

Governors State University

STUDENT CONDUCT

I. Scope and Purpose

Governors State University strives to cultivate a community which values academic freedom, integrity, excellence in scholarship, justice, diversity, and access to educational opportunities. Each member of the community is responsible for creating and maintaining conditions which support these values and the university's mission.

This policy outlines a Code of Conduct for students at Governors State University, and specifies the rights and responsibilities of the university community in considering misconduct. This policy applies to students who are admitted or enrolled at Governors State University, and to student sponsored organizations. This policy also specifies processes for investigation and resolution of charges of misconduct so that the rights of students and other community members are respected.

This policy also specifies the responsibilities of faculty and administrators in considering student misconduct. The policy also provides for a Student Conduct Committee which has responsibility to conduct hearings on charges of student misconduct and advise administrators in the determination of sanctions.

II. A. Background

1. University students are members of the academic community at Governors State University. As members of the academic community, students are entitled to the same rights and protections enjoyed by members of society. Students are subject to certain obligations by virtue of membership in the university community. Students are subject to civil law, the enforcement of which is the responsibility of duly constituted civil authorities.
2. The accrediting groups for the various academic programs at Governors State University may have different ethical standards and requirements regarding student conduct which supersede the university's student conduct policy and procedures. Please check with the division/department chair or dean's office in your college regarding a grievance policy and procedures specific to your academic major.

3. When students violate a university regulation, they are subject to disciplinary action by the university whether or not the conduct violates civil laws. When students violate civil law off campus, they may incur penalties as determined by civil authorities. Institutional action shall not be used to duplicate functions of general laws, but when a violation of the law also adversely affects the orderly operation of the university and its mission, the university may enforce its own regulations regardless of any civil proceedings or dispositions. University action will be initiated only when the safety of faculty, staff, and students is endangered, or the institution's mission as an academic community is otherwise clearly involved.
4. Each GSU student is accountable for his/her actions relative to the following codes and regulations of conduct:

B. Student Code of Conduct:

1. Governors State University recognizes the basic rights and responsibilities of the members of the university and accepts its obligation to preserve and protect those rights and responsibilities. Further, the university must provide for its members the opportunities and protections which best serve the nature of the educational process. The Student Conduct Code governing the behavior of students of the university must ensure the basic rights of the individual as well as the practical necessities of the community.
2. Students are expected to:
 - treat students, faculty and staff of the University with fairness , and respect
 - represent themselves in an honest manner (see academic honesty policy)
 - respect university property and the activities conducted at university facilities or university-sponsored events
 - respect the property of others
 - uphold university policies and all applicable laws.

Governors State University students should expect the same degree of fairness and respect from other students, faculty and staff.

3. The student conduct regulations which follow are set forth to give students general notice of prohibited conduct. These regulations are intended as a guide and are not meant to define misconduct in every circumstance. They apply to actions on university premises, at university-sponsored activities off campus, and to university related activities in the electronic environment

C. Student Misconduct:

1. Academic Misconduct includes:

All violations of academic honesty related to fulfilling academic requirements, including but not limited to cheating, plagiarism, and/or knowingly assisting other students to engage in such conduct.

2. Non-Academic Misconduct includes:

- a. Use, possession, distribution, or being under the influence of narcotics or dangerous drugs, except as permitted by law.
- b. Furnishing false or misleading information to the university.
- c. Possession or use of firearms, explosives, dangerous chemicals, or other weapons, except as permitted by law.
- d. Assaulting, threatening, harassing, or endangering the health or safety of any individual.
- e. Willfully, denying to any person freedom of movement, use of authorized facilities, or right of entrance or exit; willfully impeding, obstructing, interfering with, or disrupting the performance of institutional activities or duties; or occupying the institutional buildings or other property after due and legal notice to depart.
- f. Willfully damaging or destroying property of the university.
- g. Use, possession, or distribution of alcoholic beverages, except as permitted by institutional policy and state law.
- h. Intentionally initiating or causing any false report, warning, or threat of fire, explosion, or other emergency.
- i. Knowingly violating terms of any disciplinary sanction imposed in accordance with the code.
- j. Failure to comply with the directions of university officials, including campus police officers acting in performance of their duties.
- k. Forgery, unauthorized alteration, or unauthorized use of any university document or identification card.

- l. Unauthorized presence in or use of university premises, facilities, or properties.
- m. Theft or damage to public or private property.
- n. Misuse of university computer systems, laboratories, equipment, or software in violation of university policies.
- o. Disparaging comments or statements regarding the religious affiliation, gender, age, race, disability, sexual orientation or gender identity of others.

D. Actions Taken as a Result of Conduct Violations:

1. Cases of non-academic misconduct delineated in #C2 above, shall be immediately referred to the Associate Vice President for Student Affairs and Dean of Students (or designee) and may also be referred to the appropriate department. (i.e. damage to public property will be reported to the Department of Public Safety.)
2. Cases of alleged academic misconduct shall be handled by the respective collegial unit, except that recommendations for probation, suspension, or dismissal shall be referred to the Associate Vice President for Student Affairs and Dean of Students or designee.

E. Sanctions for Violations:

The following disciplinary sanctions shall comprise the range of official sanctions which may be imposed for violation of conduct regulations. One or more sanctions may be imposed. Records of disciplinary action shall be recorded and kept by the Associate Vice President for Student Affairs and Dean of Students (or designee) for five years following the last trimester of enrollment, except as noted under Disciplinary Suspension and Disciplinary Dismissal.

1. **Disciplinary Warning**--Disciplinary warning is a notice to a student that previous conduct was unacceptable and that future breaches of conduct will be treated more severely.
2. **Disciplinary Probation**--Disciplinary probation is a trial period for a specific time during which a student must behave in a manner acceptable to the university. Terms of the probation shall reflect the purpose of the disciplinary sanction. Disciplinary probation status may affect qualification for awards, prizes, or student aid, when conduct acceptable to the university is a condition of such

benefits. Violation of the terms of probation or of a further incident of misconduct may result in further disciplinary action.

3. **Disciplinary Suspension**--Disciplinary suspension is an action which excludes the student from registration, class attendance, and use of university facilities for a specified period of time. Disciplinary suspension is recorded on the student's academic record during the period in effect and is permanently removed upon reinstatement. Upon termination of the period of suspension, the student shall be considered for registration in compliance with the academic good standing policy and the policy on continuing student status then in effect. Established proof of a further incident of misconduct, after the student is readmitted, may result in disciplinary dismissal.
4. **Disciplinary Dismissal**-- Disciplinary dismissal is the withdrawal by the university president of the privilege of registration and class attendance with no promise (implied or otherwise) that the student may return at any future time. The privilege of the use of university facilities is withdrawn by this action unless specific permission is obtained from the Associate Vice President for Student Affairs and Dean of Students or designee. Disciplinary dismissal is recorded on the student's academic record, to be removed only if and when the student is reinstated. A student on disciplinary dismissal may be readmitted only by action of the president of the university. A student who has been dismissed is not eligible for readmission sooner than one year from the date of dismissal.
5. **Loss of Privilege**--Loss of privilege is the withdrawal of a privilege or use of a service for a specific period of time commensurate with the offense committed. Loss of privilege may be imposed separately or in addition to any other sanction(s).
6. **Restitution**--Restitution requires a student to pay for damages to, or misappropriation of, university property, or the property of visitors to, or members of, the university community. Such restitution may be charged to any student who alone, or through group conducted activities, organizes or knowingly participates in the events causing the damages or costs. Restitution may be imposed separately or in addition to any other sanction(s).
7. **Summary Suspension**--A summary suspension requires that a student immediately leave the campus.

III. Roles and Responsibilities Related to Students' Academic Misconduct

A. Faculty Roles and Responsibilities:

1. The faculty member has initial jurisdiction over any instances of academic misconduct that occur in association with a course being taught by the faculty member.
2. The faculty member may personally meet with the student to discuss misconduct and its consequences, e.g. zero on an exam, plagiarism, a lower grade for the course, etc.). If the student and faculty member reach an agreement, this need not go further. However, a written statement or "letter of understanding" needs to be drafted by the faculty member and signed by the student to record the resolution of this matter. A copy of students' disciplinary records will be maintained in the office of the Associate Vice President for Student Affairs and Dean of Students.
3. If the issue is not resolved, as described in #2 above, then the faculty member must notify the student in writing, by certified letter (with return receipt requested) of the alleged misconduct within fifteen working days (when classes are in session) of discovering the misconduct. If the certified letter is not sent within 15 days the faculty loses his/her right to file charges.

The letter of notification sent to the student must include a request to schedule a meeting with the student within ten working days from the date of the letter (when the university is in session) to discuss the misconduct in question. The letter must specify a specific date and time for the meeting.

4. The faculty member may elect to resolve the matter by reducing the grade for the test, paper, or other course-related activity in question and/or by adjusting the grade for the course, including failure for the course.
5. If action is to be taken to reduce or change a grade, the faculty member must send written notification to the student with copies to the division/department chair and college dean within 10 working days (when classes are in session) following the meeting with the student, or from the date of the scheduled meeting with the student, if the student failed to meet with the faculty. Notification to the student must be done by certified mail.

B. Student Appeal Process for Reduced Grade:

1. The student may appeal the faculty member's action of reducing a grade through the academic grievance process. (See the Policy on Student Grievance)

C. Referral to the Student Conduct Committee:

1. If the faculty member determines that the student's misconduct cannot be resolved by reducing the grade for the test, paper, or other course-related activity in question and/or by adjusting the grade for the course, the faculty member must request a meeting with the division/department chair to discuss the matter.
2. The division/department chair and faculty member will meet to determine if the misconduct warrants additional disciplinary sanctions within ten working days (when the university is in session) of the date of the faculty member's request for a meeting. If it is determined that no further action is warranted, the faculty member will notify the student in writing by certified mail.
3. If the misconduct is perceived as warranting additional disciplinary sanctions, the division/department chair will forward this recommendation in writing to the dean. If the dean agrees with the recommendation this warrants referral for disciplinary sanction he/she will forward the conduct case with all relevant evidence and information to the Associate Vice President for Student Affairs and Dean of Students (or designee) within ten working days (when the university is in session) of the consultation with the division/department chair. If the dean does not agree with the recommendation for a disciplinary sanction he/she will discuss with the division/department chair and/or faculty and a decision will be made regarding the referral. The timeline of ten working days applies.

IV. Referrals of Misconduct to the Associate Vice President for Student Affairs and Dean of Students (or designee)

A. Associate Vice President for Student Affairs and Dean of Students (or designee) Responsibilities:

1. The Associate Vice President for Student Affairs and Dean of Students (or designee) shall be responsible for all administrative details involved in academic and non-academic student conduct referrals.
2. Written complaints, reports involving student conduct, procedures for handling disciplinary cases, and the results of conducted hearings shall be maintained in the Associate Vice President for Student Affairs and Dean of Students (or designee) office.
3. Any member of the university community may notify the Associate Vice President for Student Affairs and Dean of Students (or designee) of violations of the university standards of conduct. The notification must be signed and in writing.

4. **Non-Academic Violations** of the university standards of conduct will normally be directly referred to and evaluated by the Associate Vice President for Student Affairs and Dean of Students (or designee) to determine if further action at the university level is appropriate.
5. **Academic Violations:** The Associate Vice President for Student Affairs and Dean of Students (or designee) will review referrals from the appropriate dean regarding academic violations of the university standards of conduct to determine if a hearing is warranted.

If the Associate Vice President for Student Affairs and Dean of Students (or designee) is notified of misconduct related to an academic matter by someone other than a division/department chair or dean of the college in which the incident occurred, the violation will be referred to the appropriate dean and/or division/department chair who will follow the process outlined above regarding academic grievances.

6. If the Associate Vice President for Student Affairs and Dean of Students (or designee) determines a hearing is warranted, the Associate Vice President for Student Affairs and Dean of Students (or designee) will schedule a hearing before the Student Conduct Committee as delineated below.
7. Within ten working days (when classes are in session) from the notification of the conduct code violation, the Associate Vice President for Student Affairs and Dean of Students (or designee) will schedule a disciplinary hearing with the chair of the Student Conduct Committee. The Associate Vice President for Student Affairs and Dean of Students (or designee) shall inform the student of the charges against him via certified mail and advise him/her of the date, time, and place that a disciplinary hearing is scheduled. This hearing shall be scheduled to take place not less than 5 and not more than 10 working days following the date of student notification (when classes are in session).

B. Student Conduct Committee Composition and Charge:

1. The Student Conduct Committee will be a standing committee to hear both academic and non-academic conduct code violations which may result in a disciplinary sanction. The committee shall advise the Associate Vice President for Student Affairs and Dean of Students (or designee) on matters relating to determination of student misconduct and disciplinary action.
2. The committee shall be composed of seven persons as follows: four students appointed by the Student Senate and two alternates, two faculty members appointed by the Faculty Senate and one alternate; one administrator appointed by the Associate

Vice President for Student Affairs and Dean of Students (or designee), and one alternate.

3. The chairperson shall be chosen from within the committee.
4. All members shall serve two-year, renewable terms.
5. At least four members (representing at least two different groups) must be present to conduct a hearing.
6. Individual members must recuse themselves from hearing any case in which they feel they could not render an impartial judgment.

C. Student Disciplinary Conduct Hearings:

1. The complainant(s) will not be required to participate, unless his/her personal testimony is essential to the disposal of the case.
2. The hearing shall be private (closed) unless the student charged requests that it be open to members of the university community, and the request is approved by both the Conduct Committee and the Associate Vice President for Student Affairs and Dean of Students (or designee).
3. The student shall have the right to be assisted by an advisor or legal counsel at the hearings.
4. Students must inform the Associate Vice President for Student Affairs and Dean of Students (or designee) at least five working days in advance of the hearing if they intend to have legal counsel present. In such cases, the university may also have legal counsel present. If the student does not give five days notice, the Associate Vice President for Student Affairs and Dean of Students (or designee) has the right to reschedule the hearing to an agreeable time.
5. On behalf of the university, the charges and evidence will be presented by the Associate Vice President for Student Affairs and Dean of Students (or designee). The student shall have the right to call a reasonable number of witnesses in his/her own behalf who shall be subject to questioning by members of the committee and the Associate Vice President for Student Affairs and Dean of Students or that individual's designee. The Associate Vice President for Student Affairs and Dean of Students (or designee) will determine what a reasonable number of witnesses is if this is in question.

6. The student charged shall have the right to question all witnesses. The testimony of unknown or unidentified witnesses shall not be admissible.
7. The committee may address questions to any party or to any witness called by the parties provided; however, the student charged shall not be compelled against his/her wishes to testify or answer any question, and his/her silence shall not be held against him/her.
8. The committee shall limit the scope of the testimony to matters relevant to the charges and the defense.
9. The committee and/or the accused student may request from the Associate Vice President for Student Affairs and Dean of Students (or designee) the presence at the hearing of any member of the university community.
10. The committee and/or the accused student also may request the Associate Vice President for Student Affairs and Dean of Students (or designee) to bring records or other exhibits.
11. In the event that any person, including the student charged and/or his/her advisor or attorney, shall disrupt the hearing, the chairperson of the committee may exclude that person and proceed with the hearing in his/her absence.
12. Documentation and written statements will be admissible, providing the student has access to them in advance and is allowed to respond to them at the hearing.
13. The university shall have the burden of proof of guilt by a preponderance of the evidence.
14. No recommendation for the imposition of sanctions shall be based solely upon the failure of the person charged to answer the charges.
15. An audio tape recording shall be made of the hearings and a summary thereof shall be prepared by the chairperson of the committee. The tape recording shall be destroyed within six months after final disposition of the case by the university, except as may be directed by the Associate Vice President for Student Affairs and Dean of Students or designee.
16. The decision of the Student Conduct Committee shall be considered as a recommendation to be submitted in writing to the Associate Vice President for Student Affairs and Dean of Students or designee. The Provost may accept or reject the recommendation of the committee based on an independent review of the facts involved in the case.

17. Within ten working days (when classes are in session) of receiving the recommendation of the Student Conduct Committee, the Associate Vice President for Student Affairs and Dean of Students (or designee) will notify the student charged of his/her decision per a certified letter with copies to the college dean, division/department chair, and faculty member of the her/his decision.

D. Student Appeals of Disciplinary Action:

The decision of the Associate Vice President for Student Affairs and Dean of Students (or designee) may be appealed by the student by submitting a written request for review to the Provost (unless the student has waived this right in writing). The request must be reviewed by the Provost (or designees) within ten school days of the dean's decision. The decision of the Provost (or designee) is final and binding.

E. Removal of Student from Campus Prior to a Hearing (Summary Suspension):

1. A Summary Suspension may be imposed upon a student when the Associate Vice President for Student Affairs and Dean of Students (or designee) has reasonable cause to believe the continued presence of the student on campus constitutes a substantial threat to the safety of himself/herself, to other persons or property, or the stability and continuance of normal university operations. In exercising such authority, the Associate Vice President for Student Affairs and Dean of Students (or designee) or Provost may rely upon information supplied to him/her by others.
2. Following a summary suspension, permission for the student to be on campus for a specific purpose must be granted in writing by the Associate Vice President for Student Affairs and Dean of Students (or designee) or Provost(or designee).
3. Any student summarily suspended who returns to the campus without written permission from the Associate Vice President for Student Affairs and Dean of Students (or designee) or Provost (or designee) during the period of summary suspension may be subject to disciplinary dismissal.
4. If a student questions the fairness of the Summary Suspension made by the Associate Vice President for Student Affairs and Dean of Students (or designee) or Provost(or designee), she/he shall be granted, on written request a hearing before the Associate Vice President for Student Affairs and Dean of Students (or designee) or Provost (or designee) respectively.
5. In order for the request to be considered, it must be received in the Associate Vice President for Student Affairs and Dean of Students office or if the decision was

made by the Provost it must be received in the Provost Office within five working days (when the university is in session) of the date of the summary suspension.

6. The hearing shall be held no later than ten working days (when the university is in session) of the date of the summary suspension.
7. The Associate Vice President for Student Affairs and Dean of Students (or designee) or the Provost's (or designee) decision regarding the Summary Suspension Hearing will be final and binding.
8. Hearings held by the Associate Vice President for Student Affairs and Dean of Students (or designee) or the Provost (or designee) on summary suspension will address the following issues only:
 - a. The reliability of the information concerning one student's conduct, including the matter of his/her identity.
 - b. Whether the conduct and surrounding circumstances reasonably indicate that the continued presence of the student on the university campus poses a substantial threat to himself/herself or to others or to the stability and continuance of normal university function.

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