

**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

6/14/2012, 9/10/1983 (effective 8/10/1983), 5/21/1983 (adopted; effective 7/1/1983)

C. 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 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 is to assist the Board in the enforcement of the rules and regulations set forth under this Code of Conduct, but the authority of the administration is subject to the ultimate authority of the Board.

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. Acceptance of membership in the university community 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. Membership in the university community 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 Code of Conduct Coverage

1. The adoption of this 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 Code of Conduct and which address matters not covered by this Code of Conduct. Charges brought pursuant to this Code of Conduct may be combined with charges brought pursuant to other conditions, rules, or regulations, provided administrative procedures for enforcement of the Code of Conduct are used to resolve the charges.
2. Among the matters specifically excluded from coverage under this 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 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 Code of Conduct.

E. Violations of Law and Code of Conduct Regulations

Members of the university community 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 Code of Conduct. Disciplinary 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.

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.

Related Information