



## Student Code of Conduct

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## **Student Code of Conduct**

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## **I. Introduction and Purpose**

### **A. Preamble**

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, 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 students should uphold 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 online at [www.ltu.edu](http://www.ltu.edu).

### **B. Purpose**

The purpose of the Student Code of Conduct is to define the standards of student behavior and to ensure that all students have a safe and conducive learning environment. It also serves to protect the rights and responsibilities of all community members and to outline the procedures for addressing alleged violations.

## II. Student Rights and Responsibilities

### A. Student Rights

1. **Right to Fair Treatment** - Every student has the right to a safe and inclusive learning environment and to be treated with fairness and impartiality regardless of race, ethnicity, gender, sexual orientation, religion, disability, or socioeconomic status.
2. **Right to Due Process** - Students have the right to access and understand the Student Code of Conduct. Students have the right to be promptly informed of any alleged violations and to have a support person during disciplinary proceedings. Students have the right to a fair and impartial meeting and an appeal in accordance with the policies and procedures.
3. **Right to Privacy** - Students have the right to have their academic and disciplinary records kept confidential, shared only with authorized personnel and in compliance with applicable laws. Students have the right to privacy during investigations and hearings, ensuring that information is disclosed only to relevant parties. FERPA will be enacted to protect the student, see more information regarding FERPA throughout the Student Code of Conduct.

### B. Student Responsibilities

All students have the responsibility to uphold academic integrity at the University and to know and comply with all university policies, rules, and regulations and to be accountable for one's actions. All students have a responsibility to respect the rights and dignity of others and to contribute to the university community in a positive manner.

## III. Definitions

1. **University.** Lawrence Technological University.
2. **University Premises.** All land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the University, including adjacent streets and sidewalks.
3. **Student.** All persons admitted for enrollment at or through the University, both full-time and part-time, pursuing undergraduate, graduate, or doctoral 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 Student Code of Conduct violation, as well as individuals on University premises for any purpose relating to registration for enrollment), as well as professional, certificate and other educational programs. Persons who withdraw after allegedly violating the Student Code of Conduct, 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 of Conduct does apply at all locations of the University, including education centers in Michigan and centers in other states and foreign countries. Individuals are still considered students 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 the Student Code of Conduct until the point at which the student is required by the Office of Admissions to reapply for enrollment. High school students participating in a University program are also considered students.

4. **Faculty Member.** 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.
5. **University Official.** Any person employed by the University performing assigned administrative or professional responsibilities. 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.
6. **Member of the University Community.** Any person who is a student, faculty member, University official, or any other person employed by the University. A person's status in a situation shall be determined by the Dean of Students.
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. **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, musical or theatrical ensembles, sport clubs, the University newspaper, or intercollegiate or independent varsity athletic teams.
9. **Academic Misconduct Inquiry Form.** Form submitted by faculty member inquiring if a student has any prior academic misconduct violations.
10. **Academic Misconduct Violation Form.** Form submitted by faculty member or Dean of Students reporting an academic misconduct violation.
11. **Incident Reporting Form.** Form submitted by any member of the campus community reporting a suspected Student Code of Conduct violation.

12. **Plea Waiver Form.** Form sent to the respondent in which they accept the responsibility for the violation and sanctions or indicating their decision to appeal the violation and/or sanctions.
13. **Violation.** An act that goes against the established rules and regulations of the Student Code of Conduct.
14. **Level One Violation.**
  - a. Academic Misconduct. First violation in which the faculty member makes a decision on the violation and sanction.
  - b. Behavioral Misconduct. Minor infractions in which serious harm to people or property are not involved and the overall university community is not disrupted.
15. **Level Two Violation.**
  - a. Academic Misconduct. Second violation in which the faculty member makes a decision on the violation and sanction. Sanctions may be more severe than in Level One.
  - b. Behavioral Misconduct. Moderate to severe infractions that may include, but are not limited to, actions that harm others or disrupt the university community. May also include a respondent with multiple prior Level One violations.
16. **Level Three Violation.**
  - a. Academic Misconduct. A third or elevated violation in which the Dean of Students and other University Officials make a decision on the violation. Severe sanctions are implemented.
  - b. Behavioral Misconduct. Serious infractions of university policy that involve significant harm, threat, or disruption to others or the University community.
17. **Conduct Officer.** A University official appointed by the Dean of Students who is authorized to hold conduct meetings, make decisions on a case by case basis, and impose sanctions upon any student found in violation of the Student Code of Conduct.
18. **Dismissal.** A decision made by the Conduct Officer that the respondent did not violate the Student Code of Conduct.
19. **Educational Conversation.** A decision made by the Conduct Officer in which they feel the respondent may have violated the Student Code of Conduct but the behavior is too minor to process the case. Instead, a conversation is had with a verbal warning given to the respondent.
20. **Meeting.** A formal meeting that takes place between the faculty member and respondent or Conduct Officer and respondent in which a decision is made regarding a Student Code of Conduct violation and sanctions are given.

21. **Complainant.** Any person who submits a report alleging that a student (respondent) violated the Student Code of Conduct. There may be more than one complainant for an incident.
22. **Respondent.** Any student or registered student organization who has been reported for allegedly violating the Student Code of Conduct. There may be more than one Respondent for an incident.
23. **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.
24. **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.
25. **Appeals Review Officer.** A University official appointed, per the appeals process within the Student Code of Conduct Procedures, who is authorized to review an appeal request by the respondent. The decision of this University Official is final.
26. **Business Days.** Weekdays when the University is open for business, whether or not classes are in session.
27. **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.

#### **IV. Jurisdiction**

The Student Code of Conduct and student conduct process apply to 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 defined in the Section III.

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 Student Code of Conduct applies to behaviors that take place on the campus, on university premises, 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:

- A. 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
- B. 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
- C. Any situation that is detrimental to the educational mission and/or interests of the University.
- D. 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.

LTU community members are also responsible for their guests' behavior should the guest violate any University rule or regulation. While minors are welcome on campus as a guest of a student, they are not students of the university and are not subject to the Student Code of Conduct. The LTU student will bear the responsibility of their minor guest.

Alleged violations of federal, state, and local laws may also be investigated and addressed under the Student Code of Conduct. The University will resolve all cases involving alleged violations of the rules and regulations 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. 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 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, taking classes, or participating in.

The university reserves the right to search university property, including but not limited to dorm rooms, lockers, vehicles on university property, and digital devices, when there is reasonable cause to believe a violation of the Student Code of Conduct or law has occurred. This right is exercised to ensure the safety and security of the University community and to uphold institutional policies. Searches may be conducted by the Dean of Students, Executive Director of Campus Safety, or their designee.

The Student Code of Conduct 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. Students should understand that anything posted online, including but not limited to, on social media, blogs, websites, or chat rooms, is considered public and not private. The Student Code of Conduct may be used to address online behavior that may violate the rules and regulations. 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 Student Code of Conduct, with two notable exceptions:

- A. 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
- B. 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 Student Code of Conduct; 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 Office of the Dean of Students, Campus Safety, or both.

University email is the University's primary means of communication with students. Students are responsible for all communication delivered to their University email address, including all correspondence delivered to university email through Maxient, the University's conduct management system. These Maxient notifications should be treated as official University communication.

## **V. Student Code of Conduct Authority**

The Dean of Students serves as the primary conduct administrator, as designated by the Vice President for Academic Affairs and Provost. In this capacity, the Dean of Students is responsible for the development and implementation of policies and procedures for the administration of the Student Code of Conduct. The Dean of Students is responsible for notifying the University community of substantial changes to this policy.

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

## VI. Rules and Regulations

The University considers the behavior described in the following sub-sections to be in opposition to the core values set forth in the Student Code of Conduct. It is a violation of the following rules and regulations 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 Student Code of Conduct. Allowing, permitting, or providing an opportunity for a guest to violate these rules and 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 the rules and regulations is not a defense to a violation. 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.

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 source. Prohibited behaviors includes, but is 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 permission of the instructor.
  - 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, any electronic device; course textbooks, articles, cheat sheets, generative AI engines, other print sources; and/or looking at another individual's current or previous academic work. This includes submission of materials acquired from an external or commercial source (e.g. 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 ADA assistance (e.g. seeing-eye dogs) are not permitted on campus except as permitted by law. Students within University Housing may have an exception per the emotional support animal policy. Faculty, staff, and other University Officials approved may also have an exception to this policy.
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, nunchucks, 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. Discrimination and Bullying.** Physical abuse, verbal abuse, threats, intimidation, harassment, coercion, stalking, and hate crime acts that are intentional to threaten or endanger the health and safety of any person.
- 7. Disorderly Conduct.** Any 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 recording of any person while on University premises without his/her knowledge, or without his/her effective consent. This includes but is not limited to surreptitiously taking pictures of another person in a gym, locker room, or restroom.
- 8. 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.
- 9. 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.
- 10. Election Tampering.** Tampering with the election of any student group or registered student organization.
- 11. Endangerment.** Actions that endanger the student, the University or local community, the academic process, or cause harm to oneself or others.
- 12. 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.
- 13. 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.
- 14. Falsification.** Forging, altering, or misusing any document, record, account, computer account, digital product, or instrument of identification.
- 15. Fraudulent Identification.** Manufacturing, distributing, delivering, selling, providing, purchasing, using, or possessing any form of fraudulent identification.
- 16. 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.
- 17. 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, telephones or an emergency call box.

**18. 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.

**19. 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.

**20. 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.

- 21. Public Exposure.** Includes deliberately and publicly exposing one's intimate body parts, public urination, defecation, and public sex acts.
- 22. 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.
- 23. 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.
- 24. Sexual Misconduct.** Engaging in behavior that is severe, pervasive, and objectively offensive that 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](#).
- 25. 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.
- 26. Theft/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.
- 27. 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.

- 28. 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.
- 29. 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.
- 30. Vehicular Misconduct.** Obstruction of the free flow of pedestrian or vehicular traffic on University premises or at a University sponsored or supervised function. Any violation of any regulations outlined in the Campus Safety Guide.
- 31. 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.
- 32. 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).

## **VII. 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 Campus Safety 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 registered 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 registered 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 registered 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, the Dean of Students or designee will not pursue disciplinary violations related to the impermissible drug or alcohol use against any of the involved student(s).

## **VIII. Student Code of Conduct Procedures**

### **A. Academic Misconduct**

It is the responsibility of every faculty member, student, administrator, and staff member of the University community to uphold and maintain the academic standards and integrity of Lawrence Technological University. Any member of the University community who has reasonable suspicion of an academic misconduct violation has an obligation to report the alleged violation.

Faculty members of credentialed programs, including but not limited to, the Physician Assistant and Nursing, should know that the the Student Handbook of the program takes precedence over the procedures outlined below due to accreditation and licensure requirements.

**Procedures to report violations and the process thereafter are as follows:**

- 1. Academic Misconduct Inquiry.** The faculty member should email the Office of the Dean of Students at [studean@ltu.edu](mailto:studean@ltu.edu) for the office to verify if the respondent has had any prior academic misconduct violations. The email must include the student's name and banner ID.
  - a. A violation only counts if it was reported and the student was found responsible. Prior situations in which a faculty member believes the student was responsible for academic misconduct but does not report, cannot be taken into account when deciding the level of the violation.
- 2. Misconduct Verification.** If a student is found to have none or one violation, the faculty member is responsible for meeting with the respondent and making the decision on if the respondent is responsible for violating the academic misconduct policy. If the respondent is found to have two prior violations, the violation is then processed by the Dean of Students and the dean of the academic college.
- 3. Level One and Level Two Violations Procedures.** If a student has one or less prior violations, the faculty member is responsible for processing the violation with the respondent.
  - a. The faculty member must inform the respondent of the alleged violation in writing.

- b. The respondent has an opportunity to respond to the faculty member regarding the allegation. This must be done within five business days.
  - c. The faculty member and respondent should meet to discuss the violation, responsibility, and sanctions if necessary.
  - d. The faculty member is responsible for deciding if the respondent is responsible or not responsible and working with the respondent on a reasonable sanction for the violation.
  - e. The faculty member should complete the [Academic Misconduct Violation form](#) to report the violation. The form allows the faculty member to report if the respondent is taking responsibility and accepting the sanction or if the respondent intends to appeal the decision.
  - f. The Dean of Students will process the violation by completing the following:
    - i. Confirm with the respondent that they are taking responsibility for the violation and accept the sanction via a Plea Waiver form. The respondent has five business days to submit the Plea Waiver form.
    - ii. If the respondent accepts the violation and the sanction, a formal letter of the violation along with the Academic Integrity module will be sent to the respondent.
    - iii. Report the violation to the Office of the Registrar.
    - iv. If the respondent does not accept responsibility for the violation or sanction, the appeals process will be followed, outlined in Section 5a.
  - g. If the respondent is found not in violation, the allegation will be dismissed. Nothing will be noted on the student's record.
  - h. If the respondent does not respond to the faculty member or the Dean of Students within five business days, it is assumed that the respondent forfeits their right to converse with the faculty member to discuss the violation and assumption of responsibility will be assumed. The respondent also forfeits their right to an appeal.
  - i. If a Faculty member deems it appropriate, a Level One or Level Two case may be elevated to the Dean of Students for review and a decision to move the case to Level Three.
- 4. Level Three Violation Procedures.** If a student has two prior violations of academic misconduct, the violation will be processed by the Dean of Students.
- a. The Dean of Students will notify the respondent in writing of the third academic misconduct violation.

- b. A meeting will be scheduled with the Dean of Students, Dean of the academic college or their designee, and the respondent to review the violation.
- c. The Dean of Students and Dean of the college will make a decision on responsibility and will impose the appropriate sanction for the violation if necessary.
- d. If the respondent takes responsibility and agrees to the sanction, the Dean of Students will process the violation by completing the following:
  - i. Confirm with the student that they are taking responsibility for the violation and accept the sanction via a Plea Waiver form. The respondent has five business days to submit the Plea Waiver form.
  - ii. If the respondent accepts the violation and the sanction, a formal letter of the violation will be sent to the respondent.
  - iii. Report the violation to the Office of the Registrar.
  - iv. If the respondent does not accept responsibility for the violation, the appeals process will be followed, outlined in Section 5b.
- e. If the respondent is found not in violation, the allegation will be dismissed. Nothing will be noted on the student's record.
- f. If the respondent does not respond to the Dean of Students within five business days, it is assumed that the respondent forfeits their right to the meeting to discuss the violation and assumption of responsibility will be assumed. The respondent also forfeits their right to an appeal.

## **5. Appeals.**

The respondent has the opportunity to appeal one time per violation.

### **a. Grounds for appeals.**

- i. A procedural or substantive error occurred that significantly impacted the outcome of the hearing (e.g., substantiated bias, material deviation from established procedures).
- ii. To consider new evidence, unavailable during the original 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.
- iii. 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.

- b. Level One and Level Two.** Appeals Review Officer for Level One and Level Two violations are heard by the Dean of Students or their designee.
- i. A student may only appeal by stating they want to do so via the Plea Waiver form which must be submitted within five business days of when the student receives it. Any additional statements or evidence should be uploaded when submitting the letter.
  - ii. The Appeals Review Officer will inform the faculty member of the student's appeal and will ask for any additional information or evidence.
  - iii. The Appeals Review Officer will review all evidence submitted by the faculty member and the respondent and will make a final determination of responsibility.
  - iv. The faculty member and the student will be notified via email of the final decision.
    1. The respondent should still attend the course until a final decision is made.
  - v. If the respondent is found responsible, procedures in 3f will be followed.
  - vi. If the respondent is found not responsible, the case will be dismissed. Nothing will be noted on the student's record.
- c. Level Three.** Appeals Review Officer for Level Three appeals are heard by the Vice President of Academic Affairs and Provost or their designee.
- i. A student may only appeal by stating they want to do so via the Plea Waiver form which must be submitted within five business days of when the student receives it. Any additional statements or evidence should be uploaded when submitting the letter.
  - ii. The Dean of Students will inform the Appeals Review Officer of the student's appeal.
  - iii. The Dean of Students will inform the Dean of the college and the faculty member of the student's appeal and will ask for any additional information or evidence.
  - iv. The Dean of Students will collect all evidence and provide it to the Appeals Review Officer for review. The Appeals Review Officer will make a final determination of responsibility and will notify the respondent, the Deans and the faculty member of the decision.
    1. The respondent should still attend the course until a final decision is made.

- v. If the respondent is found responsible, procedures in 3f will be followed.
- vi. If the respondent is found not responsible, the case will be dismissed. Nothing will be noted on the student's record.

### **Sanctions.**

- 1. Level One and Level Two.** Sanctions for Level One and Level Two violations may include the following:
  - a. Failing the assignment, exam, etc.
  - b. Grade reduction in the course
  - c. Assignment of reasonable additional work or alternative work
  - d. Failure of the course
  - e. Any other reasonable, agreed upon sanction between the faculty member and the respondent
- 2. Level Three.** Sanctions for Level Three violations may include the following:
  - a. Any of the sanctions for a Level One or Level Two Violation
  - b. Academic suspension for a length of time deemed necessary by the Dean of Students and Dean of the college
  - c. Academic expulsion

### **Classroom Management**

Faculty 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 faculty's performance of their professional functions or that undermines the integrity of student learning will not be tolerated.

If disruption occurs, the faculty member 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 should be provided to the Office of the Dean of Students to be maintained 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, the Dean of Students may charge the student with a violation of the Student Code of Conduct.

## **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 will result in an academic misconduct violation.

## **B. Behavioral Misconduct**

It is the responsibility of all students to uphold and maintain the standards and integrity of Lawrence Technological University. All suspected violations of the rules and regulations should be reported. Respondents are entitled to a support person during the process. The University uses the preponderance of the evidence standard when making decisions regarding Student Code of Conduct violations. This means that for a student to be found responsible for a violation, the evidence must show it is more likely than not that the violation occurred.

### **Procedures to report violations and the process thereafter are as follows:**

- 1. Reporting a Violation.** A person may report a suspected violation via the [Incident Reporting form](#).
- 2. Incident Review.** Any incident report submitted will be directed to the proper office and individuals for review. The person directed to review the incident becomes the Conduct Officer of the case. The Conduct Officer who receives the report will decide if the report needs to be followed up on and processed according to the Student Code of Conduct.
  - a.** When the Conduct Officer receives information that a student has allegedly violated any University rules, regulations, or local, state, or federal law, the Conduct Officer will investigate the potential violation(s) and determine whether further action is necessary. After completing a preliminary investigation, the Conduct Officer may:
    - i.** Find no basis for the complaint and dismiss the allegation  
OR
    - ii.** Contact the respondent for a meeting that will result in one of the following:
      1. Dismiss the allegation(s)
      2. Educational conversation
      3. Charge the respondent with violations of the Student Code of Conduct
- 3. Level One Violation Procedures.** Level One violations are minor infractions that are often unintentional or result from a lack of awareness of university policies. Serious harm to people or property are not involved and the overall university community is not disrupted. Conduct Officers for

Level One violations tend to be University Housing Residence Hall Coordinators.

- a. If the preponderance of evidence is more likely than not that the student is in violation, the Conduct Officer will find the respondent in violation of the Student Code of Conduct and will issue a written warning sanction.

OR

- b. The Conduct Officer will request a meeting with the respondent via a Maxient letter. The letter will include potential Student Code of Conduct violations. The respondent has five business days to open the letter and schedule a meeting with the Conduct Officer. The meeting only needs to be scheduled, it does not need to occur within five business days. Failure to schedule a meeting will result in the Conduct Officer scheduling a meeting on the respondent's behalf based on their class schedule.
  - i. During the meeting, the Conduct Officer will:
    - 1. Get additional information from the respondent about the incident.
    - 2. Discuss Student Code of Conduct violations.
    - 3. Discuss disciplinary sanctions if the respondent is found responsible.
    - 4. Make a determination if the respondent is responsible or not for a violation(s) of the Student Code of Conduct.
    - 5. Discuss and agree upon sanctions with the respondent.
    - 6. Notify the respondent that they will receive a Plea Waiver form in which they have five business days to accept the violation and agreed upon sanctions or to appeal the decision and/or sanctions.
  - ii. If needed, the Conduct Officer may schedule another meeting with the respondent, if more information needs to be gathered before making a decision on the violation(s).
  - iii. If the respondent is found not responsible, the case is dismissed. Nothing will be noted on their student record.
  - iv. If the respondent fails to show for their scheduled meeting, the Conduct Officer has the right to hear the case without the respondent and make a decision of responsibility and issues sanctions. If this occurs, the respondent forfeits their right to appeal the decision.

**4. Level Two Violation Procedures.** Level Two violations are moderate to severe infractions that may include, but are not limited to, actions that harm others or disrupt the university community. Level Two violations may be Level One violations, however the respondent may have prior Level One violations. Level Two Conduct Officers tend to be the Director of Residence Life or the Associate Dean of Students.

a. The Conduct Officer will request a meeting with the respondent via a Maxient letter. The letter will include potential Student Code of Conduct violations.

i. During the meeting, the Conduct Officer will:

1. Get additional information from the respondent about the incident.
2. Discuss Student Code of Conduct violations.
3. Discuss disciplinary sanctions if the respondent is found responsible.
4. Make a determination if the respondent is responsible or not for a violation(s) of the Student Code of Conduct.
5. Discuss and agree upon sanctions with the respondent.
6. Notify the respondent that they will receive a Plea Waiver form in which they have five business days to accept the violation and agreed upon sanctions or to appeal the decision and/or sanctions.

ii. If needed, the Conduct Officer may schedule another meeting with the respondent, if more information needs to be gathered before making a decision on the violation(s).

iii. If the respondent is found not responsible, the case is dismissed. Nothing will be noted on their student record.

**5. Level Three Violation Procedures.** Level Three violations are serious infractions of university policy that involve significant harm, threat, or disruption to others or the University community. Level Three Conduct Officers tend to be the Dean of Students or Associate Dean of Students.

a. The Conduct Officer will request a meeting with the respondent via a Maxient letter. The letter will include potential Student Code of Conduct violations.

i. During the meeting, the Conduct Officer will:

1. Get additional information from the respondent about the incident.
2. Discuss Student Code of Conduct violations.
3. Discuss disciplinary sanctions if the respondent is found responsible.

4. Make a determination if the respondent is responsible or not for a violation(s) of the Student Code of Conduct.
  5. Discuss and agree upon sanctions with the respondent.
  6. Notify the respondent that they will receive a Plea Waiver form in which they have five business days to accept the violation and agreed upon sanctions or to appeal the decision and/or sanctions.
- ii. If needed, the Conduct Officer may schedule another meeting with the respondent, if more information needs to be gathered before making a decision on the violation(s).
  - iii. If the respondent is found not responsible, the case is dismissed. Nothing will be noted on their student record.

## **6. Appeals**

All behavioral misconduct appeals will follow the same process outlined below, however the appeals review officer will elevate by the level of violation. The respondent has the opportunity to appeal one time per violation.

### **a. Grounds for appeals.**

- i. A procedural or substantive error occurred that significantly impacted the outcome of the hearing (e.g., substantiated bias, material deviation from established procedures).
- ii. To consider new evidence, unavailable during the original 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.
- iii. 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.

### **b. Appeals Process.**

- i. A student may only appeal by stating they want to do so via the Plea Waiver form. After receiving the Plea Waiver form from the Conduct Officer, the respondent has five business days from the date they received it, to state they want to appeal the decision and/or sanctions. Any additional statements or evidence should be uploaded when submitting the letter.

- ii. The Appeals Review Officer reviewing the appeal will gather all information from the respondent and the Conduct Officer. While reviewing the case, the Appeals Review Officer may reach out to the respondent or the original Conduct Officer for more information, only if necessary to make a decision.
- iii. After review, the Appeals Review Officer will notify the respondent and the original Conduct Officer of the final decision. The respondent will receive a final letter of determination that will include sanctions if the respondent is found responsible via Maxient.
- iv. If the respondent is found not responsible, the case will be dismissed. Nothing will be noted on the student's record.

**c. Appeals Review Officers.**

- i. **Level One.** Level One appeals are heard by the Director of Residence Life or their designee.
- ii. **Level Two.** Level Two appeals are heard by the Associate Dean of Students or their designee.
- iii. **Level Three.** Level Three appeals are heard by the Vice President for Academic Affairs and Provost or their designee.

**7. Sanctions**

Sanctions are designed to foster personal growth and an understanding of the University community's values. One or more of the following sanctions may be imposed for violations of the rules and regulations of the Student Code of Conduct.

- a. **Warning.** An official written notice that the respondent has violated University policy, procedure, rule, or regulation and that more severe actions will result should the respondent be involved in other violations while the respondent is enrolled at the University.
- b. **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.
- c. **Community/University Service.** For a respondent to complete a specific supervised community/University service.
- d. **Loss of Privileges.** The respondent will be denied specified privileges for a designated period of time.

- e. **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.
- f. **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.
- g. **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.
- h. **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.
- i. **University Housing Reassignment.** Reassignment to another University Housing facility. University Housing staff will decide on the reassignment details in consultation with the Dean of Students or designee.
- j. **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 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 Residence Life and the Dean of Students or designee. This sanction may include restrictions on visitation to specified buildings or all University housing during the suspension.
- k. **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.

- l. 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.
- m. 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:
  - i. Ineligibility to hold any office in any student group or registered student organization or hold an elected or appointed office at the University; or
  - ii. 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.
- n. 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.
- o. 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.

- p. **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.
- q. **Other Sanctions.** Additional or alternate sanctions may be created and designed as deemed appropriate.

## IX. Interim Measures

Under the Student Code of Conduct, the Dean of Students or designee may impose restrictions and/or separate a respondent from the community pending the scheduling of a meeting of an alleged violation(s) of the Student Code of Conduct 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, 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 business days to email a written request for a meeting with the Dean of Students or designee. Upon receipt of a meeting request, the Dean of Students or designee will schedule a meeting within three 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 meeting 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 Provost 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 that they are no longer necessary.

## **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.

The Athletic Director may be notified if a player is found responsible for violating the Student Code of Conduct, in which they will deem if it necessary to notify the coach of the student.

## **XI. Records**

The Conduct Officer 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 Student Code of Conduct culminating in suspension or expulsion;
- B. A respondent has been given interim restrictions pending an investigation and resolution of alleged violations of the Student Code of Conduct;
- C. A respondent has failed to schedule or attend a required University conduct meeting; 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 the Office of the Dean of Students 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 Review**

The Dean of Students or designee will develop procedural rules for the administration of the Student Code of Conduct. 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 Student Code of Conduct. The Dean of Students may make or approve minor modifications to procedures that do not materially jeopardize the fairness owed to any party. Any question of interpretation of the Student Code of Conduct will be referred to the Dean of Students or designee, whose interpretation is final. The Student Code of Conduct will be reviewed and updated (if necessary) annually under the direction of the Dean of Students with a comprehensive review being conducted every three (3) years. This Student Code of Conduct is not intended to convey any rights beyond those framed by the background laws governing such codes, generally.