

# Student Code of Conduct

Honesty Honesty Honesty Honesty Honesty Honesty  
Integrity Integrity Integrity Integrity Integrity Integrity  
Caring Caring Caring Caring Caring Caring  
Values Values Values Values Values Values  
Ethics Ethics Ethics Ethics Ethics Ethics

## Student Code of Conduct

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## Student Code of Conduct

Lawrence Technological University is an institution that encourages the intellectual and personal growth of its students as scholars and citizens. Linking theory and practice with advanced learning technologies, Lawrence Technological University provides superior undergraduate, graduate, and lifelong learning for leadership, professional achievement, and civic excellence. In this pursuit, the University recognizes that the transmission of knowledge, the pursuit of truth, and the development of individuals require the free exchange of ideas, self-expression, and the challenging of beliefs and customs. Academic freedom is essential to the achievement of these purposes.

Honesty, integrity, and caring are essential qualities of an educational institution, and the concern for values and ethics is important to the whole educational experience. The Student Code of Conduct outlines the rights and responsibilities and expected levels of conduct of students in the University community. Fundamental to the achievement of community among the members of the University is the recognition by all such members that each shares a responsibility to observe University regulations. This obligation, which is an extension of the citizen's responsibility to observe the law of the land, is an essential corollary to participation in the academic rights afforded to members of the University.

A student voluntarily joins the Lawrence Technological University community and thereby assumes the obligation of abiding by the standards prescribed in the Student Code of Conduct. As such, students are required to engage in responsible social conduct that reflects credit upon the University community and to model good citizenship in any community. The University, through the Office of the Dean of Students, maintains the exclusive authority to impose sanctions for behaviors that violate the Student Code of Conduct.

All students enrolled at Lawrence Technological University have access to the Student Code of Conduct. Printed copies are available through the Office of the Dean of Students and the Office of University Housing. The Student Code of Conduct, along with other helpful information, also may be accessed online at [www.ltu.edu](http://www.ltu.edu).

### A. Definitions

1. The term "UNIVERSITY" means Lawrence Technological University.
2. The term "STUDENT" includes all persons taking courses at the University either full-time or part-time, pursuing undergraduate, graduate, or professional studies. Persons who withdraw after allegedly violating the Student Code, who are not officially

enrolled for a particular term but who have a continuing relationship with the University or who have been notified of their acceptance for admission are considered "students," as are persons who are living in University residence halls, although not enrolled in this institution. This Student Code does apply at all locations of the University, including education centers in Michigan and centers in other states and foreign countries.

3. The term "FACULTY MEMBER" means any person hired by the University to conduct classroom or teaching activities or who is otherwise considered by the University to be a member of its faculty.
4. The term "UNIVERSITY OFFICIAL" includes any person employed by the University performing assigned administrative or professional responsibilities.
5. The term "MEMBER OF THE UNIVERSITY COMMUNITY" includes any person who is a student, faculty member, University official, or any other person employed by the University. A person's status in a particular situation shall be determined by the dean of students.
6. The term "UNIVERSITY PREMISES" includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the University, including adjacent streets and sidewalks.
7. The term "ORGANIZATION" means any number of persons who have complied with the formal requirements for University recognition.
8. The term "STUDENT DISCIPLINE COMMITTEE" means any person or persons authorized by the dean of students to determine whether a student has violated the Student Code and to recommend sanctions that may be imposed when a regulations violation has been committed.
9. The term "STUDENT CONDUCT OFFICER" means a University official authorized on a case-by-case basis by the dean of students to impose sanctions upon any student found to have violated the Student Code. The dean of students may, in certain circumstances, authorize a student conduct officer to serve simultaneously as a student conduct officer and the sole member, or one of the members, of the Student Discipline Committee. The dean of students may authorize the same student conduct officer to impose sanctions in all cases.
10. The term "DISCIPLINE APPEALS COMMITTEE" means any person or persons authorized by the dean of students to consider an appeal from a Student

Discipline Committee's determination as to whether a student has violated the Student Code.

11. The term "SHALL" is used in the imperative sense.
12. The term "MAY" is used in the permissive sense.
13. The term "POLICY" means the written regulations of the University as found in, but not limited to, the Student Code, *University Housing Guidelines*, the University website, computer use policy, and *Undergraduate or Graduate Catalogs*.
14. "LEVEL I" violations of the Student Code are those for which the sanctions may be a warning, disciplinary probation, special restrictions or loss of privileges, fines, restitution, imposed reassignment of course section or housing assignment, or assignments of discretionary sanctions. Level I violations will generally be heard by a student conduct officer.
15. "LEVEL II" violations of the Code are those for which the sanctions may be, in addition to those listed in Level I, suspension from University Housing and/or from the University or expulsion from University Housing and/or from the University. Level II violations will generally be heard by the Student Discipline Committee.
16. The term "COMPLAINANT" means any person who submits a charge alleging that a student violated this Student Code. When a person believes that she/he has been a victim of another student's misconduct, the student who believes she/he has been a victim will have the same rights under this Student Code as are provided to the Complainant, even if another member of the University community submitted the charge itself.
17. The term "ACCUSED STUDENT" means any student accused of violating this Student Code.

## B. Student Code Authority

1. The dean of students shall determine the composition of the Student Discipline Committee and Discipline Appeals Committee and determine which Student Discipline Committee, student conduct officer, and Discipline Appeals Committee shall be authorized to hear each matter.
2. The dean of students is that person designated by the University president to be responsible for the administration of the Student Code. The dean of students shall develop policies for the administration of the student conduct system and procedural rules for the conduct of Student Discipline Committee hearings that are not inconsistent with provisions of the Student Code.

3. Decisions made by the Student Discipline Committee and/or a student conduct officer designated by the dean of students shall be final, pending the normal appeal process.
4. The Student Discipline Committee may be designated as arbiter of disputes within the student community in cases that do not involve a violation of the Student Code. All parties must agree to arbitration and to be bound by the decision with no right of appeal.

### C. Conduct – Rules and Regulations

Acts of academic dishonesty are regulated by procedures outlined in the *Academic Honor Code*. Any student found to have committed the following misconduct is subject to the disciplinary sanctions outlined in Section H:

1. Acts of dishonesty, including but not limited to the following: cheating, plagiarism, or other forms of academic dishonesty; furnishing false information to any University official, faculty member, or office; forgery; alteration or misuse of any University document, record, or instrument of identification; helping or attempting to help another student commit an act of dishonesty; tampering with the election of any University-recognized student organization.
2. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, or other University activities, including its public-service functions on or off campus or other authorized non-University activities, when the act occurs on University premises.
3. Physical abuse, verbal abuse, threats, intimidation, harassment, coercion, stalking, and hate crimes or acts that are racially motivated or due to one's sexual orientation, gender expression, and/or other conduct that threatens or endangers the health or safety of any person.
4. Sexual misconduct, the unauthorized form of any sexual contact with another person without the consent of that person. The Sexual Misconduct Policy can be found on <http://www.ltu.edu/myltu/titleix.asp>. Hard copies of the policy are available in the Office of the Dean of Students.
5. Attempted or actual theft of and/or damage to property of the University or property of a member of the University community or other personal or public property, on or off campus.
6. Hazing, defined as an act that endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the

- purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. The express or implied consent of the victim will not be a defense. Apathy or acquiescence in the presence of hazing are not neutral acts; they are violations of this regulation.
7. Failure to comply with directions of University officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
  8. Unauthorized possession, duplication, or use of keys to any University premises or unauthorized entry to or use of University premises.
  9. Violation of any University policy, rule, or regulation published in hard copy, posted on campus, or available electronically on the University website.
  10. Violation of federal, state, or local law on University premises or at University-sponsored or supervised activities.
  11. Use, possession, manufacturing, or distribution of marijuana, heroin, narcotics, or other controlled substances, except as expressly permitted by law; use or possession of drug paraphernalia. Although many states (Michigan included) have passed laws legalizing medical marijuana, all forms of marijuana continue to be illegal under federal law. Federal law supersedes state law, and as a result, institutions are not obligated to accommodate users of medical marijuana in residence halls, on campus, or otherwise. LTU does not allow the use or possession of any form of marijuana on campus.
  12. Use, possession, manufacturing, or distribution of alcoholic beverages, except as expressly permitted by the law and University regulations, or public intoxication. Alcoholic beverages may not, in any circumstances, be used by, possessed by, or distributed to any person under 21 years of age.
  13. Possession of firearms, (including BB, pellet, and air soft guns), ammunition, bows and arrows, explosives, any object that by its intended or actual use may be used to threaten or harm people or damage or destroy property, or other weapons or dangerous chemicals on University premises. Students risk severe University discipline and/or suspension if found with firearms or other dangerous weapons on campus.
  14. 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.
15. Obstruction of the free flow of pedestrian or vehicular traffic on University premises or at University-sponsored or supervised functions, or violation of any regulations outlined in the Lawrence Tech *Campus Safety Guide*.
  16. Conduct which is disorderly, lewd, or indecent; breach of the peace; or aiding, abetting, or procuring another person to breach the peace on University premises or at functions sponsored, or participated in, by the University or members of the academic community. Disorderly conduct includes but is not limited to: any unauthorized use of electronic or other devices to make an audio or video record of any person while on University premises without his/her knowledge, or without his/her effective consent when such recording is likely to cause injury or distress. This includes but is not limited to surreptitiously taking pictures of another person in a gym, locker room, or restroom.
  17. Theft or other abuse of computer facilities and resources, including but not limited to: unauthorized entry into a file to use, read, change, delete the contents, or for any other purpose; unauthorized transfer of a file; use of another individual's identification and password; use of computing facilities to interfere with the work of another student, faculty member, or University official; use of computing facilities to send obscene or abusive messages; use of computing facilities to interfere with normal operation of the University computing system; use of computing facilities and resources in violation of copyright laws; any violation of the University's Computer and Network Use Policy.
  18. Tampering with any telecommunications service, including but not limited to: telephone, cable television, and/or voicemail; providing unauthorized service to another room, suite, or apartment by any means through unauthorized installation of wiring jacks or extensions.
  19. Abuse of the Student Conduct system, including but not limited to: failure to obey the summons of the Student Discipline Committee, Discipline Appeals Committee, student conduct officer, or University official to appear for a meeting or hearing as part of the Student Conduct system; falsification, distortion, or misrepresentation of information before a Student Discipline Committee, Discipline Appeals Committee, or student conduct officer; disruption or interference

in bad faith with the orderly conduct of a proceeding; attempting to discourage an individual's proper participation in, or use of, the Student Conduct system; attempting to influence the impartiality of a member of a Student Discipline Committee or Discipline Appeals Committee prior to, and/or during, and/or after a student conduct proceeding; harassment (verbal or physical) and/or intimidation of a member of a Student Discipline Committee or Discipline Appeals Committee prior to, and/or during, and/or after a student conduct proceeding; failure to comply with the sanction(s) imposed under the Student Code; influencing or attempting to influence another person to commit an abuse of the Student Conduct system.

20. Actions that endanger the student, the University or local community, the academic process, or cause harm to oneself or others.

#### D. Jurisdiction of the Lawrence Technological University Student Code

The Lawrence Technological University Student Code shall apply to conduct that occurs on University premises, at University-sponsored activities, and to off-campus conduct that adversely affects the University community and/or the pursuit of its objectives. Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if their conduct is not discovered until after a degree is awarded). The Student Code shall apply to a student's conduct even if the student withdraws from school while a disciplinary matter is pending. The dean of students shall decide whether the Student Code shall be applied to conduct occurring off campus, on a case-by-case basis, in his/her sole discretion.

The University reserves the right to review student conduct that occurs off campus when such behavior reflects upon the integrity of the University. Students are representatives of Lawrence Technological University. In cases of inappropriate off-campus behavior, the dean of students or designee will investigate and may refer students to the Student Conduct system. This provision is also applicable to students studying abroad.

LTU community members also are responsible for their guests' behavior should the guests violate any University policies. The University reserves the right to sanction its students for criminal or civil violations, or for a violation of University policy independent of or in addition to any actions taken by a criminal or civil court of law. Where Lawrence Technological University's interests as a community are clearly involved, however, the University president or designee

may assert special authority in determining the future status of this member of the University community.

The residence halls have policies and procedures to which all students are subject. These policies and procedures are described in the *University Housing Guidelines*. Students are also subject to the policies, rules, and regulations of the colleges/schools in which they are enrolled or taking classes. All academic grievances are handled by the individual colleges/schools.

## E. Violation of Law and University Discipline

1. University disciplinary proceedings may be instituted against a student charged with conduct that potentially violates both the criminal law and this Student Code (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under this Student Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of the dean of students. Determinations made or sanctions imposed under this Student Code shall not be subject to change because criminal charges arising out of the same facts that gave rise to violation of University rules or regulations were dismissed, reduced, or resolved in favor of or against the criminal law defendant.
2. When a student is charged by federal, state, or local authorities with a violation of law, the University will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also being processed under the Student Code, the University may advise off-campus authorities of the existence of the Student Code and how such matters are typically handled within the University community. The University will attempt to cooperate with law enforcement or other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators (provided that the conditions do not conflict with campus rules, regulations, or sanctions). Individual students and other members of the University community, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.
3. If a student is charged with an off-campus violation of federal, state, or local laws, but not with any other violation of this Code, disciplinary action may be taken by the University and sanctions imposed for

grave misconduct which demonstrates flagrant disregard for the University community. In such cases, no sanction may be imposed unless the student has been found guilty in a court of law or has declined to contest such charges, although not actually admitting guilt (e.g., “no contest” or “nolo contendere”).

## F. Student Code of Conduct Procedures

All suspected violations of the Student Code will be reviewed in accordance with the procedures outlined below.

1. **Disciplinary Correspondence**  
All disciplinary correspondence will be sent to the student’s official mailing address as listed with the Office of the Registrar. The University reserves the right to use other reasonable means to notify students.
2. **Filing Complaints**
  - a. Any member of the University community may make a complaint and/or referral or offer information concerning such complaint and/or referral to the Office of the Dean of Students. A complaint or referral made against a student or students alleging violation(s) of the Student Code of Conduct shall be directed to the dean of students for review. Any complaint should be prepared in writing on a University incident report form and should be submitted as soon as possible after the event takes place, preferably within 48 hours.
  - b. While action on a complaint of violating a University rule or regulation is pending, the status of the student shall not be altered except for reasons outlined in Section J.
3. **Presumption of Non-Violation**  
Any student charged with a violation under this Code shall be presumed not responsible until it is proven that, more likely than not, the violation of the rule or regulation occurred.
4. **Preliminary Investigation**  
When the dean of students or designee receives information that a student has allegedly violated University rules, regulations, or local, state, or federal law, the dean or designee shall investigate the alleged violation and determine whether further action is necessary. After completing a preliminary investigation, the dean or designee may:
  - a. Find no basis for the complaint and dismiss the allegation as unfounded,
  - or
  - b. Contact the student for a discussion and either:
    - (1) Dismiss the allegation.

- (2) Identify that the alleged violation(s) equates to a Level I infraction and assign the case to a student conduct officer to hold a student conduct meeting with the student(s).
  - (3) Identify that the alleged violation(s) equates to a Level II infraction and schedule a hearing with the Student Discipline Committee.
5. Summoning a Student for a Student Conduct Meeting
- A student conduct meeting is a meeting between a student(s) involved in an alleged violation of the Code and a student conduct officer and may include sanctions. In some cases, the meeting may resolve the matter.
- a. The student conduct officer shall provide the student with:
    - (1) Written notice of the charge(s) and an outline of rights.
    - (2) Review of all available information, documents, exhibits, and a list of witnesses that may testify against the student.
  - b. Following receipt of the notice of charges, a student:
    - (1) May elect not to contest the charges and to accept responsibility for them. If this election is made, the student must sign a waiver of the right to a hearing, and must accept the sanction imposed by the student conduct officer. The decision to waive a hearing and accept the sanction is final and not appealable.
    - (2) May contest the charges and elect to proceed to a hearing. The hearing shall be scheduled not less than five (5) nor more than 15 calendar days from the student conduct meeting.

## G. Hearing Process

Hearings provide the forum in which parties to an allegation are afforded the opportunity to present information for review by a Student Discipline Committee presided over by the chair of the Committee and moderated by the dean of students. The dean of students is an ex-officio member of the committee. A time shall be set for a Student Discipline Committee hearing not less than five (5) nor more than 15 calendar days after the student has been notified. The maximum time limit for scheduling of hearings may be extended at the discretion of the dean of students or designee.

Hearings shall be conducted by the Student Discipline Committee according to the following guidelines, except as provided by article J below:

1. In cases in which the Student Discipline Committee has been authorized by the dean of students to

- conduct a hearing, the recommendations of the members of the Student Discipline Committee shall be considered in an advisory capacity by the dean of students in determining and imposing sanctions.
2. Composition: The Student Discipline Committee is composed of 15 members. Recommendations for membership on the Student Discipline Committee from the deans of each academic college, the faculty, the administration and staff of the University, and the executive committee of Student Government will be sought by the dean of students on an annual basis, or more frequently as needed. At the discretion of the dean of students, general solicitation of the student body for participation may be made. Based upon these recommendations and/or solicitations, candidates who meet eligibility requirements will be invited to apply and interview for participation on the Student Discipline Committee.
3. Term of service: Students shall serve for one academic year and may continue to serve at the discretion of the provost and the dean of students.
4. Student eligibility: All students, full- or part-time, shall be eligible for recommendation to the Student Discipline Committee provided they have maintained a 2.3 cumulative grade point average, are not currently on disciplinary probation, and have not been suspended from the residence halls or the University.
5. Training: All members of the Student Discipline Committee, upon receiving notice of appointment, shall be given all necessary information about their responsibilities and the means for carrying them out.
6. Five students from the Student Discipline Committee will be chosen by the dean of students to hear a proceeding.
7. Hearings normally shall be conducted in private.
8. The complainant, the accused student, and their advisors, if any, shall be allowed to attend the entire portion of the Student Discipline Committee hearing at which information is received (excluding deliberations). Admission of any other person to the hearing shall be at the discretion of the Student Discipline Committee and/or the dean of students or designee.
9. In the case of Student Discipline Committee hearings involving more than one accused student, the dean of students or designee, at his/her discretion, may permit the Student Discipline Committee hearings concerning each student to be conducted either separately or jointly.



10. The complainant and the accused student have the right to be assisted by any advisor they choose, at their own expense. The advisor may be an attorney. The complainant and/or the accused are responsible for presenting his or her own information and, therefore, advisors are not permitted to speak or to participate directly in any hearings before the Student Discipline Committee. A student should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the Student Discipline Committee hearing because delays will not normally be allowed due to the scheduling conflicts of an advisor.
11. The complainant, the accused student, and the Student Discipline Committee may arrange for witnesses to present information to the Student Discipline Committee. The University will try to arrange the attendance of possible witnesses who are members of the University community, if reasonably possible, and who are identified by the complainant and/or accused student at least two (2) business days prior to the Student Discipline Committee hearing. Witnesses will provide information to and answer questions from the Student Discipline Committee. Questions may be suggested by the accused student and/or complainant to be answered by each other or by other witnesses, with such questions directed to the chair, rather than to the witness directly. This method is used to preserve the educational tone of the hearing and to avoid creation of an adversarial environment. Questions of whether potential information will be received shall be resolved at the discretion of the chair of the Student Discipline Committee, in consultation with the dean of students or designee.
12. Pertinent records, exhibits, and written statements (including Student Impact Statements) may be accepted as information for consideration by the Student Discipline Committee, at the discretion of the dean of students.
13. All procedural questions are subject to the final decision of the dean of students.
14. After the portion of the Student Discipline Committee hearing concludes in which all pertinent information has been received, the Student Discipline Committee shall determine by majority vote whether the accused student has violated each section of the Student Code that the student is charged with violating.
15. The Student Discipline Committee's determination shall be made on the basis of whether it is more likely than not that the accused student violated the Student Code.
16. Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in Student Code proceedings.
17. There shall be a single verbatim record, such as a transcription or tape recording, of all hearings before a Student Discipline Committee (not including deliberations). Deliberations shall not be recorded. Transcriptions and/or tapes made during Student Discipline Committee hearings shall be the property of the University. These materials are confidential. They are made available in case of appeal and, upon request, to the Discipline Appeals Committee hearing the appeal.
18. If the accused student, with notice, does not appear before a Student Discipline Committee hearing, the information in support of the charges shall be presented and considered even if the accused student is not present. If the accused student fails to attend the hearing, it shall be deemed that he or she denies all allegations. When appropriate, a sanction will be determined and the student will be notified in writing.
19. The Student Discipline Committee may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the complainant, accused student, or other witness 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, audio tape, written statement, or other means, where and as determined in the sole judgment of the dean of students to be appropriate.

## H. Sanctions

1. The following sanctions may be imposed upon any student found to have violated the Student Code:
  - a. WARNING – A notice in writing to the student that the student is violating or has violated institutional regulations.
  - b. PROBATION – A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to violate any institutional regulation(s) during the probationary period.
  - c. LOSS OF PRIVILEGES – Denial of specified privileges for a designated period of time.

- d. LOSS OF ACADEMIC CREDIT – Failing grade assigned for the course due to academic dishonesty.
  - e. FINES – Published fines may be imposed.
  - f. RESTITUTION – Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
  - g. DISCRETIONARY SANCTIONS – Work assignments, essays, service to the University, or other related discretionary assignments. (Such assignments must have the approval of the dean of students.)
  - h. RESIDENCE HALL SUSPENSION – Separation of the student from the residence halls for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
  - i. RESIDENCE HALL EXPULSION – Permanent separation of the student from the residence halls.
  - j. UNIVERSITY SUSPENSION – Separation of the student from the University for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
  - k. UNIVERSITY EXPULSION – Permanent separation of the student from the University.
  - l. REVOCATION OF ADMISSION AND/OR DEGREE – Admission to, or a degree awarded from, the University may be revoked for fraud, misrepresentation, or other violation of University standards in obtaining the degree, or for other serious violation committed by a student prior to graduation.
  - m. WITHHOLDING DEGREE – The University may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Code of Conduct, including the completion of all sanctions imposed, if any.
2. More than one of the sanctions listed above may be imposed for any single violation.
  3. Other than University suspension, expulsion, or revocation or withholding of a degree, disciplinary sanctions shall not be made part of the student's permanent academic record, but shall become part of the student's disciplinary record. Upon graduation, the student's disciplinary record may be expunged of disciplinary actions, other than residence hall expulsion, University suspension, University expulsion, or revocation or withholding of a degree, upon application to the dean of students. Cases

involving the imposition of sanctions other than residence hall expulsion, University suspension, University expulsion, revocation or withholding of a degree shall be expunged from the student's disciplinary record three (3) years after the student completes all requirements for graduation.

4. In situations involving both an accused student(s) (or group or organization) and a student(s) claiming to be the victim of another student's conduct, the records of the process and of the sanctions imposed, if any, shall be considered to be part of the education records of both the accused student(s) and the student(s) claiming to be the victim because the educational career and chances of success in the academic community of each may be impacted.
5. The following sanctions, in addition to those listed above, may be imposed upon groups or student organizations: loss of selected rights and privileges for a specified period of time, and/or deactivation/loss of all privileges, including University recognition, for a specified period of time.
6. In each case in which a student conduct officer determines that a student has violated the Student Code, the recommendation of the student conduct officer shall be considered by the dean of students in determining and imposing sanctions. In cases in which the Student Discipline Committee has been authorized to determine that a student has violated the Student Code, the recommendation of all members of the Student Discipline Committee shall be considered by the dean of students in determining and imposing sanctions. The dean of students is not limited to sanctions recommended by members of the Student Discipline Committee.
7. Following the Student Discipline Committee hearing, the dean of students shall advise the accused student(s), group, and/or organization (and complaining student who believes she/he was the victim of another student's conduct) in writing of the Committee's determination and of the sanction(s) imposed, if any. A copy of the notification will be retained in the student's disciplinary record. Cases involving suspension or expulsion will also be filed in the student's academic record.

## I. Appeals

1. A decision reached by the Student Discipline Committee or a sanction imposed may be appealed by the accused student(s) or complainant(s) to the Discipline Appeals Committee within seven (7)

- school days of the decision. Such appeals shall be in writing and shall be delivered to the dean of students or designee.
2. Composition: The Discipline Appeals Committee is composed of three (3) members: (a) the chair of the Faculty Senate; (b) the assistant provost for enrollment management; (c) the president of Student Government.
  3. Except as required to explain the basis of new information, an appeal shall be limited to review of the verbatim records of the Student Discipline Committee hearing and supporting documents for one or more of the following purposes:
    - a. To determine whether the Student Discipline Committee hearing was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures, giving the complaining party a reasonable opportunity to prepare and present evidence that the Student Code was violated, and giving the accused student a reasonable opportunity to prepare and to present a response to those allegations. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.
    - b. To determine whether the decision reached regarding the accused student was based on substantial information; that is, whether the facts in the case that, if believed by the fact finder, were sufficient to establish that a violation of the Student Code occurred.
    - c. To determine whether the sanction(s) imposed were appropriate for the violation of the Student Code that the student was found to have committed.
    - d. To consider new information, sufficient to alter a decision, or other relevant facts not brought out in the original hearing, because such information and/or facts were not known to the person appealing at the time of the original Student Discipline Committee hearing.
  4. If the Discipline Appeals Committee upholds an appeal, the matter may be returned to the original Student Discipline Committee for reopening of the Student Discipline Committee hearing to allow reconsideration of the original determination and/or sanction(s).
    - a. In cases involving appeals by students accused of violating the Student Code, the Discipline Appeals Committee may, upon review of the case, reduce but not increase the sanctions imposed by the Student Discipline Committee.
    - b. In cases involving appeals by persons other than the student(s) accused of violating the Student Code, the Discipline Appeals Committee may, upon review of the case, reduce or increase the sanctions imposed by the Student Discipline Committee.
  5. Following the appeal, the dean of students shall advise the accused student(s) in writing of the determination of the Discipline Appeals Committee and of the sanction(s) imposed, if any. A copy of the notification will be retained in the student's disciplinary record. Cases involving University suspension, expulsion, or revocation or withholding of a degree will be filed in the student's academic record.

## J. Exceptional Procedures

1. Interim Suspension
 

In certain circumstances, the dean of students or designee may impose a University or residence hall suspension prior to the hearing before the Student Discipline Committee. Interim suspension is an action requiring that a student immediately leave the campus and University property.

  - a. Interim suspension may be imposed only:
    - (a) to ensure the safety and well-being of members of the University community or preservation of University property; (b) to ensure the student's own physical or emotional safety and well-being; or (c) if the student poses an ongoing threat of disruption of or interference with the normal operations of the University. During the interim suspension, the student shall be denied access to housing facilities and/or the campus (including classes) and/or all other University activities or privileges for which the student might otherwise be eligible, as the dean of students or designee may determine to be appropriate.
    - b. Any student who is suspended on an interim basis and returns to the campus and University property during the suspension shall be subject to further disciplinary action and may be treated as a trespasser. Permission to be on campus for a specific purpose (e.g., to take an exam, to consult with the dean of students, or to participate in the disciplinary procedures) may be granted in writing by the dean of students or designee.
  2. Suspension from the Housing Facilities
 

The director of residence life or the dean of students

or designee may, when charges are served, suspend an accused student(s) from the housing facilities pending the hearing and determination thereof, whenever the continued presence of such a student would constitute a danger to the student or to the safety of persons or property in the housing facilities, or would pose a threat of disruptive interference with the normal conduct of housing facility activities and functions, or the seriousness of the charges warrants such action. The dean of students or designee shall grant an immediate review (by the end of the next business day after the suspension) on request of any student so suspended with respect to the basis for such a suspension, at which time the suspended student may have the right to present statements tending to show that the basis for the suspension from the housing facilities does not exist. Suspension may apply to all housing facilities, an individual residence hall/apartment, or any portion thereof.

3. Residence Hall/Temporary Reassignment and Restriction from Facilities

The director of residence life or the dean of students or designee may temporarily reassign a resident to another facility and/or restrict a resident from specific campus facilities pending an investigation and/or hearing whenever the continued presence of a resident in a particular campus facility would constitute a danger to the student or to the safety of persons or property in the housing facilities and campus facilities, or the seriousness of the allegations warrants such action. The director of residence life shall grant an immediate review (by the end of the next business day after the temporary reassignment and/or restriction) on request of any resident so reassigned and/or restricted with respect to the basis for such a reassignment and/or restriction.

4. Temporary Restriction from Personal Contact

The director of residence life or the dean of students or designee may temporarily restrict a student from any personal, verbal, written, telephone, electronic, and third-party contact with another person pending an investigation and/or hearing whenever the contact could constitute a danger to the person or to the safety of the person or property, or the seriousness of the allegations warrants such action. Any student so restricted may obtain an explanation of the basis for such restriction upon request.

5. Withdrawal Prior to Student Conduct Proceedings

The student who withdraws or fails to return to the University while disciplinary action is pending will be ineligible for readmission until the outstanding matter is resolved. The University reserves the right to formally restrict individual(s) from the campus

grounds while such action is pending. Any further readmission would require an appeal in writing to the dean of students or designee and approval by the dean of students or designee.

## K. Interpretation and Review

1. Any question of interpretation regarding the Student Code shall be referred to the dean of students or his/her designee for final determination.
2. The Student Code shall be reviewed every three (3) years under the responsibility of the dean of students with the input of an advisory team.

Adopted June 2006  
Revised August 2015



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Rev. 8.15