



# STUDENT CODE OF CONDUCT





## I. PREAMBLE

Lawrence Technological University (the University) is committed to fostering a campus environment that is conducive to academic inquiry, a productive campus life, and thoughtful study and discourse. The student conduct program within the Office of the Dean of Students (ODS) is an educational and developmental process that balances the interests of individual students with the interests of the University community.

A community exists based on shared values and principles. At the University, student members of the community are expected to uphold and abide by certain standards of conduct that form the basis for this *Code of Student Conduct* (referred to as the *Code*). These standards are represented within a set of core values that include integrity, social justice, respect, community, and responsibility.

Each member of the University community has responsibility over their conduct and reasonable responsibility for the behavior of others. When members of the community fail to demonstrate these five values by engaging in behavior that may violate the *Code*, campus conduct proceedings are used to uphold *the Code*.

The student conduct process at the University is not intended to punish students; rather, it exists to protect the interests of the community and to help students make better choices. Educational sanctions, if assigned, are intended to challenge students' decision-making and to help them bring their behavior in line with community expectations. When a student is unable to adhere to community expectations, the student conduct process may determine that the student should no longer participate in this community.

Students should be aware that the student conduct process is different from criminal and civil court proceedings. Procedures and rights in student conduct proceedings are conducted with fairness to all. Due process, as defined within these procedures, guarantees written notice and a hearing before an objective decision-maker. No student will be found in violation of University policy or procedure without information showing that it is more likely than not that a policy violation occurred. Any educational sanctions will be proportionate to the severity of the violation and to the cumulative conduct history of the student. The student conduct process is designed to investigate and resolve alleged student misconduct violations in a prompt, thorough, reliable, fair, and impartial manner.

## II. DEFINITIONS

1. Administrative Conference: A formal meeting (conference) with the Respondent. Normally, the Respondent must appear in person for the conference, but a request to waive this requirement, under certain circumstances, may be considered.
2. Appeal Review Officer: An official that has the authority to review appeal requests in accordance with the prescribed University procedures as detailed in the *Code*. Typically, the Appeal Review Officer is the Vice President for Academic Affairs and Provost or designee.
3. Complainant: Any individual, group, or organization who was subject to alleged misconduct as described in any University policy or procedure or any person who submits a referral alleging that a Respondent violated University policy or procedure. There may be more than one Complainant for an incident.

4. **Conduct Authority:** Any person or persons given the authority to facilitate or participate in the student conduct process including, but not limited to the Conduct Administrator, Dean of Students, and/or the Vice President of Academic Affairs and Provost.
5. **Conduct Administrator:** The Dean of Students or a designee responsible for the oversight of the student conduct process including, but not limited to issuing notices, resolutions, and/or outcomes.
6. **Family Educational Rights and Privacy Act (FERPA):** A federal law that, among other things, defines student educational records and regulates who may access those records and under what circumstances. The purpose of FERPA is to protect the privacy of student education records. FERPA applies to individuals and not to student groups or registered student organizations so long as an individual's personally identifiable information is not included in such student group or registered student organization records.
7. **Registered Student Organization:** Any student-led organization that has been approved as meeting the University's established Student Organization criteria and is recognized by the University.
8. **Respondent:** Any student or Registered Student Organization who has been reported for allegedly violating the *Code*. There may be more than one Respondent for an incident. In incidents involving Registered Student Organizations, the president, director, team captain, or other member of student leadership will participate in the student conduct process on behalf of the organization with a maximum of three individuals able to represent the organization.
9. **Student:** All persons admitted for enrollment at or through the University, both full-time and part-time, pursuing undergraduate or graduate degrees (including those enrolled at Lawrence Technological University who are seeking degrees from other institutions, or those individuals who are enrolled students at the time of a violation of the *Code*, as well as individuals on University premises for any purpose relating to registration for enrollment), as well as certificate and other educational programs. Individuals are still considered students for the purpose of this *Code* between academic sessions, until such time that a student's degree has been awarded. Once enrolled, students with interruptions in active enrollment may be subject to this *Code* until the point at which the student is required by the Office of Admissions to reapply for enrollment.
10. **Student Conduct Process:** The process set forth in the *Code* under which the University addresses alleged violations of University policies and procedures.
11. **Student Group:** Any number of students who are associated with the University and each other, but who have not registered, or are not required to register, as a student organization that conducts business or participates in University-related activities. Student Groups include, but are not limited to, Student Government Association, musical or theatrical ensembles, sport clubs, the University newspaper, or intercollegiate or independent varsity athletic teams.
12. **Support Person:** Any person selected by a Complainant or Respondent to assist with giving support and resources before, during, and/ or after the conduct process. Support Persons may not directly participate, speak, comment, or make any type of representation or argument on behalf of the party they are advising. The availability of a support person will not unreasonably interfere or delay the conduct process. In incidents involving Recognized Student Organizations, the organization may have a maximum of two support people.
13. **University Business Days or Business Days:** Weekdays when the University is open for business, whether or not classes are in session.
14. **University Official:** Any individual employed by the University, or performing a function on behalf of the University, acting within the scope of their employment or designated function including, but not

limited to, instructor, staff, resident assistants, peer academic leaders, intramural officials, law enforcement officers, or facility managers.

15. Witness: An individual who is requested to participate in a student conduct process because that individual may have information about the alleged misconduct, or the credibility of the parties, or access to evidence. Witness names may be provided by the Complainant, Respondent, or others with knowledge of the matter.

### III. JURISDICTION

Students at the University are provided a copy of the *Code* annually in the form of a link on the University website. Hard copies are available upon request from ODS. Students are responsible for having read and abiding by the provisions of the *Code*.

The *Code* and the student conduct process apply to the conduct of all students, whether undergraduate, graduate, doctoral, or professional, Student Groups, and Registered Student Organizations. For the purposes of student conduct, the University considers an individual to be a student as that term is defined above in the Definition section of the *Code*.

The University may choose to retain conduct jurisdiction over students who opt to take a leave of absence, withdraw (fully or partially), or have graduated, for any alleged misconduct that occurred prior to the leave, withdrawal, or graduation.

The university is committed to respecting and upholding the rights of all students, including their rights to privacy, free expression, and due process. The *Code* applies to behaviors that take place on the campus, at University-sponsored events, and may also apply off-campus when the Dean of Students or designee determines that the off-campus conduct affects a substantial University interest. A substantial University interest is defined to include:

- Any situation where it appears that the student's conduct may present a danger or threat to the health or safety of him/herself/themselves, or others; and/or
- Any situation that significantly interferes with the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or
- Any situation that is detrimental to the educational mission and/or interests of the University.
- Any action that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state, or federal law.

The Vice President for Academic Affairs and Provost (VPAA) or designee is the final authority over jurisdiction.

The *Code* applies to actions taken either in-person or online, whether on- or off-campus. This includes emails, text messages, and other electronic or virtual platforms. It's important for students to understand that anything posted online, including on social media, blogs, websites, or chat rooms, is considered public and not private. The *Code* may be used to address online behavior that may violate the *Code*. The University does not regularly search for this information, but it may take action if and when such information is brought to the attention of University officials. Most online speech by students not involving University networks or technology will be protected as free expression and not subject to the *Code*, with two notable exceptions:

- A true threat, defined as an intentional or reckless, serious expression that a speaker means to commit an act of unlawful violence or inflict bodily harm upon specific individuals; or
- Speech posted online about the University or its community members that causes a significant on-campus disruption.

There is no time limit on reporting violations of the *Code*; however, the longer someone waits to report an alleged violation, the harder it becomes for University officials to obtain information and witness statements and to make determinations regarding alleged violations. The University accepts anonymous complaints regarding student conduct, but anonymity may limit the University's ability to investigate and respond to a complaint. Those who are aware of misconduct are encouraged to file reports as quickly as possible with the Lawrence Technological University ODS, Campus Safety Department, or both.

Alleged violations of federal, state, and local laws may also be investigated and addressed under the *Code*. The University will resolve all cases involving alleged violations of the *Code* and typically will not defer proceedings pending any external criminal or civil review. Students who are members of Student Groups or Registered Student Organizations may be subject to jurisdiction both as an individual student and as a member of the student organization. *Code* violations may be charged as collateral misconduct in other University proceedings, and in such cases, those proceedings share Code of Student Conduct authority and those procedures will be used in lieu of the procedures described herein.

University email is the University's primary and official means of communication with students. Students are responsible for all communication delivered to their University email addresses.

#### **IV. STUDENT CODE OF CONDUCT AUTHORITY**

The Dean of Students serves as the primary conduct administrator, as designated by the VPAA. In this capacity, the Dean of Students is responsible for the development and implementation of policies and procedures for the administration of the *Code*. The Dean of Students is responsible for notifying the University community of substantial changes to this policy.

#### **V. UNIVERSITY REGULATIONS**

The University considers the behavior described in the following sub-sections to be in opposition to the core values set forth in the *Code*. It is a violation of this *Code* for any student, Student Group, or Registered Student Organization to engage in any of these behaviors or behavior that aids, attempts, assists, promotes, condones, encourages, requires, conceals, or facilitates any act prohibited by the *Code*. Allowing, permitting, or providing an opportunity for a guest to violate University Regulations is also prohibited. Guests may be removed based on University policy, procedure, or practice. These violations are included in each section below and need not be cited separately.

Lack of familiarity with University Regulations is not a defense to a violation of the *Code*. Unless specifically noted in the policy definition, intent is not a required element to establish a policy violation. Additionally, intoxication or impairment from alcohol, drugs, or other substances is not a defense to a violation of the *Code*.

The University encourages community members to report to University officials all incidents that involve the following actions.

1. **Academic Misconduct:** Acts of academic dishonesty include, but are not limited to:

- a. Offering, giving, receiving, or soliciting any funds, goods, services, or anything else of value in exchange for an academic advantage for any student.
  - b. Providing fabricated or falsified information or misrepresenting information in an academic activity or assignment.
  - c. The use of work or ideas in an academic activity or assignment without proper acknowledgment of the source, commonly referred to as plagiarism. Prohibited behaviors include, but are not limited to:
    - i. Partial or incomplete citation of work or ideas;
    - ii. Improperly paraphrasing by acknowledging the source but failing to present the material in one's own words;
    - iii. Paraphrasing without acknowledgment of the source;
    - iv. Multiple submissions of the same or substantially the same academic work for academic credit without prior permission of all pertinent faculty members; or
    - v. Copying, partially or entirely, any material without acknowledgment of the source.
  - d. Collaborating or consulting with another individual or group during an academic activity or assignment without the express permission of, or in a manner inconsistent with the express permission of, the instructor or other University-approved entity.
  - e. Using or possessing any materials or resources during an academic activity or assignment without the express permission of, or in a manner inconsistent with the express permission of, the instructor or other University-approved entity. Unauthorized use of materials or resources includes, but is not limited to:
    - i. Generative AI Engines: Unauthorized use of generative AI engines, such as AI language models, image generators, and code generation tools, includes generating essays, problem sets, artwork, code, or any other academic work that the student submits as their own without proper acknowledgment or express permission from the instructor. Proper acknowledgment must be provided if generative AI tools are used, similar to citing any other source. Failure to do so constitutes academic misconduct. Generative AI tools may only be used if explicitly permitted by the instructor, with adherence to any provided guidelines.
    - ii. Other Unauthorized Materials: Unauthorized materials or resources include, but are not limited to, electronic devices, course textbooks, articles, cheat sheets, and any other print or digital sources not permitted by the instructor. This also includes the submission of materials acquired from external or commercial sources, such as ghostwriting or pay-for-paper services.
2. **Alcohol:** Engaging in behaviors including, but not limited to:
- a. Underage possession and/or consumption of alcohol;
  - b. Possession and/or consumption of alcohol except as expressly permitted by law and University Policy;
  - c. Distributing, selling, manufacturing, producing, and/or serving alcohol, regardless of age, except as expressly permitted by law and University Policy;
  - d. Possessing common source alcoholic beverage container(s) including, but not limited to, kegs, mini-kegs, coolers, beer balls, trashcans, and tubs, unless permitted by law or University policy;

- e. Permitting any individual or group to consume alcohol in a space owned, occupied, or controlled by the host, except as expressly permitted by law and University Policy;
  - f. Encouraging or facilitating excessive and/or rapid alcohol consumption including, but not limited to keg stands, alcohol luges, beer bong, beer/water pong, and other drinking games;
  - g. Possession of an open alcohol container in or on a vehicle (e.g., automobile, motorcycle, bicycle, skateboard, scooter, Segway, hoverboard, tractor), in open spaces, or public except as expressly permitted by law and University Policy;
  - h. Being impaired by alcohol to the point where one's behavior results in violations of the rights of others, leads to disorderly or dangerous behavior, or that impairs personal health or safety; or
  - i. Operating or controlling a vehicle (e.g., automobile, motorcycle, bicycle, skateboard, scooter, Segway, hoverboard, tractor) while under the influence of alcohol.
3. **Animals:** Animals, except for animals that provide assistance (e.g. seeing-eye dogs), and pets as outlined in the [University Housing Guidelines](#), are not permitted on campus except as permitted by law.
  4. **Damage and Destruction:** Intentional, reckless, and/or unauthorized damage to or destruction of University property, public property, or the personal property of another.
  5. **Dangerous Objects:** Possession, use, sale, or distribution of explosives (including fireworks and ammunition), guns (including air, BB, paintball, facsimile weapons and pellet guns), or other weapons or dangerous objects such as arrows, axes, machetes, nun chucks, throwing stars, or knives with a blade of longer than three (3) inches, including the storage of any item that falls within the category of a weapon in a vehicle parked on University property.
  6. **Disruptive Behavior:** Substantial disruption or obstruction of University operations, including but not limited to the obstruction of teaching, research, administration, and other University activities, as well as authorized non-University activities occurring on University property.
  7. **Drugs and Other Substances:** Engaging in behaviors including, but not limited to:
    - a. Possession and/or consumption of drugs and/or other substances except as expressly permitted by law and University Policy. Drugs and/or other substances may include, but are not limited to marijuana, cocaine, heroin, lysergic acid (LSD), MDMA, steroids, amphetamines, prescription medication, and/or over the counter medication;
    - b. Possession and/or use of drug paraphernalia (i.e., any equipment, product, or material that is for making, using, or concealing prohibited drugs and/or other substances) except as expressly permitted by law and University Policy;
    - c. Distributing, selling, manufacturing, producing, and/or serving drugs and/or other substances which may alter an individual's mental state or impair an individual's behavior except as expressly permitted by law and University Policy;
    - d. Permitting any individual or group to consume, possess, or use drugs or other substances in a space owned, occupied, or controlled by the host, except as expressly permitted by law and University Policy;
    - e. Being impaired by drugs or other substances to the point where one's behavior results in violations of the rights of others, leads to disorderly or dangerous behavior, or impairs personal health or safety; or



- f. Operating or controlling a vehicle (e.g., automobile, motorcycle, bicycle, skateboard, scooter, Segway, hoverboard, tractor) while under the influence of drugs or other substances.
8. **Election Tampering:** Tampering with the election of any Student Group or Registered Student Organization (minor election code violations are addressed by the Student Government Association).
9. **Failure to Comply:** Failure to comply with the reasonable directives of University officials, law enforcement officers, or emergency responders during the performance of their duties and/or failure to identify oneself to these persons when requested to do so.
10. **False or Misleading Information:** Deliberately or purposefully providing false or misleading verbal or written information to any individual, or purposefully omitting facts which are material to the purpose for which the information is provided.
11. **Falsification:** Forging, altering, or misusing any document, record, account, computer account, digital product, or instrument of identification.
12. **Fraudulent Identification:** Manufacturing, distributing, delivering, selling, providing, purchasing, using, or possessing any form of fraudulent identification.
13. **Gambling:** Wagering on prohibited/unlawful games of chance or skill, outcomes of games, contests, or other public events for money or another thing of value. Raffles, charitable games, pull tabs and jar games are permissible only in compliance with State of Michigan law and local ordinance.
14. **General Safety:** Engaging in behaviors including, but not limited to:
  - a. Intentionally or recklessly causing a fire, explosion, blocking emergency exits, or other safety hazards;
  - b. Making a false report regarding an emergency including, but not limited to a bomb threat, a fire, or other emergency by activating an alarm or by any other means;
  - c. Engaging in unauthorized possession, use, or alteration of any University-owned emergency or safety equipment;
  - d. Intentionally or recklessly throwing, dropping, or releasing any object or substance out or off of a University building (e.g., balconies, railings, roofs, windows) or a vehicle without express authorization by a University Official.
  - e. Failing to follow emergency procedures during an actual emergency or drill including, but not limited to, evacuate a building or other structure during an emergency or during emergency drills; or
  - f. Tampering with, damaging, disabling, interfering with, or misusing emergency equipment including, but not limited to, fire alarms, fire doors, fire extinguishers, fire sprinklers, fire hoses, or an emergency call box.
15. **Harassment:** Engaging in behavior that is severe, pervasive, or persistent to a degree that it interferes with a reasonable person's ability to work, learn, live, participate in, or benefit from the services, activities, or privileges provided by the University. Harassment may occur via written, electronic, verbal, or any other form of communication; or through physical presence; and includes, but is not limited to, bullying, cyberbullying, intimidation, or coercion. Harassment may be based on actual or perceived status, or may be general in nature, including: race, color, age, creed, national or ethnic origin, physical or mental disability, veteran status, religion, or other protected status. Harassment that may be based on actual or perceived sex, sexual

orientation, gender, gender identity/expression, and/or pregnancy and related conditions will typically be addressed through the [University's Title IX Policy](#) .

16. **Hazing:** Engaging in any activity that is inconsistent with regulations or policies of Lawrence Technological University or the laws of the State of Michigan for the purpose of initiation into, admission into, affiliation with, or continued membership in any group, organization, or team. Acts of this nature are considered to be hazing whether or not a person willingly participates in such activities. Behaviors include, but are not limited to:
  - a. Engaging in any act that endangers the mental, emotional, or physical health or safety of an individual; or
  - b. Engaging in any act where an individual is encouraged to engage in conduct of an unbecoming or humiliating nature, or which in any way detracts from an individual's academic pursuits; or
  - c. Engaging in any acts such as work sessions, performance of services or servitude, wearing apparel which is conspicuous and not in good taste, public stunts, morally degrading or humiliating games or events, physical or emotional shock, creating excessive fatigue, paddling (using a paddle to strike another individual), physical punishments, or that encourage the illegal and/or abusive use of alcohol and/or other drugs; or
  - d. Failing to prevent and/or failing to discourage, and/or failing to report known acts of hazing when these activities are known to be taking place, or where it should be reasonably known that such activities are taking place.
17. **Misuse of Conduct Process:** Misuse, abuse, or interference with, or failure to comply in, University processes including conduct and academic integrity hearings including, but not limited to:
  - a. Falsification, distortion, or misrepresentation of information or soliciting another to provide such information in the conduct process;
  - b. Failure to provide, destroying, or concealing information during an investigation of an alleged policy violation;
  - c. Attempting to discourage an individual's proper participation in or use of the conduct process;
  - d. Harassment (verbal or physical) and/or intimidation of a member of a campus conduct body or witness prior to, during, and/or following a campus conduct proceeding;
  - e. Failure to comply with the sanction(s) imposed by the campus conduct system; or
  - f. Knowingly making a false complaint.
18. **Physical Harm:** Intentionally or recklessly causing physical harm to a person or animal or endangering the health or safety of any person or animal. Behaviors include, but are not limited to, scratching, biting, pulling, shoving, punching, slapping, kicking, or holding a person against their will.
19. **Public Exposure:** Includes deliberately and publicly exposing one's intimate body parts, public urination, defecation, and public sex acts.
20. **Retaliation:** Engaging in, or causing another to engage in, adverse action or threat of adverse action against any individual or group involved in the complaint, investigation, and/or resolution of an allegation of a violation of University policy or procedure, because of that involvement. Retaliation can be committed by anyone and can take the form of behaviors including, but not

limited to threats, intimidation, pressuring, continued harassment, violence, or other forms of harm to others.

21. **Rioting/Demonstrations:** Causing, inciting, or participating in any disturbance that presents a clear and present danger to self or others, causes physical harm to others, or damage and/or destruction of property. Participation in an on-campus or off-campus demonstration, riot, or activity that disrupts the normal operations of the University and infringes on the rights of other members of the University community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area; intentional obstruction that unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus.
22. **Stalking and Cyberstalking:** Engaging in a course of conduct directed at a specific person that is unwelcome and would cause a reasonable person to feel fear or substantial emotional distress.
23. **Taking of Property:** Engaging in the taking, misappropriation, or possession of University property or the property of another individual, Student Group, or Registered Student Organization without permission, whether physical or digital property, including anything of value, goods, services, funds, and/or other valuables.
24. **Threats:** Engaging in intentional or reckless behavior that causes a reasonable expectation of damage to property, or injury to the health, safety, or well-being of any individual, Student Group, or Registered Student Organization that is not otherwise protected by freedom of speech. This behavior includes implied threats or acts that cause another individual a reasonable fear of harm (including physical intimidation). Threats may occur via written, electronic, verbal, or any other form of communication.
25. **Unauthorized Access:** Unauthorized access to any University property (e.g., building, vehicle, structure, facility) or unauthorized possession, duplication, or use of means of access (e.g., keys, access cards) to any University property, or failing to timely report a lost University identification card or key.
26. **Unauthorized Entry:** Misuse of access privileges to University property (e.g., building, vehicle, structure, facility), or unauthorized entry to or use of buildings, including trespassing, propping, or unauthorized use of alarmed doors for entry into or exit from a University-owned property.
27. **Violation of Law:** Behavior that would constitute a violation of any federal, state, and/or local law; city or county ordinance; or when in another state or country, the laws of that state or country.
28. **Violation of University Rules and Regulations:** Conduct that would constitute a violation of any University policy, procedure, rule, or regulation (e.g., University Housing Guidelines, Academic Catalog).

## VI. MEDICAL AMNESTY AND GOOD SAMARITAN POLICIES

The University considers the health and safety of members of the University community and its visitors to be a top priority. The University recognizes a student's concern for potential disciplinary action related to use or possession of alcohol, drugs, and/or other substances may hinder their actions in response to an emergency or medical situation. To alleviate those concerns and ensure that students and their visitors receive prompt, appropriate care, the University has adopted the following Medical Amnesty and Good Samaritan Policy:

- Students are urged to contact emergency officials by calling the Campus Safety Department at 248-204-3945 or 911 to report the incident, to remain with the individual(s) needing emergency treatment and cooperate with emergency officials, so long as it is safe to do so and to meet with appropriate University officials after the incident and cooperate with any University investigation.
- Students who seek emergency or medical assistance, including, but not limited to, a mental health crisis, medical emergency, or sexual assault, for themselves or others will not face disciplinary action for personal use of alcohol, drugs, or other substances. This protection is also extended to individuals who are directly involved in the incident. Student(s) will be required to complete any educational program or activity assigned by the Dean of Students or designee. This protocol does not provide protection for disciplinary action for other potential policy violations (e.g. damage and/or destruction of property, failure to comply, physical violence, sexual misconduct, etc.).
- Student groups or student organizations who seek emergency or medical assistance, including, but not limited to, a mental health crisis, medical emergency, or sexual assault, for their members or guests will not face disciplinary actions for incidents involving alcohol, drugs, or other substances provided the group or organization followed the event and risk management procedures. The student group or student organization will be required to complete any educational program or activity assigned by the Dean of Students or designee. This protocol does not protect against disciplinary action for other potential policy violations (e.g. damage and/or destruction of property, failure to comply, hazing, physical violence, sexual misconduct, etc.).
- While this protection is extended to individuals, student groups, and student organizations who are directly involved in an incident, this protocol does not apply to individuals, or those present, experiencing an alcohol, drug, or other substance-related medical emergency who are found by University officials, Campus Safety, or law enforcement agencies.
- The Medical Amnesty and Good Samaritan Policy is not intended to shield or protect students, student groups, or student organizations that repeatedly violate University policy and procedure. In cases where repeated policy violations occur, the University reserves the right to take disciplinary action on a case-by-case basis regardless of how the incident was reported. Additionally, the University reserves the right to initiate the student conduct process in cases in which the alleged violation(s) is/are egregious.
- This protocol only provides amnesty from violations of University policy and procedure. It does not grant amnesty for criminal, civil, or other legal consequences for violations of federal, state, or local laws or ordinances.
- The Dean of Students or designee will determine eligibility for amnesty under the Medical Amnesty and Good Samaritan Policy during the initial review or investigation.

In summary, a student who is under the influence of alcohol or drugs at the time of a mental health crisis, medical emergency, or sexual assault, should not be reluctant to seek assistance for that reason. When a reporting party, responding student, third-party reporter, or witness to an incident of a mental health crisis, medical emergency, or sexual assault, participates in a good faith report, ODS will not pursue disciplinary violations related to the impermissible drug or alcohol use against any of the involved student(s).

## **VII. INVOLVED PARTY RIGHTS**

### **A. Respondent Rights**

Respondents have the right to be heard and to be treated fairly throughout the student conduct process. Respondents also bear the responsibility for participating in the student conduct process in a manner that demonstrates respect for the student conduct process and all people participating in that process. Respondents have the right to:

1. Be notified of the alleged violation(s) of University policy or procedure;
2. Be provided advanced notice of all meetings in which they are requested or entitled to participate and be notified of the purpose of those meetings;
3. Be accompanied by Support Person of their choice throughout the student conduct process;
4. Request reasonable accommodations to ensure full and equitable participation in the student conduct process;
5. Be informed of the available resolution options;
6. Be informed of campus and community resources available for support and assistance;
7. Submit information, including the names of witnesses, for consideration in the investigation;
8. Be informed of all parties contacted to participate in the investigation and their relation to the alleged misconduct;
9. Review, after any required redaction, all information to be considered in determining the outcome;
10. May provide a statement or respond to questions during the student conduct process;
11. Submit a written impact statement to be considered before an outcome is reached;
12. Request the VPAA or their designee to consider removing the individual responsible for investigating or resolving an alleged violation from a case based on actual or perceived bias; and
13. Request one appeal within the University's process.

## **VIII. STUDENT CODE OF CONDUCT PROCESS**

Lawrence Technological University administrators, faculty, and staff respect and protect the rights of everyone at the College. To ensure the fair treatment of each individual, the University has established the following disciplinary process.

The main objectives of the disciplinary process are to protect members of the University community from harm and to assure students due process if they have been charged with violating University policy or procedures as listed in the *Code*.

ODS is responsible for receiving reports of alleged violations of the Code of Student Conduct. This process applies to all alleged violations of the Code. In instances where alleged academic dishonesty is referred to the student conduct process, faculty members are encouraged to wait for the conclusion of the student conduct process before imposing any academic consequences. Academic consequences should only be applied after the Respondent has been found responsible for violating the alleged policies. The University's student conduct process is a four-step model that consists of the following stages: Preliminary Inquiry, Informational Meeting, Resolution, and Appeal.

### **A. Step 1: Preliminary Inquiry**

Any member of the community – administrator, faculty, staff, student, or third-party – may report an allegation and/or file a complaint with ODS.

ODS will conduct a preliminary inquiry into the nature of the incident, complaint, or notice of alleged policy violation, the evidence available, and the parties involved. The preliminary inquiry is a neutral fact-finding process that is used to determine whether there is sufficient information to warrant action by the University. Preliminary meetings with the Complainant and/or witnesses may occur before initiating the student conduct process or contacting the Respondent. If the Respondent is contacted about the complaint during the preliminary inquiry, the Respondent will be made aware of the initiation of the preliminary inquiry and that the incident could result in a student conduct process being initiated. The preliminary inquiry may result in any of the following:

1. **No Action:** If there is insufficient credible information to indicate a potential violation occurred, the complaint will not be advanced to the formal student conduct process. The information will be retained by the University to document that the matter was reviewed.
2. **Educational Conversation:** If the information provided is concerning but does not reach the level of a potential policy violation (e.g., an incident that occurs outside of the College's jurisdiction or repeated low-level behaviors), University officials may have an educational conversation about the behavior with the Respondent.
3. **Initiation of Conduct Process:** If there is reasonable cause to believe that a Respondent may have violated the Code, the formal conduct process will be initiated.

If it is determined that the alleged behavior would fall within the jurisdiction of another University process or department, ODS may collaborate with the appropriate process or department and/or refer the alleged behavior accordingly. Failure for any party to participate in any portion of the student conduct proceedings will not unreasonably delay the student conduct proceedings or impact the validity of such proceedings.

### **Allegations Involving Academic Misconduct**

In instances where the alleged misconduct would likely constitute academic misconduct, the instructor will carry out a preliminary investigation to determine if academic misconduct occurred.

If the alleged violation arises during a course in which the student is enrolled, the course instructor will notify the Respondent of their concern of academic misconduct and offer an optional meeting with the Respondent to discuss the matter. If the instructor determines by the preponderance of the evidence that the Respondent engaged in academic misconduct, the instructor will assign an appropriate academic consequence (e.g., grade reduction, assignment of reasonable additional or alternative work, or failure of an assignment or course) and submit an Academic Misconduct form to ODS. If the Respondent does not dispute the facts upon which the allegation of academic misconduct is based or the academic consequence, the matter will be considered resolved. If the Respondent disputes the facts upon which the allegation of academic misconduct is based and/or the academic consequence, the Respondent may appeal to ODS. Appeals will follow procedures outlined in VIII.D. If the instructor's determination is altered after the appeal procedures, then appropriate adjustments to the Respondent's academic record will be made administratively and in consultation with the appropriate parties (e.g., instructor, department chair, academic dean, dean of students, Registrar). Regardless of determination, all records and documents related to alleged academic misconduct must be provided to ODS to be maintained by ODS and/or the Registrar's Office as part of the Respondent's educational record.

If the Respondent is not enrolled in the course during the term in which the alleged violation of academic misconduct arises, the instructor will refer the matter to ODS for assessment of the use of the *Code* to address the matter. The instructor may not impose an academic consequence in a course that was previously completed or in a separate course in which the student is enrolled.

In cases where the Respondent has a demonstrated track record of academic misconduct violations, or the alleged violation is serious in nature, ODS can recommend to the faculty that ODS manage the case through the *Code*.

### **Classroom Management**

Instructors have a right and responsibility to maintain a proper learning environment in the classroom. Students are expected to participate actively in the learning experience and must do so in an appropriate manner. Disruptive conduct in the classroom that interferes with the instructor's performance of their professional functions or that undermines the integrity of student learning will not be tolerated.

If disruption occurs, the instructor will inform the student of their disruptive behavior and request that it stop immediately. If the disruptive behavior continues, the instructor may dismiss the student from the class for a period of one class meeting. In most cases, the instructor is advised to meet with the student before the next scheduled class meeting to discuss the matter and classroom expectations.

All dismissals from class must be provided to ODS to be maintained by ODS as part of the student's educational record. In cases where the student has a demonstrated track record of dismissals, or the behavior that led to the dismissal is serious in nature, ODS can manage the case through the *Code*.

### **Generative Artificial Intelligence (AI)**

Please refer to the class syllabus to determine the appropriate use of generative AI. All uses of AI should be cited properly, failure to do so may result in academic misconduct charges.

### **Interim Measures**

Under the *Code*, the Dean of Students or designee may impose restrictions and/or separate a Respondent from the community pending the scheduling of resolution of an alleged violation(s) of the *Code* when:

- A student represents a threat of serious harm to others or self;
- Is facing allegations of serious criminal activity;
- To preserve the integrity of an investigation;
- To preserve University property; and/or
- To prevent disruption of, or interference with, the normal operations of the University.

Interim actions can include separation from the institution or restrictions on participation in the community. During an interim suspension, a student may be denied access to University housing and/or the University campus/facilities/events. As determined to be appropriate by the Dean of Students or designee, this restriction may include classes and/or all other University activities or privileges for which the student might otherwise be eligible. At the discretion of the Dean of Students of ODS, and in collaboration with the appropriate University official(s), alternative coursework options may be pursued to ensure as minimal an impact as possible on the Respondent.

The Dean of Students or designee will notify the Complainant, if applicable, and Respondent in writing of any interim measures. The measures will take place immediately upon notification. The Respondent will have three (3) University business days to e-mail a written request for a Show Cause Hearing to the Dean of Students or designee. Upon receipt of a request, the Dean of Students or designee will conduct a Show Cause Hearing within three (3) University business days to determine if the interim measures should be lifted, modified, or kept in place. This is a final decision regarding interim measures unless there are exceptional circumstances that come to light during the investigation.

In circumstances in which the Respondent requests, in writing, that the Dean of Students or designee remove themselves from the Show Cause Hearing based on actual or perceived bias, or the Dean of Students or designee is otherwise unable to perform these duties, decisions regarding interim measures will be made by the VPAA or designee.

At any point in the process, interim measures may be implemented. Once in effect, the measures will remain in place until it is determined by the Dean of Students or designee that they are no longer necessary.

## **B. Step 2: Informational Meeting**

Once the initiation of the investigation has occurred, the Respondent will be provided with written notice a minimum of two (2) University business days before an informational meeting, barring any exigent circumstances. The notice will include the following:

1. The alleged policy violation(s) and any potential sanctions that could be imposed;
2. A link to the *Code*;
3. A link to the University procedures used to resolve the complaint;
4. The date and time of the scheduled investigation interview;
5. An explanation of the ability to have a Support Person of choice present throughout the student conduct process; and
6. The contact information for the University officials assigned to resolve the complaint.

Notice will be made in writing and emailed to the Respondent's University-issued email or is mailed to the local address on file with the University or the permanent address on file. For Student Groups or Registered Student Organizations, notice is considered given if it is sent by any of the aforementioned means to the student who is the last known president of the organization. In rare circumstances, notice may be delivered in person. Once emailed and/or received in-person, notice will be presumptively delivered.

### **Informational Meeting**

All Respondents are provided an opportunity to attend a scheduled informational meeting with the conduct administrator responsible for resolving the case. An informational meeting is an informal meeting with a Conduct Administrator who will explain the Respondent's rights and the alleged violation(s), discuss resolution options, review the Respondent's responsibilities, and provide an opportunity to review, after any required redaction, the information that was provided as the basis for the alleged policy violation(s). The representative will also answer questions about the process and available options. The Conduct Administrator may provide a range of possible outcomes for the alleged violation, but that individual cannot ensure that a specific outcome will occur.



During the informational meeting, the Respondent may select one of the available resolution processes (Administrative Conference or Formal Resolution) for the case. In certain circumstances, the Conduct Administrator or designee may exercise the authority to select the resolution process. In the absence of a resolution option selection from the Respondent, the Conduct Administrator will determine the appropriate resolution process for the case. Failure to attend an informational meeting will not delay the student conduct proceedings or impact the validity of such proceedings.

### **C. Step 3: Resolution**

#### **Administrative Conference**

If the assigned Conduct Administrator believes the outcome for the alleged violation would likely not rise above disciplinary probation or result in removal from a residential facility or University building/campus, the Respondent may elect to have the case resolved by Administrative Conference. An Administrative Conference takes place between the Respondent and a Conduct Administrator and does not allow for the presentation of witnesses or additional information to be submitted by the Respondent before the meeting, although the administrator may follow up with other parties as necessary before making a decision. The Administrative Conference will primarily consist of the Respondent sharing their perspective on the reported behavior and the Conduct Administrator asking questions of the Respondent. The result of an Administrative Conference is not appealable.

An Administrative Conference may occur directly following an informational meeting or may be scheduled for a later date. Every effort will be made to schedule an Administrative Conference within five (5) University business days of the informational meeting. Following an Administrative Conference, the Conduct Administrator will determine whether it is more likely than not that a violation occurred and determine appropriate education sanction(s), if applicable.

If the Respondent does not wish to proceed with an Administrative Conference, and/or the sanction for an alleged violation would be more serious than disciplinary probation, or result in removal from a residential facility or University building/campus, the Respondent may elect to pursue Formal Resolution. A Formal Resolution may be required by the Conduct Administrator for any case that may result in expulsion. The Formal Resolution process consists of an Administrative Hearing.

#### **Formal Resolution**

A hearing involves the presentation of information by witnesses (as necessary) and provides an opportunity for the Respondent to present witnesses and information for review as part of the decision. A list of witnesses, their relevance to the alleged violation(s), and their contact information must be submitted, in writing, to the Conduct Administrator within five (5) University business days after the informational meeting.

#### **Administrative Hearing**

An Administrative Hearing is conducted by an individual Conduct Administrator as determined by the Dean of Students or designee. The Conduct Administrator is responsible for determining whether it is more likely than not that a violation occurred and determining appropriate education sanction(s), if applicable. An Administrative Hearing involves the presentation of information by the Respondent(s), Complainant(s), if applicable, and any witness(es), if applicable. The Respondent(s) will be allowed to ask

relevant questions of the Complainant(s) and/or any witness(es) at the discretion of the Conduct Administrator. In incidents involving an identified harmed party, the Complainant(s) will also be allowed to ask relevant questions of the Respondent(s) and/or any witness(es) at the discretion of the Conduct Administrator. The University cannot compel anyone to attend a hearing.

### **Hearing Procedures**

Hearings will be conducted in accordance with the following guidelines:

1. Hearings will be closed to the public. The Complainant, Respondent, and their respective Support Person are permitted to attend the entire hearing, except for deliberation.
2. In cases involving multiple Complainants and/or Respondents, the Dean of Students of ODS may determine that the hearings be conducted jointly. In joint hearings, separate determinations of responsibility will be made for each charge and each Respondent, and for any patterns that are alleged. Any Respondent wanting to have their hearing conducted individually may submit a written request a minimum of three (3) University business days before the scheduled hearing to the Conduct Administrator who will decide whether to grant the request.
3. The Conduct Administrator will arrange for witnesses to attend the Hearing and present relevant information. Failure of a witness to appear will not automatically require a delay or affect the validity of the proceedings. A decision will be made on the information presented during the hearing.
4. The Complainant, the Respondent, the Hearing Panel, and the Conduct Administrator will have the privilege of questioning all present witnesses and all present parties (through the Chairperson and at the discretion of the Chairperson). The Hearing Panel will be determined by the Dean of Students.
5. Pertinent records, exhibits, and written statements may be accepted as information for consideration by the Conduct Administrator. Formal rules of evidence are not applicable. Pertinent records, exhibits, and written statements must be submitted to ODS within five (5) University business days following the informational meeting. A Conduct Administrator may increase the amount of time needed, if appropriate. If an extension is approved, the Conduct Administrator will notify both the Respondent and Complainant of this extension in writing.
6. All procedural questions are subject to the final decision of the Dean of Students or designee.
7. If the Respondent has received adequate notice, but fails to attend a hearing without a legitimate reason for being absent, the hearing will proceed in the Respondent's absence. Otherwise, the hearing will be rescheduled.
8. ODS may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the Complainant, Respondent, reporter, and/or witnesses during the hearing by providing separate facilities, by using a visual screen, and/or by permitting participation by telephone, videophone, closed-circuit television, video conferencing, videotape, audiotape, written statement, or other means, where the ODS staff member deems this accommodation to be appropriate.
9. After a hearing, the Conduct Administrator determines whether it is more likely than not that the Respondent has violated the *Code*. Once a finding is determined, if the finding is that of a policy violation, the Conduct Administrator will determine an appropriate sanction(s). The Dean of Students or designee is responsible for informing the Conduct Administrator of applicable

precedent and any previous conduct violations or other relevant pattern information about the Respondent.

10. There will be a single verbatim record, such as an audio recording, for all hearings. Deliberations will not be recorded. The record will be the property of the University and maintained according to the University's Record Retention Policy.

### **Outcome Notification**

The outcome will be sent via e-mail to the Respondent's official University e-mail address within five (5) business days of the Administrative Conference or Formal Resolution, unless extenuating circumstances exist. The outcome will be copied to a Complainant as permitted by law or University Policy.

If the Respondent is found to be responsible for a violation of the *Code*, the outcome will also include any assigned educational sanction(s). Sanctions may be issued individually, or a combination of sanctions may be issued. In the case of student groups or registered student organizations, if a sanction issued by a national or other governing body exceeds that of the University, the University may concur with that sanction.

Respondents who are found not responsible for violating the *Code* will not receive any educational sanctions and the student conduct process will be dismissed.

The outcome of a student conduct process is part of the education record of the Respondent and is protected from release under the Federal Education Rights and Privacy Act (FERPA), except under certain conditions. As allowed by FERPA, when a student is accused of a policy violation that would constitute a "crime of violence," the University will inform the alleged victim/party bringing the complaint in writing of the final results of a hearing regardless of whether the University concludes that a violation was committed. Such release of information may only include the Respondent's name, the relevant charges, the relevant finding, and the relevant sanctions assigned (if applicable).

In cases where the University determines through the student conduct process that a student violated a policy that would constitute a "crime of violence," the University may also release the above information publicly and/or to any third party. FERPA defines "crimes of violence" to include:

1. Arson
2. Assault offenses (includes stalking)
3. Burglary
4. Criminal Homicide—manslaughter by negligence
5. Criminal Homicide—murder and nonnegligent manslaughter
6. Destruction/damage/vandalism of property
7. Kidnapping/abduction
8. Robbery
9. Forcible sex offences
10. Non-forcible sex offences

### **D. Step 4: Appeal**

Any party may request an appeal of the decision of a Formal Resolution by filing a written request to the Appeal Review Officer, subject to the procedures outlined below.

## Grounds For Appeal Requests

Appeals requests are limited to the following grounds:

1. A procedural or substantive error occurred that significantly impacted the outcome of the hearing (e.g., substantiated bias, material deviation from established procedures);
2. To consider new evidence, unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included. Note that this criterion may not be used by Respondents who choose or fail to attend or participate in the original proceeding they are appealing; or
3. The sanctions imposed are substantially disproportionate to the severity of the violation or outside the parameters or guidelines set by the University for this type of offense, and/or the cumulative conduct record of the Respondent.

Appeals must be filed in writing with the Appeal Review Officer within five (5) University business days of the notice of the outcome to the hearing, barring extenuating circumstances. Any exceptions are made at the discretion of the Appeal Review Officer and will be communicated in writing to the involved parties. An appeal does not provide for a second administrative conference. In most cases, appeals are confined to a review of the written documentation or record of the original administrative conference, and pertinent documentation regarding the grounds for appeal; However, witnesses may be called if necessary. In review, the original finding and sanction are presumed to have been decided reasonably and appropriately, thus the burden is on the appealing party(ies) to show clear error. The Appeal Review Officer must limit its review to the challenges presented. Appeals are not an opportunity for the Appeal Review Officer to substitute their judgment for that of the original decision-maker merely because they disagree with the finding and/or sanctions. Appeals decisions are to be deferential to the original decision-maker, making changes to the finding only where there is clear error and to the sanction(s) only if there is a compelling justification to do so.

The Appeal Review Officer will be responsible for evaluating the content of the appeal request. The Dean of Students or designee will also draft a response memorandum to the appeal request(s). The Appeal Review Officer will share the appeal by one party with the other party (parties) when appropriate under procedure or law (e.g., if the Respondent appeals, the appeal is shared with the Complainant, who may also wish to file a response, request an appeal on the same grounds or different grounds). All request-related documents are shared with all parties. The Appeal Review Officer may consult with the Dean of Students or designee on any procedural or substantive questions that arise.

The Appeal Review Officer will provide a written response to the appeal request setting forth the basis of any decision. Every effort will be made to send follow-up correspondence to parties within ten (10) University business days.

Upon review of the appeal-related documents, Appeal Review Officer may respond as follows:

- Determine that the appeal does not meet the ground(s) outlined above, in which case the original decision stands;
- Determine that the appeal meets the ground(s) outlined and remand the case back to the original conduct administrator to consider new information, reevaluate previous information, or provide corrective instructions;

- Determine that the appeal meets the ground(s) outlined above and remand the case to a new conduct administrator with specific corrective instructions; or
- Determine that the sanction(s) is/are inappropriate for the violation and recommend the sanction(s) be modified by the conduct administrator.

Every opportunity to return the appeal to the original decision-maker for reconsideration (remand) will be pursued. The parties may challenge the Appeal Review Officer on the basis of potential bias, and the Appeal Review Officer who cannot render an impartial decision must recuse themselves. The Provost will make the determination as to the validity of any challenge or need for recusal. A new Appeal Review Officer will be identified in the event a challenge or need for recusal is determined to be valid.

The presumptive stance of the University is that all decisions made and educational sanctions imposed by the original decision-maker are to be implemented during the appellate process. At the discretion of the Dean of Students or designee, implementation of educational sanctions may be stayed pending review only in extenuating circumstances. This does not include proximity to graduation, end of term, or exams. Instead, it refers to an overwhelming likelihood, as determined by the Appeals Review Officer and Dean of Students or designee in consultation with each other, that the appeal would likely result in a reversal of the finding and/or substantial modification of the educational sanctions.

## **IX. SANCTIONS**

Sanctions are designed to foster personal growth, academic integrity, and an understanding of the university community's values. These sanctions serve not only as consequences for violating the Code of Student Conduct but also as opportunities for students to learn from their mistakes and to develop skills that will benefit them academically, personally, and professionally. In cases of academic integrity violations, the faculty maintains control over the academic consequences, while the Dean of Students or designee is responsible for determining all other sanctions. One or more of the following sanctions may be imposed upon any Respondent for any single violation of the *Code*:

1. **Warning:** An official written notice that the Respondent has violated University policy, procedure, rule, or regulation and that more severe conduct action will result should the Respondent be involved in other violations while the Respondent is enrolled at the University.
2. **Restitution:** Compensation for damage caused to the University or any person's property. This could also include situations such as failure to return a reserved space to proper condition – labor costs and expenses. This is not a fine but, rather, a repayment for labor costs and/or the value of property destroyed, damaged, consumed, or stolen.
3. **Community/University Service:** For a Respondent to complete a specific supervised community/University service.
4. **Academic Consequence:** An academic consequence is a penalty imposed directly by faculty in response to violations of academic integrity, such as plagiarism, cheating, or unauthorized collaboration. These consequences are specifically related to the student's academic performance and record and may include, but are not limited to: grade reduction, assignment of reasonable additional or alternative work, or failure of an assignment or course.
5. **Loss of Privileges:** The Respondent will be denied specified privileges for a designated period of time.

6. Confiscation of Prohibited Property: Items whose presence is in violation of University policy, procedure, rules, or regulations will be confiscated and will become the property of the University. Prohibited items may be returned to the owner at the discretion of the Dean of Students, Campus Safety, and/or designee.
7. Behavioral Requirement: This includes required activities including, but not limited to, seeking academic advising or substance abuse screening, writing a letter of apology, skills-building seminars, non-clinical case management, research or educational papers, etc.
8. Educational Program: Requirement to attend, present, and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the Respondent was found responsible. Audience may be restricted.
9. Restriction of Visitation Privileges: May be imposed on a resident or non-resident Respondent. The parameters of the restriction will be specified.
10. University Housing Probation: Official notice that, should further violations of Residence Life or University policy or procedures occur during a specified probationary period, the Respondent may immediately be removed from University housing. Regular probationary meetings may also be imposed.
11. University Housing Reassignment: Reassignment to another University housing facility. Residential Life personnel will decide on the reassignment details in consultation with the Dean of Students or designee.
12. University Housing Suspension: Removal from University housing for a specified period of time after which the Respondent is eligible to return. Conditions for re-admission to University housing may be specified. Under this sanction, a Respondent is required to vacate University housing within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Director of Housing and Residence Life in consultation with the Dean of Students or designee. This sanction may be enforced with a trespass action if deemed necessary. Prior to reapplication for University housing, the Respondent must gain permission from the Director of Housing and Residence Life and Dean of Students or designee. This sanction may include restrictions on visitation to specified buildings or all University housing during the suspension.
13. University Housing Expulsion: The Respondent's privilege to live in, or visit, any University housing structure is revoked indefinitely. This sanction may be enforced with a trespass action if deemed necessary.
14. University Probation: The Respondent is put on official notice that, should further violations of University policy or procedure occur during a specified probationary period, the Respondent may face suspension or expulsion. Regular probationary meetings may also be imposed.
15. Eligibility Restriction: The Respondent is deemed "not in good standing" with the University for a specified period of time. Specific limitations or exceptions may be granted by the Dean of Students or designee and terms of this conduct sanction may include, but are not limited to, the following:
  - a. Ineligibility to hold any office in any Student Group or Registered Student Organization or hold an elected or appointed office at the University; or
  - b. Ineligibility to represent the University to anyone outside the University community in any way including: participating in the study abroad program, attending conferences, or

representing the University at an official function, event or intercollegiate competition as a player, manager or student coach, etc.

16. University Deferred Suspension - Establishes a fixed period of time, allowing the Respondent to complete the current academic term or semester. While the Respondent is allowed to remain enrolled, a Respondent is not permitted to represent the University or participate in any extracurricular activities. The specifics of the deferred suspension will vary based upon the violation and circumstances for each Respondent. Restrictions on the Respondent will include limiting participation in activities to those directly related to academic pursuits or the completion of academic requirements. This includes entering University buildings or attending University events. The University will have the authority to impose additional conditions, restrictions or sanctions during a deferred suspension.
17. University Suspension: Separation from the University for a specified minimum period of time, after which the Respondent is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension. The Respondent is required to vacate the campus within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Dean of Students or designee. During the suspension period, the Respondent is banned from University property, functions, events and activities without prior written approval from the Dean of Students or designee. This sanction may be enforced with a trespass action as necessary. This sanction will be noted as "Required to Withdraw - Poor Scholarship" on the Respondent's official academic transcript.
18. University Expulsion: Permanent separation from the University. The Respondent is banned from University property and the Respondent's presence at any University-sponsored activity or event is prohibited, whether on- or off-campus. This action may be enforced with a trespass action as necessary. This sanction will be noted as a "University Expulsion" on the Respondent's official academic transcript.
19. Other Sanctions: Additional or alternate sanctions may be created and designed as deemed appropriate.

#### **X. PARENTAL AND PUBLIC NOTIFICATION**

The University reserves the right to notify the parents/guardians of dependent students regarding any conduct situation, particularly alcohol and other drug violations. The University will also notify parents/guardians of non-dependent students who are under the age of 21 of alcohol and/or other drug violations. Parental notification may also be utilized discretionarily by administrators when permitted by FERPA or consent of the student.

#### **XI. RECORDS**

The conduct authority or designee may place a hold on a student's account, transcript, registration, graduation, and/or diploma; or remove a Recognized Student Organization's active status and/or ability to conduct operations in any of the following situations:

- A. A Respondent is found in violation of the *Code* culminating in suspension or expulsion;
- B. A Respondent has been given interim restrictions pending an investigation and resolution of alleged violations of the *Code*;

- C. A Respondent has failed to schedule or attend a required University meeting or administrative conference; or
- D. A Respondent has failed to complete one or more sanctions by the assigned deadline.

In the event of serious misconduct committed while still enrolled but reported after the Respondent has graduated, or the Respondent withdraws during the student conduct process, the University may invoke these procedures and should the former student be found responsible, the University may revoke that student's degree or impose other appropriate consequences.

**A. Record Retention**

All conduct records, both adjudicatory and non-adjudicatory, are maintained by ODS for seven (7) years from the time of their creation, with the following exceptions:

1. Records of students placed on disciplinary probation are maintained for a period of seven years after the date by which the student completes their probationary status and is considered in good standing with the University.
2. Records of students who are subjected to disciplinary suspension or disciplinary expulsion are maintained permanently.
3. Records of Student Groups or Registered Student Organizations are maintained permanently.

In compliance with FERPA, all student conduct proceedings and student conduct records are considered private, except as otherwise provided by law. Only those persons authorized by the student or by the Dean of Students Office may have access to these records.

Exceptions for parental and public notification are provided in Section X.

**XII. INTERPRETATION AND REVISION**

The Dean of Students or designee will develop procedural rules for the administration of the *Code*. Material deviation from these rules will, generally, only be made as necessary and will include reasonable advance notice to the parties involved, either by posting online and/or in the form of written communication. The Dean of Students may vary procedures with notice upon determining that changes to law or regulation require policy or procedural alterations not reflected in the *Code*. The Dean of Students may make or approve minor modifications to procedure that do not materially jeopardize the fairness owed to any party. Any question of interpretation of the *Code* will be referred to the Dean of Students or designee, whose interpretation is final. The *Code* will be reviewed and updated (if necessary) annually under the direction of the Dean of Students with a comprehensive revision process being conducted every three (3) years. This *Code* is not intended to convey any rights beyond those framed by the background laws governing such codes, generally.

**XIII. APPROVAL AND IMPLEMENTATION**

This Code of Student Conduct was approved on August 5, 2024 and implemented on August 15, 2024.