

# Definitions

- a. **Code of Student Conduct ("the Code")** – standards of conduct and procedures established to provide a full and fair opportunity for review of alleged student misconduct.
- b. **Complainant** – an individual who files a complaint with the Dean of Students alleging a violation of the Code of Student Conduct.
- c. **Conduct History** – documentation of a student's conduct and sanctions.
- d. **Conduct Process** – the procedures provided in the Code from the initial complaint through the final resolution to consider whether a student has engaged in misconduct, and whether conduct sanctions should be imposed.
- e. **Consent** – words or actions that show an active knowing and voluntary agreement to engage in mutually agreed-upon sexual activity. Consent cannot be gained by force, by ignoring or acting without regard to the objective of another, or by taking advantage of the incapacitation of another, where the student knows or reasonably should have known of such incapacity. Use of alcohol or drugs may impair an individual's capacity to freely consent and may render an individual incapable of giving consent.
- f. **Dean of Students** – references the Dean of Students or designee.
- g. **Distribution** – any form of exchange, gift, transfer or sale.
- h. **Good Conduct Standing** – status in which a student is fully eligible to participate in university activities and privileges.
- i. **Greater Weight of the Evidence (Preponderance of Evidence)** – standard of review in the student conduct process which evaluates whether allegations are more likely than not to have happened.
- j. **Group** – a number of persons who are associated with each other, but who have not complied with University requirements for registration as an organization.
- k. **Incident Report (Notice of Complaint)** – the initial document in the conduct process that identifies alleged misconduct in violation of the Code.
- l. **Institution and University** – the University of St. Thomas and all of its undergraduate, graduate and professional schools, divisions, and programs.
- m. **Organization** – a number of persons who have complied with University requirements for official recognition and registration as a student club.
- n. **Permanent Student Conduct Record** – documentation of a student's conduct violation(s) and sanction(s) that are permanently maintained by the Dean of Students and subject to the record retention schedule. This record is separate from an academic record.
- o. **Reckless** – 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 normal University or University sponsored activities.
- p. **Respondent** – an individual whose conduct is the subject of an investigation, hearing, or other proceeding due to an alleged or actual violation of the Code of Student Conduct.
- q. **Responsible Student** – a student who is found or alleged to have engaged in an act or acts in violation of the Code of Student Conduct.
- r. **Student** - any person who (a) is currently enrolled at the University; (b) is accepted for admission or readmission to the University; (c) has been enrolled at the University in a prior semester or summer term and is eligible to continue enrollment in the semester or summer term that immediately follows; (d) is attending an additional program sponsored by the University while that person is on campus; or (e) has engaged in prohibited conduct at a time when he/she met the criteria of (a), (b), (c), or (d).
- s. **The Vice President** – references the Vice President for Student Affairs or designee.
- t. **Title IX Coordinator** – designated agent of the University whose primary responsibility is making sure the University is maintaining compliance with Title IX.
- u. **University Community** – the collective group of students, faculty, staff, university official and any other person employed by or contributing to the University.

- v. **University Premises** – buildings or grounds owned, leased, operated, controlled or supervised by the University.
- w. **University Privilege** – a special benefit that is granted by the University or enjoyed by students, including but not limited to, access to a University building(s), residing in university housing, participating in social events or university sponsored events, election to student leadership positions, memberships in student clubs/organizations, and registration as a student club/organization.
- x. **University Sponsored Activity** – any activity on or off University premises that is directly initiated, supported, or supervised by the University.
- y. **Weapon** - defined in accordance with state law, and includes any object or substance designed to inflict a wound or cause injury.