• Unauthorized use of another individual's identification and passwords
• Use of computing facilities to interfere with the work of another student, faculty member or University official
• Use of computing facilities to send an obscene or abusive message
• Use of computing facilities to interfere with normal operation of the University computing system

Listing of Possible Sanctions:
1st Offense: probation, community service, restriction of privileges or in severe cases, suspension
2nd Offense: suspension for not less than one semester
3rd Offense: expulsion

20. Unauthorized Entry, Presence/Use or abuse of University facilities:
Unauthorized entry into, presence in, or use of University facilities equipment or property which has not been reserved or accessed through appropriate University officials is prohibited.
Listing of Possible Sanctions:
1st Offense: reprimand, restriction of privileges, probation, suspension
2nd Offense: community service, probation, suspension

21. Use of personal portable sound amplification equipment (i.e. radio, TV, etc.) in a manner that disturbs the privacy of other individuals and/or the instructional program of the University.
Listing of Possible Sanctions:
1st Offense: probation, community service
2nd Offense: suspension
3rd Offense: expulsion

22. Violations of local, state or federal law:
Violators may face prosecution off campus as well as disciplinary action on campus.
Listing of Possible Sanctions:
1st Offense: probation, community service, suspension
2nd Offense: community service, suspension
3rd Offense: expulsion

23. Weapons:
The unauthorized possession or use of firearms, or weapons of any other kind (including but not limited to dangerous chemicals, dirks, slingshots, metal knuckles, razors, BB guns, and air pistols) is prohibited. The use or display of any object or instrument in a dangerous, provocative or threatening manner is prohibited.

Listing of Possible Sanctions:
1st Offense: suspension, confiscation of weapon(s) and/or materials
2nd Offense: expulsion

IV. Resolution of Alleged Infractions

A. Informal Administrative Hearing
Upon receiving an alleged violation of the Code of Student Conduct, the dean of students or designee will investigate the report. The dean of students or designee will conduct an initial interview with the accused. The rights and prerogatives of the accuser will be explained at that time. It is at this time the student can resolve the matter through admission of responsibility, or request a hearing in the appropriate council. The Honor Council (see below for composition and procedures) is given the charge to handle academic honor code or student behavior code violations. The Student Honor Council (see below for composition and procedures) is given the charge to handle campus discipline code violations. Students with alleged campus discipline code violations may choose between which council will hear their case. The Honor Council does not have the role to examine severity of sanction appeals from the decisions of the dean of students or faculty member; those concerns will be forwarded to the Appeals Council. Should further action be necessary, the charged student will receive written notification of a hearing before the Council within a reasonable period of time. The charge letter will include a statement of the charges and the time and place of the hearing. If the accused accepts responsibility in writing prior to appearing before a Council hearing, a sanction determined by the dean of students, or faculty member if an academic violation, will be imposed. If a student fails to respond to a charge letter within the time specified in a certified letter, he or she forfeits his or her rights and may have a sanction imposed by the dean of students. A hearing may be conducted in the absence of an accused student if the student fails to appear for a scheduled hearing.

B. Mediation
An agreement to participate in a mediation process. Resolution through mediation requires a voluntary agreement from both parties to participate in a mediation process. This option is reserved for situations where all of the immediate parties in the
incident agree to have a conflict resolved in this fashion, and the option is considered appropriate by the dean of students or designee. Code of Academic Integrity charges will not be handled through mediation. Failure to fulfill the terms of a mediation agreement could lead to reactivation of the charges as well as additional disciplinary action.

C. The Honor Council Procedures

During an Honor Council hearing, the faculty chairperson will bring the council to order and present the alleged violation brought against the student. The student has the right to attend the hearing, at a designated time, to respond to any evidence, and to present witnesses and evidence. Council members and the student shall be free to ask questions during the hearing. Following the presentation and hearing of all information pertaining to a particular violation, the Honor Council shall deliberate without the accused student being present. The Honor Council shall also determine the sanction that will be imposed if the student is found responsible for Code of Campus Behavior violations. Faculty members will determine the sanction assigned for any Academic Code of Integrity violations that occur in their classes. The dean of students will maintain all records of violations of the Code of Student Conduct confidentiality for a period of six calendar years from the date of the hearing. Cases that result in suspension or expulsion will be retained indefinitely. Appropriate University officials may be notified of actions taken by the Honor Council on the basis of their need to know. Records will be made available to the Honor Council for specific cases where a student is found responsible, and has a record of any prior violations of the Code of Student Conduct. Any prior violations of the Student Conduct Code will be taken into account in determining the sanctions or sanctions for a subsequent violation(s) of the Code. The hearing authority shall exercise active control over the hearing in order to elicit relevant information, avoid needless consumption of time, and to prevent harassment or intimidation of witnesses. Formal rules of evidence shall not be applicable, nor shall deviations from prescribed procedures necessary invalidate a decision or proceeding unless significant prejudice to the charged student, student organization or University is shown to have resulted. Ad hoc Honor Councils may be created when extenuating circumstances (e.g. summer break, University holidays, final exams, etc.) preclude an honor council or an appeal council from obtaining the usual quorum (two students, three faculty) for hearing a case. The dean of students or designee will serve as the administrator of this council.

Composition and Jurisdiction of the Honor Council

The Honor Council normally consists of two students and three faculty voting members. Participants for each council are selected by the dean of students from a pool of students and faculty. The dean of students is authorized to assign non-academic integrity cases to a Student Honor Council that operates under the same guidelines as a council in which faculty participates. The faculty pool consists of two faculty appointed by each academic division or department from each of the following disciplines: business, education, nursing, library and the College of Arts and Sciences. The student pool consists of two students appointed by each academic division or department from each of the following colleges: business, education, nursing and the College of Arts and Sciences. Students serving on the Honor Council must have completed 30 hours at USC Upstate and maintain a 2.25 GPA and must be in good behavioral standing at the University. Members of the Honor Council are selected each fall to serve during the fall, spring and summer of the following year. With the voluntary, informed and written consent of the University's representative and charged parties, the above provisions related to council composition, chairmanship and quorum may be waived in order to expedite the scheduling and completion of hearing procedures. The dean of students or designee acts as a nonvoting administrator of the council, and will appoint a faculty chairperson for each council hearing, and selects members from the pool to serve at a particular council hearing. All matters involving an alleged violation of the Code shall subject the student or student organization to the jurisdiction of the campus judicial system. In special cases where the safety of the individual or the University community is threatened, a student may be subject to immediate suspension by the chancellor or his designee pending a hearing.

D. The Student Honor Council

During a Student Honor Council hearing, the hearing chair will bring the hearing to order and present the charges brought against the student. The student has the right to attend the hearing, at a designated time, to respond to any evidence, and to present witnesses and evidence. Student Honor Council members and the student shall be free to ask questions during the hearing. Following the presentation and hearing of
all information pertaining to a particular violation, the Student Honor Council shall deliberate without the accused student being present. The Student Honor Council shall also determine the sanction that will be imposed as outlined in the Code of Conduct if the student is found responsible. The dean of students will maintain all records of violations of the Code of Student Conduct confidentially for a period of six calendar years from the date of the hearing. Cases that result in suspension or expulsion will be retained indefinitely. Appropriate University officials may be notified of actions taken by the Student Honor Council on the basis of their need to know. Records will be made available to the Student Honor Council for specific cases where a student is found responsible, and has a record of any prior violations of the Code of Student Conduct. Any prior violations of the Code of Student Conduct will be taken into account in determining the sanction or sanctions for a subsequent violation(s) of the Code. The focus of inquiry in disciplinary proceedings shall be the responsibility of the accused party. The hearing authority shall exercise active control over the hearing in order to elicit relevant information, avoid needless consumption of time, and to prevent harassment or intimidation of witnesses. Formal rules of evidence shall not be applicable, nor shall deviations from prescribed procedures necessarily invalidate a decision or proceeding unless significant prejudice to the charged student, student organization or University is shown to have resulted. Ad hoc student honor councils may be created when extenuating circumstances (e.g., summer, break, University holidays, final exams, etc.) preclude an honor council or an appeal council from obtaining the usual quorum (five students) for hearing a case. The dean of students will serve as the non-voting chair of this ad hoc board.

Composition and Jurisdiction of the Student Honor Council
The Student Honor Council normally consists of six students, one of whom is the chief student juror. Participants for each court are selected by the dean of students from a pool of students. The pool consists of students appointed annually through academic deans, department and division chairs. Students serving on the Student Honor Council must have completed 30 hours at USC Upstate and maintain a 2.25 GPA and must be in good behavior standing at the University. Members of the Student Honor Council are selected each fall to serve during the fall, spring and summer of the following year. With the voluntary, informed and written consent of the University’s representative and charged parties, the above provisions related to board composition, chairmanship and quorum may be waived in order to expedite the scheduling and completion of hearing procedures. The dean of students acts as non-voting administrator of the council, and appoints a chief student juror to serve as chairperson for each council hearing, and selects members from the pool to serve at a particular council hearing. All matters involving an alleged violation of the Code of Student Conduct shall subject the student or student organization to the jurisdiction of the campus judicial system. In special cases where the safety of the individual or the University community is threatened, a student may be subject to immediate suspension by the chancellor or his designee pending a hearing.

V. The Rights of the Charged Student
The following rights are guaranteed to persons involved in the University judicial system.

- The right of the Charged Student to a clear, simple written notice of actions alleged as violations of the Code of Student Conduct. This notice should also include a brief statement of the nature of the evidence and possible sanctions.
- The right to be presumed innocent until guilt has been determined.
- The right of the charged student and the accuser to present information and respond to any information presented. This does not include cross-examination of either witnesses or the Honor Court members. The Honor Court does not grant the charged student the right to be present during testimony.
- The right to a fair hearing.
- The right, if the student desires, to have an advisor present to advise and serve in a consultative role to the student, although they may not actively participate in the hearing. The charged student must give prior notice to the dean of students when the student wishes to have an advisor present at the scheduled hearing. The notice must be given to the dean of students at least 48 hours before the hearing date.
- The right of the charged student and accuser to present witnesses and other substantive evidence.
- The right of the charged student to appeal an Honor Council decision.
- A charged student forfeits these rights if the student refuses to appear for a hearing or fails to respond in a timely manner to a hearing notice. A hearing may be held in a student’s absence.