This is the 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 of those involved in the teaching/learning exchange 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 Code of Conduct is implemented within a culturally diverse environment that stresses fairness and equal access. All Students are guaranteed the Right to Due Process under this code.

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 mechanism to address potential violations of misconduct, and it is distinct from criminal and civil litigation. Certain Code of Conduct violations that also violate city, state, and/or federal laws may, additionally, be pursued 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 redressed 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 invoked 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/or any supporting documentation to The Dean of Students Office (DOS). 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 Dean of Students 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 Dean of Students Office (DOS).

**ACTS OF MISCONDUCT**

_Students and registered student organizations (RSOs) are subject to University Student Code of 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 the taking of an exam, test, quiz, or other assignment. (Note: “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 own 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 a 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 Dean of Students 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 in the Student Handbook).

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), s/he will make a referral for conduct proceedings via the “Academic Misconduct Reporting Form”. The reporting form should be delivered to the The Dean of Students Office office.

**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, faculty filing a report against a student must utilize the Classroom Disruption Policy found in the Student Handbook. 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.

4. Physical abuse or conduct that threatens or endangers another person(s).

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/policies.

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.

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, etcetera. 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 or RSO 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 The Dean of Students Office staff (1) to apprise the student or RSO of the violation(s) cited, (2) to ensure the student or RSO understands their rights and responsibilities under this code, (3) to ensure the student or RSO understands the conduct process, and (4) if applicable, to allow the student or RSO an opportunity to accept responsibility for the violation, or to dispute the violation. Misconduct reports must be submitted in writing to the The Dean of Students Office office. The report must be submitted within 30 business days of 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 Northeastern Illinois University discrimination grievance procedure with the Director of Equal Opportunity, Affirmative Action and Ethics Compliance.

1. **Initial Conference**

1.1 The DOS staff will initiate an inquiry, which includes an Initial Conference with the student or RSO to help them understand the violations for which they have been cited, as well as explain the student’s/RSO’s rights and options for moving forward in the misconduct process.

1.2 The student or RSO will be given at least five (5) working days’ notice to appear for the Initial Conference.

1.3 The notice will contain information regarding: a. the potential conduct code violation b. the nature of documentation submitted and by whom, and c. the time and place of the Initial Conference.

1.4 Failure of the student or RSO to appear at the Initial Conference or to contact the DOS staff will result in a default determination of the student/RSO being in violation of the Code of Conduct. In such instances, the DOS staff may apply sanctions without a formal hearing.

1.5 Upon request, the student may review all documents or statements prior to or during the scheduled Initial Conference.

1.6 After the conclusion of the Initial Conference, within a period of five (5) working days, the DOS staff will mail to the student/RSO a formal letter reflecting the outcome of the Initial Conference. The outcome will be one of the following: a. no further action will be taken
at that time; or, b. the final resolution, sanction and follow-up. This will occur in less serious matters if the student/RSO takes responsibility for the violation and agrees with the DOS staff as to an appropriate sanction of either Official Warning or Misconduct Probation, which may include restitution, and/or additional restrictions/remedies; or, c. further action will be taken through the formal conduct hearing process. Such a decision will be made if the student/RSO denies responsibility for the cited violation(s), or when circumstances require automatic referral to a formal conduct hearing. These circumstances include more serious non-academic conduct violations and all academic misconduct violations. In such instances, the student/RSO may elect to have the proceedings conducted by an DOS staff member (“administrative hearing”) or the Student Conduct Hearing Panel (“panel hearing”). If the student/RSO refuses to select a type of formal hearing proceeding, the student/RSO will receive an administrative hearing.

2. Conduct Hearing

2.0 Administrative Hearing or Student Conduct Hearing Panel (based upon student’s request)

2.1 The Administrative Hearing. The Administrative Hearing is conducted solely by a DOS staff member who will be responsible for hearing the case, determining if the student/RSO is or is not in violation of the Student Code of Conduct, and applying sanctions (if a violation(s) is determined).

2.2 The Student Conduct Hearing Panel. The hearing panel is composed of five (5) students. Five panel members must be present in order for the hearing to proceed. The panel is responsible for hearing the case, determining whether the student/RSO is or is not in violation of the Student Code of Conduct, and applying sanctions (if a violation(s) is determined). During a panel hearing, a majority vote is required in order to find a student or RSO in violation of the Student Code of Conduct.

2.3 The DOS staff member and the Hearing Panel must conduct a fair and impartial hearing to determine whether or not the cited violation(s) is sustained.

3. Procedure

3.1 The DOS staff will schedule and convene a hearing with the student/RSO 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 DOS. The student/RSO and the reporting person will be notified in writing of the date, time, and place of the scheduled hearing.

3.2 The student/RSO and reporting person should be present at the hearing. Both will have an opportunity to speak and ask questions. a. If the student/RSO fails to appear, the hearing may proceed without information from the student. b. If the reporting person fails to appear, the hearing may proceed without that person. c. The student/RSO 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 DOS.
3.3 Either the student/RSO cited or reporting person may bring an advisor to the hearing. In such instances, DOS must be provided with, 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 the person who invited them.

3.4 Either the student/RSO cited or the reporting person may bring individuals who observed the incident(s) to the hearing to provide additional verbal information. Each student/RSO cited may ask questions of the individuals called by the other who observed the incident(s). a. The DOS staff member 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 DOS staff member 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 DOS staff 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. c. This Panel will prepare and submit to the DOS staff written findings of fact, and a recommendation of its decision regarding the cited violation(s) and sanction(s), if any. d. The DOS staff will determine whether to impose the Panel’s recommendation or modify it.

3.6 In order to find a student/RSO in violation of the Student Code of Conduct, the information revealed during the hearing and used for the determination must indicate, at the very least, the student “more likely than not” violated the code of conduct.

3.7 If the student/RSO is found in violation, the DOS staff member will decide the appropriate sanction as described under the Misconduct Sanctions.

3.8 Any prior sanctions imposed on the student/RSO in question shall be duly noted in the recommendation or determination of an appropriate sanction(s) for subsequent violation(s).

3.9 The DOS staff shall notify the student/RSO of the final decision in writing within ten (10) working days or as soon as is reasonably possible thereafter. Notification of the outcome of the hearing is limited to the student/RSO cited except as mandated under Title IX, which requires notifying the person identified as the victim of the student/RSO cited for sexual assault, sexual harassment, domestic violence, dating violence, and/or stalking.

**APPEAL PROCESS**

4. Appeal Process

4.1 Sanctions remain in effect during the appeal process.
4.2 The student/RSO who has been found in violation may appeal the decision in writing to the Director of The Dean of Students Office (who serves as Appeals Administrator) within ten (10) working days following the notification of the misconduct sanction.

4.3 The student/RSO 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/RSOs 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 – Written notification that the student/RSO has committed an act(s) of misconduct, and a 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/RSO’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 or RSO and denial of any and all rights and privileges conferred in student status or RSO 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/RSO 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 or RSO and permanent denial of any and all rights and privileges conferred in student status or RSO status.

5. Restorative Justice Sanctions – Restorative justice sanctions are educational sanctions that will be determined by the Hearing Panel or DOS staff and coupled with a disciplinary sanction. Failure to complete a restorative justice sanction has the identical effect of not completing a disciplinary sanction.
Note: If it is perceived that the student/RSO has not complied with an imposed sanction, the DOS staff 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 DOS staff may impose a more severe sanction. The student/RSO may appeal the decision in accordance with 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 Dean of Students Office may promptly impose an immediate temporary sanction. If requested by the student/RSO in writing, DOS will convene the Student Conduct Hearing Panel to consider the extended 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 DOS staff 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/RSO in writing.

ADDITIONAL INFORMATION

Copies of the University Student Code of Conduct as well as other University policies and procedures pertaining to students/RSOs are available in the The Dean of Students Office office. Questions should be directed to the office by calling (773) 442-4610. REVISED 9/80, 4/83, 6/90, 3/92, 3/93, 5/94, 5/95, 2/98, 2/02, 2/04, 2/06, 4/09, 6/10, 6/11, 1/13, 8/13