



University Student Code of Conduct

Northeastern Illinois University exists for the transmission of knowledge, the pursuit of truth, the development of students, and the general well being of society. Free inquiry and free expression are indispensable to the attainment of these goals. As members of the academic community, students are encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth.

Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and within the larger community. All those involved in the teaching/learning process should exercise their freedom with responsibility. Students have the responsibility to know and act in accordance with the rules, policies, and regulations that govern our University. Any student who violates the University's rules, policies, and regulations will be subject to a conduct proceeding. In addition, at all times students are expected to act ethically and in a manner that is appropriate and reflects the core values of Northeastern Illinois University, which include Integrity, Excellence, Access to Opportunity, Diversity, Community, and Empowerment Through Learning. The Student Conduct Code is implemented within a culturally diverse environment that stresses fairness and equal access. **All Students are Guaranteed the Right of Due Process.**

Student Conduct Code Disciplinary Proceeding

Conduct proceedings are administrative, and accordingly, will not be governed by strict rules of documentation as applicable in a court of law. The University Student Code of Conduct is administered as a University procedure to process potential violations of misconduct and is distinct from criminal and civil litigation. Certain Conduct Code violations that also violate city, state, or federal laws may, additionally, be processed in a court of law. The standard of proof required to find a student in violation under the University Student Code of Conduct is "more likely than not". Cited misconduct violation(s) will be governed by the procedures outlined within the University Student Code of Conduct as outlined below. However, in the event that a student's behavior causes or threatens to cause harm to the student, other persons, or property, or creates a pattern of extreme disruption, or indicates an extreme inability to cope with his/her own needs, and also suggests the possibility of a mental disorder, the policy on *Involuntary Student Withdrawal* will be used to determine: a) whether or not, from the available information, a student is suffering from a mental disorder and b) the appropriate course of action.

Both academic and non-academic misconduct proceedings may be initiated as the result of a single event or series of events. The student and the person reporting the violation(s) must submit reporting forms and any supporting documentation to the Conduct Coordinator in the Student Rights & Responsibilities Office. Supporting documents should be of the kind that responsible persons are accustomed to rely on in serious matters. All documents submitted will be treated as confidential outside applicable use for the conduct process.

Upon submission of a misconduct report, a temporary hold may be placed on the referred student's academic records by the Student Rights and Responsibilities Office. The hold will be removed at the conclusion of the conduct proceeding. No changes to the student's academic records will be permitted during this period without the approval of the Director or designee. This does not prevent the student from examining his or her academic records. The student will be notified of the placement and removal of the hold, along with all relevant University personnel. Inquiries regarding referring a student for the misconduct process should be directed to the Student Rights and Responsibilities Office.

Acts of Misconduct

A student is subject to University conduct proceedings for participating in the following acts of misconduct.

Academic

Academic misconduct is a violation of the University Student Code of Conduct. Acts of academic misconduct include, but are not limited to:

1. **Cheating.** Use or attempted use of any unauthorized assistance in taking an exam, test, quiz, or other assignment. (Please note, cheating on exams includes all required University, state, and/or national assessment exams.)
2. **Encouraging Academic Dishonesty.** Intentionally or knowingly helping or attempting to persuade and/or influence another to violate the University's rules, policies, and regulations governing academic integrity.
3. **Fabrication.** Deliberate falsification or design of any material or excerpt in an academic assignment or exercise.
4. **Plagiarism.** Appropriation or imitation of the language, ideas, and thoughts of another author and representation of them as one's original work. This includes (1) paraphrasing another's ideas or conclusions without acknowledgement; (2) lifting of entire paragraphs, chapters, etc. from another's work; and (3) submission as one's own work, any work prepared by another person or agency.

If the student's observed conduct or apparent behavior leads the faculty member to believe there was academic misconduct, the faculty member may adjust the grade downward (including F - failure) for the test, paper, or course, or other course-related activity in question. In such instances the faculty member will notify the student, the Department/Unit Head, the dean of the appropriate College as well as the Student Rights and Responsibilities Office of the reason for such action in writing via the "Academic Misconduct Reporting Form." The student has the right to appeal the grade (see Grade Appeal Policy).

If the faculty member perceives that the academic misconduct requires additional or other action (beyond adjusting the grade downward for the test, paper, or course or other course-related activity), she/he will make a referral for conduct proceedings via the "Academic Misconduct Reporting Form". The reporting form should be delivered to the Conduct Coordinator in the Student Rights & Responsibilities Office. **NOTE:** Should conduct proceedings be initiated, and should there be a formal hearing, the Hearing Administrator, will notify in writing the appropriate chair and dean of the outcome.

Non-Academic

Non-academic misconduct is an act that violates the University's rules, policies, and regulations while on campus, as well as during off-campus functions sponsored or supervised by the University. Violations of this type include but are not limited to:

1. Furnishing false information to the University.
2. Forgery, alteration, misuse or misrepresentation of documents or records.
3. Obstruction or disruption of authorized University activities and functions on or off campus. In instances of perceived disruption within classrooms, when faculty want to file a report against a student they must utilize the *Classroom Disruption Policy* found in the *Student Handbook* or the *Policy and Procedures Guide* available in Student Rights and Responsibilities. (See *University Policy and Procedures: Classroom Disruption Policy*). The University Student Code of Conduct may be employed for perceived

violations of classroom disruption when either the faculty member or department head determines that further action is necessary. (See the Policy and Procedures document for details.)

4. Physical abuse of another person or conduct which threatens or endangers another.
5. Theft of property, possession of stolen property, or damage to property of the University, a member of the University community, or a visitor to the campus.
6. Unauthorized entrance into or use of University facilities.
7. Violation of University regulations including, but not limited to, registration of organizations, manner and place of public expression.
8. Manufacture, delivery, sale, use, possession, or distribution of either narcotic or dangerous drugs, except as permitted by law and University regulations.
9. Possession, consumption, or distribution of alcoholic beverages on University property or at University sponsored activities except in accordance with the University policy.
10. Lewd, obscene, or disruptive conduct, or racial/ethnic, homophobic or other legally prohibited harassment.
11. Unauthorized possession of weapons.
12. Failure to comply with the direction of any authorized University representative, acting appropriately in the performance of his/her duties.
13. All forms of hazing.
14. Intentionally intimidating, impelling, threatening, or humiliating any member of the University community through conduct that violates the *University's Policy on Sexual Harassment*, including prohibited conduct caused by homophobia.
15. Violation of the terms of any misconduct sanction imposed in accordance with this Policy.
16. Behavior which causes or threatens to cause harm to the student, other persons, or property, or creates a pattern of extreme disruption, or indicates an extreme inability of a student to cope with her/his own needs, and also suggests the possibility of a mental disorder. In such instances, the *Policy on Involuntary Administrative Withdrawal* will be used to determine: a) whether or not, from the available information, a student is suffering from a mental disorder, and b) the appropriate course of action.
17. Misuse or unauthorized use of computer technologies, including hardware, software, computer interfaces, University databases, internet and electronic-mail applications, et cetera. This section also applies to potential violations of academic misconduct where computer technologies were utilized.
18. Other violations of law.

Initial Conference

When a student is cited in a Misconduct Report for violating the University's rules, policies, and/or regulations, and if the potential conduct may result in the imposition of a misconduct sanction, an Initial Conference will be conducted by the Conduct Coordinator to determine whether further proceedings are required.

()Misconduct reports must be submitted in writing to the Conduct Coordinator in the Student Rights and Responsibilities Office. The report must be submitted within 45 working days of the detection of the potential misconduct, exclusive of periods when classes are not in session. This time limit does not apply to reports filed under the NEIU discrimination grievance procedure with the Outreach and Equal Employment Office.*

1. Initial Conference

- 1.1 The Conduct Coordinator will initiate an inquiry, which includes an Initial Conference with the student to help the student understand the violations for which he/she has been cited as well as the student's rights and options for moving forward in the misconduct process.
- 1.2 The Conduct Coordinator may include in the Initial Conference the person who submitted the misconduct report.
- 1.3 The student will be given at least five (5) working days' notice to appear for the conference.
- 1.4 The notice will contain information on:
 - a. the potential conduct code violation
 - b. the nature of documentation submitted and by whom
 - c. the time and place of the Initial Conference
- 1.5 Failure of the student to appear at the Initial Conference or to contact the Conduct Coordinator will result in a default determination of the student being in violation of the code of conduct. In such instances, a referral will be made to the Hearing Administrator who may take action without hearing the student.
- 1.6 Failure of the person reporting to appear at the Initial Conference or to contact the Conduct Coordinator will, by default, constitute the student being found not responsible for violating the conduct code.
- 1.7 Upon request, the student may see file all documents or statements prior to or during the scheduled Initial Conference.
- 1.8 At the conclusion of the Initial Conference, the Conduct Coordinator, within a period of five (5) working days, will decide:
 - a. no further action will be taken at that time. If new and pertinent information is later presented, further consideration may be required **or**,
 - b. the final resolution, sanction and follow-up. This will occur in less serious matters if the student takes responsibility for the violation and agrees with the Conduct Coordinator as to an appropriate sanction of either Official Warning or Misconduct Probation, which may include restitution, and/or additional restrictions and or requirements **or**,
 - c. further action will be taken through the formal hearing process. Such a decision will be made if the student denies responsibility for the cited violation(s), or when circumstances require referral to a conduct hearing. These circumstances include more serious conduct violations and all academic misconduct violations. In such instances, the student may elect to have the proceedings conducted by: the Hearing Administrator or the Student Conduct Hearing Panel.

- d. If the student refuses to select how she/he wants the proceedings conducted, it will be heard by the Hearing Administrator.

Conduct Hearing

2. Hearing Administrator or Student Conduct Hearing Panel (based upon student's request)

- 2.1 The Conduct Hearing Administrator, **or**
- 2.2 The Student Conduct Hearing Panel. The Hearing Administrator chairs this panel composed of six (6) students selected by the Student Government Association and three (3) faculty selected by the Faculty Senate. A majority of the Hearing Panel must be present for the hearing to be convened. If a majority is not present, the hearing will be continued to another date to be scheduled as soon as possible.
- 2.3 The Hearing Administrator will conduct a fair and impartial hearing to determine whether or not the cited violation(s) is sustained.

3. Procedure

- 3.1 The Hearing Administrator will schedule and convene a hearing with the student and the reporting person within fifteen (15) working days following the Initial Conference or as soon as is reasonably possible. The hearing will be closed unless otherwise determined by the Hearing Administrator. The student and the reporting person will be notified in writing of the date, time, and place of the scheduled hearing.
- 3.2 The student reporting person should be present at the hearing. Both will have an opportunity to speak and ask questions.
 - a. If the student fails to appear, the Hearing Administrator may proceed without information from the student.
 - b. If the reporting person fails to appear, the Hearing Administrator may proceed without that person.
 - c. The student cited and reporting person may request one postponement. Such postponement must be applied for in writing at least forty-eight (48) hours prior to the hearing and will only be granted with good reason at the discretion of the Hearing Administrator.
- 3.3 Either student cited or reporting person may bring an advisor to the hearing. In such instances, the Hearing Administrator must be provided, in writing, the name of the advisor at least forty-eight (48) hours prior to the hearing. The advisor's participation is expressly limited to offering advice to their respective student(s) cited.
- 3.4 Either the student cited or the reporting person may bring individuals who observed the incident(s) to the hearing to testify and each student cited may ask questions of the individuals called by the other who observed the incident(s).
 - a. The Hearing Administrator must receive the name(s) of the individuals who observed the incident(s) in writing at least forty-eight (48) hours prior to the hearing.
 - b. This listing must also include a short description of the information to be presented by each proposed individuals who observed the incident(s).

- c. The Hearing Administrator may exclude individuals who observed the incident(s) if the information to be presented is repetitive or not relevant to the potential violation.
- d. **Note:** It is the responsibility of those involved to inform individuals who observed the incident(s) of the date, time, and place of the hearing. It is also the responsibility of those involved to inform individuals who observed the incident(s) of any changes in date, time, and/or place of the hearing.
- 3.5 If the hearing is conducted by the Hearing Panel, the following procedures will be followed:
 - a. At the conclusion of the presentation of documentation and question and answer period, everyone present except the Hearing Panel and Hearing Administrator will be excused and the Hearing Panel will conduct a closed session for deliberation.
 - b. A simple majority vote of the Hearing Panel is needed to find the cited student in violation of the code of conduct. The Hearing Administrator will vote to break a tie.
 - c. This Panel will prepare and submit to the Hearing Administrator written findings of fact, and a recommendation of its decision regarding the cited violation(s) and sanction, if any.
 - d. The Hearing Administrator will determine whether to impose the Panel's recommendation or modify it.
- 3.6 In order to find a student in violation of the Student Code of Conduct, the information revealed during the hearing and used for the determination must indicate, at the least, the student "more likely than not" violated the code of conduct.
- 3.7 If the student is found in violation, the Hearing Administrator will decide the appropriate sanction as described under the Misconduct Sanctions.
- 3.8 Any prior sanctions imposed on the student in question shall be duly noted in the recommendation or determination of an appropriate sanction(s) for subsequent violations.
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- 3.9 The Hearing Administrator shall notify all appropriate individuals involved of his/her decision in writing within ten (10) working days or as soon as is reasonably possible thereafter.

Appeal Process

4. Appeal Process

- 4.1 Sanctions remain in effect during the appeal process.
- 4.2 The student who has been found in violation may appeal the decision in writing to the Director of the Student Rights and Responsibilities Office (who serves as Appeals Administrator) within ten (10) working days following the notification of the misconduct sanction.
- 4.3 The student will support the appeal by an accompanying statement specifying the grounds for the appeal and setting forth in detail the facts upon which the appeal is based. The issues to be reviewed on appeal will be limited to whether:
 - a. The decision is correct,
 - b. The sanction is appropriate and/or,

- c. The proper procedures were followed.
- 4.4 The Appeals Administrator will consider the record of the hearing together with any written material in the file and/or may solicit information from others.
- 4.5 The Appeals Administrator may dismiss the case, call for a re-hearing by the Student Conduct Hearing Panel (see 2.2) or modify the misconduct sanction.
- 4.6 The Appeals Administrator will notify those involved in writing of the results of the appeal within ten (10) working days of receipt of the appeal or as soon as is reasonably possible.
- 4.7 The Appeals Administrator's decision will be final.

Misconduct Sanctions

Students found to have committed an act(s) of misconduct may be subject to any of the following sanctions which will take effect immediately upon imposition, unless otherwise stated in writing. When appropriate, any sanction may include restitution.

1. **Official Warning** - notification that the student has committed an act(s) of misconduct and warning that another violation of the Student Code of Conduct may result in the imposition of a more serious sanction. Some restrictions may be imposed.
2. **Misconduct Probation** - a misconduct status which does not interfere with the student's right to enroll in and attend classes, but which includes some restrictions and/or requirements for a specific period of time as determined in the particular case.
3. **Suspension** - a denial of the privilege of continuing or enrolling as a student and denial of any and all rights and privileges conferred in student status for a specified period of time. Additional restrictions and/or requirements as determined in the particular case may be imposed. At the termination of the suspension, and fulfillment of any restrictions and/or requirements that were imposed, the student will be entitled to resume her/his education without meeting any special academic entrance requirements.
4. **Expulsion** - a permanent denial of the privilege of continuing or enrolling as a student and permanent denial of any and all rights and privileges conferred in student status.

Note: If it is perceived that the student has not complied with an imposed sanction, the Hearing Administrator will be notified in writing. The Conduct Hearing Administrator will schedule and conduct a formal hearing following Sections 2.1 - 3.9 of this policy to determine whether or not the student is in compliance with the imposed sanction. If the result of this review confirms that a sanction has been violated, the Hearing Administrator may impose a more severe sanction. The student may appeal the Hearing Administrator's decision according to the appeal provisions of the policy: Sections 4.1 - 4.7.

Immediate Temporary Sanctions

In the event of misconduct which causes or threatens to cause bodily injury or property damage, or which obstructs or disrupts University activities or authorized activities on the campus, the Student Rights and Responsibilities Office may immediately impose an immediate temporary sanction. If requested by the student in writing, the Hearing Administrator will convene the Student Conduct Hearing Panel to consider the continued imposition of the temporary sanction. The Panel will hear the case within forty-eight (48) hours after the filing of such request, or as soon as is reasonably possible. The Panel may affirm the Appeals Administrator's decision or recommend to the Vice President for Student Affairs its modification or grant appeal, in which case the Vice President for Student Affairs will make the final decision and notify the student in writing.

Additional Information

Copies of the University Student Code of Conduct as well as other University policies and procedures pertaining to students are available in the Student Rights and Responsibilities Office. Questions should be forwarded to the office by calling (773) 442-4610.

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