who are on a University Campus or who are participating in a University-Sponsored Activity may be accountable to both civil authorities (city, state or federal) and to the university for acts that constitute violations of law and of this General Code of Conduct. Disciplinary and/or other adverse action at the university may proceed during the pendency of criminal proceedings and will not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed or reduced. There is no legal basis for any claim of double jeopardy and no right to immunity may be urged in any administrative proceeding.

F. Severability

The several sections and provisions of this General Code of Conduct are hereby declared to be independent and severable. If any section, subdivision, word, sentence, or clause is held void or non-enforceable such holding shall not affect the validity or enforceability of any other part or parts of this General Code of Conduct which can be given effect without the invalid or non-enforceable portion.

G. Definitions: The definitions below and provided elsewhere in this chapter are applicable unless the context otherwise provides or requires.

1. "Aggravated Violation" means a violation which resulted or foreseeably could have resulted in significant damage to persons or property or which otherwise posed a substantial threat to the stability and continuance of normal university or University-Sponsored Activities.

2. "Board" means the Arizona Board of Regents.

3. "Cheating" means intentionally using or attempting to use unauthorized materials, information, or study aids in any academic exercise.

4. "Controlled Substance" means a drug or substance listed in schedules contained in A.R.S. § 36-2512 through 36-2516.

5. “Dangerous Instrument” means anything that under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury.

6. "Distribution" means sale or exchange for personal profit.

7. "Fabrication" means intentional or reckless falsification or creation of false data or information.

8. "Faculty" means all employees of the Arizona Board of Regents in teaching, research, or service, whose notice of appointment is as lecturer, instructor, assistant professor, associate professor, professor or otherwise designated as faculty on the notice of appointment. Graduate students who serve as assistants, associates or otherwise, are academic appointees as well as graduate students but are not members of the faculty.

9. "Group" means a number of persons associated with each other and who have not complied with university requirements for registration as an organization.

10. "Illegal Drug" means any drug whose use, possession, or Distribution is prohibited or restricted by provisions of Title 13 of the Arizona Revised Statutes, and includes, without limitation, narcotic drugs, dangerous drugs, marijuana, and peyote.

11. "Organization" means a number of persons who are associated with each other and who have complied with university requirements for registration.

12. “Personal Safety Devices”: each university will maintain and publish a list of permitted personal safety devices to include personal alarms, chemical repellents and other devices designed to protect personal safety from physical attacks by other people. Each university will also publish the process by which an individual may seek to have a device added to the list of permitted devices.

13. "Plagiarism" means intentionally or knowingly representing the words or ideas of another as one's own in any academic exercise.

14. "President" means the president of the university or a designee.

15. "Reckless" means conduct which one should reasonably be expected to know would create a substantial risk of harm to persons or property or which would otherwise be likely to result in interference with university or University-Sponsored Activities.

16. “Smoking” means the burning of, inhaling from, exhaling the smoke from, the possession of a lighted cigar, cigarette, pipe, hookah, water pipes or any other matter or substance that contains tobacco or any other matter

that can be smoked, or inhaling or exhaling of smoke or vapor from an electronic smoking device. "Electronic smoking device" means a device that simulates smoke through inhalation of vapor or aerosol from the device, including e-cigarettes, e-cigars, e-pipes, and vape pens.

17. "Student" means any person registered or enrolled in one or more classes except a faculty member or full-time employee who takes any course as a privilege of employment. Graduate students who serve as assistants, associates or otherwise, and all other students employed part-time are classified as students rather than faculty or other university employee.

18. "University" means the appropriate university involved: The University of Arizona, Arizona State University, Northern Arizona University, and any other university governed by the Arizona Board of Regents.

19. "University Campus" means all land, buildings, facilities, and other property owned, used, or controlled by the university.

20. "University Community" means university, students, administrative and staff personnel, members of the faculty and all other university employees.

21. "University Property" means all real and personal property owned by the university or owned by the Arizona Board of Regents and used by the university and includes all such property in the possession of or subject to the control of the university. A university president may limit the definition of "university property" for purposes of this policy to exclude certain property owned by the university and leased to a third party. Any such limitation will be in writing, such as a lease, other agreement, or university policy. If property is excluded from the definition of "University Property" pursuant to such limitation, it will be treated as off-campus property under this policy.

22. "University-Sponsored Activity" means any activity on or off campus which is initiated, aided, authorized, or supervised by the university.

23. "Weapon" refers to any object or substance designed to (or which could be reasonably expected to) inflict a wound, cause injury, incapacitate, or cause death, including, without limitation, all firearms (loaded and unloaded, simulated and real), devices designed to expel a projectile (such as bb guns, air guns, pellet guns, and potato guns), swords, knives with blades of 5 inches or longer, martial arts weapons, bows and arrows, and chemicals such as tear gas, but personal safety devices as defined above are not included in the definition of "weapon."

G. Prohibited Conduct

The list of prohibited conduct set forth below is subject to disciplinary action and shall be interpreted broadly and is not designed to define prohibited conduct in exhaustive terms.

1. All forms of student academic dishonesty, including Cheating, Fabrication, facilitating academic dishonesty and Plagiarism.

2. Intentionally or recklessly causing physical harm to any person on the University Campus or at a University-Sponsored Activity, or intentionally or recklessly causing reasonable apprehension of such harm.

3. Unauthorized use, possession or storage of any weapon, Dangerous Instrument, explosive device, torch, device with open flames or fireworks on the University Campus or at a University-Sponsored Activity except that subject to A.R.S. § 12-781 and other applicable law, a person may lawfully transport or lawfully store a firearm that is both 1) in the person's locked and privately owned motor vehicle or in a locked compartment on the person's privately owned motorcycle, and 2) not visible from the outside of the motor vehicle or motorcycle, although the board or a university may require that vehicles transporting or storing firearms be parked in alternative parking as described in A.R.S. § 12-781. The possession or use for self-defense of Personal Safety Devices is not prohibited by this section.

4. Initiating or causing to be initiated any intentionally false report, warning or threat of fire, explosion, or other emergency on the University Campus or at a University-Sponsored Activity.

5. Intentionally or recklessly interfering with normal university or University-Sponsored Activities, including, but not limited to, studying, teaching, research, university administration, or fire, police, or emergency services.

6. Knowingly violating the terms of any disciplinary sanction imposed for an earlier violation of this Code of Conduct.

7. Unauthorized use, possession or Distribution or possession for purposes of Distribution of any Controlled Substance or Illegal Drug on the University Campus or at a University-Sponsored Activity.

8. Intentionally or recklessly misusing or damaging fire safety equipment.

9. Intentionally furnishing false information, including false identification, to

the university.

10. Forgery, unauthorized alteration or unauthorized use of any university document or instrument of identification.

11. Intentionally and substantially interfering with the freedom of expression of others on the University Campus or at a University-Sponsored Activity.

12. Theft or misappropriation of property or of services on the university campus or at a University-Sponsored Activity; known possession of stolen property on the University Campus or at a University-Sponsored Activity.

13. Intentionally or recklessly destroying, damaging, or misappropriating University Property or the property of others on the University Campus or at a University-Sponsored Activity.

14. Failure to comply with the directions of university officials, including campus police officers, acting in good faith and in the performance of their duties.

15. Failure to comply with other published rules and regulations of conduct that may from time to time be adopted by the Board or the university, including, without limitation, restrictions on the sale or possession of alcoholic beverage on the University Campus or at University-Sponsored Activities.

16. Unauthorized presence in or use of the University Campus, facilities, or property.

17. Smoking, the use of and the sale of tobacco products, and the use of and the sale of smokeless tobacco products, including all electronic smoking devices, in or on all University Property unless an express exception is provided by the university president for certain leased property or pursuant to university policy. In addition, universities may provide exceptions for smoking cessation products, controlled research, educational programs, traditional, cultural, or religious purposes or other uses permitted by the university if approved in advance by designated university personnel or pursuant to university policy.

H. Sanctions

1. In addition to any other interim or final action which may be taken to enforce this Code of Conduct, any person, whether a member of the University Community or not, may be ordered to leave the University

Campus when the president, or such other officer or employee designated by the president to maintain order on the University Campus, has reasonable grounds to believe the person is committing any act which interferes with or disrupts the lawful use of University Property by others or has reasonable grounds to believe any person has entered upon the University Campus for the purpose of committing such an act.

2. The Universities have the authority to impose sanctions at their discretion and consistent with Board and University policies and procedures. Those can include, but are not limited to, the following:

   a. EXPULSION: Permanent separation of the person from the university. As applied to Faculty and other university employees, expulsion may involve dismissal and termination of employment or nonrenewal of an employment contract. An indication of expulsion will appear on the student's transcript or be maintained in the permanent file of the university employee. The person will also be barred from the University Campus.

   b. SUSPENSION: Separation of the person from the university for a specified period of time. Permanent notification may appear on the student's transcript or in the file of the university employee. Except where any administrative decision under this Code of Conduct indicates otherwise, a person suspended under this Code of Conduct shall not participate in any University-Sponsored Activity, may be barred from the University Campus, and where such person is a Faculty member or other university employee, any suspension shall be without pay or other benefits incidental to the person's employment position.

   c. PROBATION: This sanction shall be applicable to students only and may include forfeiture of campus privileges for a definite period of time. Additional restrictions or conditions may also be imposed. Appropriate university officials shall be notified of the imposition of such sanctions.

   d. FORFEITURE: This sanction shall only be applicable to Faculty members or other university employees, and shall include forfeiture of the right or expectation to an increase in pay, sabbatical leave, or summer employment for a definite period of time.

   e. WARNING: The person is warned that further misconduct may result in more severe disciplinary action.

f. RESTITUTION: Payment to the university or to other persons, Groups, or organizations for damages incurred as a result of the violation of this Code of Conduct.

3. Imposition of any sanctions shall be imposed through the use of the following administrative procedures:

a. Faculty shall be subject to those procedures set forth in ABOR Policy 6-201 (Conditions of Faculty Service, Hearing Procedures for Faculty).

b. Administrators shall be subject to those procedures set forth in ABOR Policy 6-101. (Conditions of Administrative Service, Termination and Release).

c. All other university employees shall be subject to the applicable policies governing their employment at the university.

d. Students shall be subject to student disciplinary procedures adopted by each university pursuant to ABOR Policy 5-400(J).

I. For the purpose of enforcement of this General Code of Conduct, a Group or organization shall be subject to the same procedures as the majority of its members would be subject to if charged on an individual basis with a violation of this General Code of Conduct.

1. Mitigating factors may be considered. Factors to be considered in mitigation shall be the present demeanor and past disciplinary record of the individual charged with a Code of Conduct violation, as well as the nature of the offense and the severity of any damage, injury or harm resulting from it.

2. Repeated violations or an Aggravated Violation of any section of this Code of Conduct may result in the imposition of a more severe sanction.

3. Attempts to commit acts prohibited by this Code of Conduct shall be subject to sanctions of the Code of Conduct to the same extent as completed violations.

J. The Board reserves the right to take necessary and appropriate action to protect the safety and well-being of the University Community.

K. Any prior existing Code of Conduct is repealed except that any pending action or proceeding shall not be affected by this Code of Conduct and will be subject to

the Code of Conduct provisions in effect at the time the action or proceeding was originally brought.

Policy History

5/21/1983	Approved by the Board on second reading to be effective 7/1/1983.
9/10/1983	Policy revision approved by the Board on second reading to be retroactively effective 8/10/1983 (filing date with the Secretary of State).
6/14/2012	Policy revision approved by the Board on second reading.
11/19/2026	Policy revision approved by the Board on second reading.

Related Information