

GRAND VALLEY STATE UNIVERSITY
THE STUDENT CODE

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STU 1.0: INTRODUCTION

1.1 PURPOSE

Standards of conduct are established in order to foster a community and environment where the mission, vision and values of Grand Valley State University (hereafter “University”) can flourish. These standards are embodied within a set core of values that include integrity, community, inclusion & equity, respect, and responsibility. The University conduct process exists to protect the interests of the community and to challenge those whose behavior falls outside of these values and our policies. Students should be aware that the University conduct process is different from and independent of any civil or criminal action. Further, this process may proceed notwithstanding the occurrence or possibility of legal prosecution, as the University conduct process is not intended to be substituted for criminal prosecution should such prosecution be appropriate.

1.2 VALUES

The Board of Trustees has adopted and published its statement of Values for the University on the University Policies website.

1.3 AUTHORITY

1.3.1 AUTHORITY TO ESTABLISH STANDARDS OF CONDUCT: The Board of Trustees in BOT 5.10 has delegated the authority to establish “The Student Code, which contains the rules, regulations, and conduct process of the institution, is approved by the president upon recommendation of the appropriate student services administrator.”

1.4 JURISDICTION

The Student Code and the University conduct process apply to the conduct of individual students and all Registered Student Organizations:

- **Student:** For the purposes of these procedures, the term “student” shall mean a person who is taking courses at the University, either full-time or part-time, pursuing undergraduate, graduate, or professional studies, both degree and non-degree seeking, enrolled in non-credit courses and programs, who has accepted an offer of admission to the University, who withdraws after allegedly violating the Student Code, who is on leave of absence from the University, or who is not officially enrolled for a particular term but has a continuing relationship with the University.
- **Registered Student Organization:** For the purposes of this Student Code, the term “Registered Student Organization” (RSO) shall mean any group whose membership consists of students currently enrolled at the University, that is registered with the Office of Student Life. Persons functioning on behalf of a Registered Student Organization, the Registered Student Organization and its representatives whether they are elected, appointed, or serve as volunteers may be held collectively and individually responsible for violations. Registered Student Organizations may be charged with violations without regard to whether members of such organizations are individually charged with violations arising from the same misconduct. Registered Student Organizations are also subject to the policies and procedures of the Office of Student Life.

The Student Code applies to conduct that occurs on property owned or controlled by the University; at University sponsored activities; at functions, activities, or events hosted by Registered Student Organizations, on or off campus; and other off-campus conduct that adversely affects the University community and/or the pursuit of the University mission.

1.5 OTHER APPLICABLE DOCUMENTS

The University Policies page found at www.gvsu.edu/policies/ is the official source for University-wide administrative policies approved by the Senior Leadership Team and/or Board of Trustees.

Additional policies applicable to the procedures herein include:

- Registered Student Organization Handbook
- Alcohol and Other Drug Policy Handbook
- Housing & Residence Life Policies
- Traffic and Parking Ordinance
- Undergraduate and Graduate Catalog
- Office of Student Life Policies

The Department of Public Safety publishes the GVSU Annual Security and Fire Safety Report, available online at www.gvsu.edu/gvpd/.

1.6 CHANGE TO STUDENT CODE

The University reserves the right to change policies and procedures any time during a student's term of enrollment. Each student is responsible for maintaining current knowledge of disciplinary rules and regulations.

1.6.1 Change in Time Frame: In its sole discretion, the University may extend time frames identified in these policies and procedures.

STU 2.0: PROHIBITED CONDUCT

2.1.2 COLLUSION

Collusion: Action or inaction with another or others to violate the Student Code or other University policy.

2.1.3 FALSE INFORMATION

False Information: Furnishing or possessing, or attempting to furnish or possess, false or misleading information to University officials or on official University records. Furthermore, a student shall not forge, alter, or misuse the University name, the name of any University employee, documents, records of identification, or attempt to do the same.

2.1.4 STOLEN PROPERTY

Stolen Property: Maintaining possession of and/or using stolen property, or the property of another, without authorization.

2.1.5 TAKING OF PROPERTY

Taking of Property: Unauthorized taking of University property or the personal property of another, including goods, services and other valuables.

2.2.2 DAMAGE & DESTRUCTION

Damage and Destruction: Intentional, reckless and/or unauthorized damage to or destruction of University property or the personal property of another.

2.2.3 DISRUPTIONS

Disruptions: Substantial disruption of University operations or activities including obstruction of teaching, research, administration, other authorized activities, either outdoors or inside a classroom, office, or other place on which University operations or activities or operations are conducted or held. This includes violations of the Grounds and Facility Use Policy found at: <https://www.gvsu.edu/policies/policy.htm?policyId=E1947CE1-9E1D-591B-752BE6372FB3DA2>

2.2.4 FIRE ALARMS

Fire Alarms: Violation of local, state, federal or campus fire policies including, but not limited to:

- Intentionally or recklessly causing a fire which damages University or personal property or which causes injury.
- Failure to evacuate a University-controlled building during a fire alarm; Improper use of University fire safety equipment; or
- Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on University property.

2.2.5 GAMBLING

Gambling: Gambling as prohibited by the laws of the State of Michigan. (Gambling may include raffles, lotteries, sports pools and online betting activities)

2.2.6 IDENTIFICATION CARDS

Identification Cards: A student shall carry their University issued identification (ID) cards while on University grounds and at University functions. A student shall present this ID card whenever they check out books at the library, cash checks on campus, enter the Recreation Center, are requested by dining service staff, etc., or when they are requested to do so by a member of the faculty or staff of the University when they identify themselves and state the reasons for their request. The ID card is not to be altered, loaned or borrowed.

2.2.7 INFORMATION TECHNOLOGY

Information Technology: Violation of policies and procedures as outlined by Information Technology including those found online at: <https://www.gvsu.edu/it/policies-and-procedures-200.htm>.

2.2.8 KEYS/ACCESS CARDS

Keys/Access Cards: A student shall not knowingly possess, make, or cause to be made any key or access card to operate any lock or locking mechanism used or maintained by Grand Valley State University, without authorization. No entrusted person with possession of any University key or access card shall transfer the key or access card to an unauthorized person.

2.2.9 RIOTING

Rioting: 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;

2.2.11 UNAUTHORIZED ENTRY

Unauthorized Entry: Misuse of access privileges to University premises 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 building.

2.2.13 WHEELED DEVICES

Wheeled Devices: Skateboards, roller blades, roller skates, bicycles and similar wheeled devices are not permitted to be used inside University buildings or Living Centers/Apartments. Additionally, skateboards and other wheeled items may not be ridden on railings, curbs, benches, or any such fixtures that may be damaged by these activities, and individuals may be liable for damage to University property caused by these activities.

2.3.1 ABUSE OF CONDUCT PROCESS

Abuse of Conduct Process: Abuse or interference with, or failure to comply in, University processes including conduct and academic integrity hearings including, but not limited to:

1. Falsification, distortion, or misrepresentation of information;
2. Failure to provide, destroying or concealing information during an investigation of an alleged policy violation;
3. Attempting to discourage an individual's proper participation in, or use of, the campus conduct system;
4. Harassment (verbal or physical) and/or intimidation of a member of a campus conduct body prior to, during, and/or following a campus conduct proceeding;
5. Failure to comply with the sanction(s) imposed by the campus conduct system; 6. Influencing, or attempting to influence, another person to commit an abuse of the campus conduct system.

2.3.3 COMPLICITY

Complicity: Complicity with or failure of any student or organized group to [appropriately] address known or obvious violations of the Student Code, University policies, or the law.

2.3.4 RETALIATION

Retaliation: A student, group of students, or registered student organization shall not retaliate, or take adverse action, against any student who files a complaint or grievance; requests an administrative hearing; participates in an investigation or administrative hearing; or opposes an unlawful or discriminatory act, practice, or policy.

2.4.1 HARM TO PERSONS

Harm to Persons: Intentionally or recklessly causing physical harm or endangering the health or safety of any person, including willfully failing or refusing to adhere to the requirements of the University's Response to the COVID-19 pandemic, Lakers Together <https://www.gvsu.edu/lakerstogether/>, which has been adopted by the University and will be enforced as a Student Code policy. It shall be considered Harm to Persons when organizing and/or hosting, either individually or with others, an event, party or other gathering ("Event"), or attending such an Event, where the attendees are not required to, or willfully fail or refuse to, adhere to the requirements of the Lakers Together or of state or local public health laws, regulations or governor's executive orders, including but not limited to the requirements of maintaining appropriate social distancing (6 feet based on current public health guidance) and wearing an appropriate face mask. This applies to Events that are organized and/or held on or off campus.

2.4.2 HAZING

Hazing: Defined as an act that endangers the mental or physical health or safety of a student, or that destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. Participation or cooperation by the person(s) being hazed does not excuse the violation. Failing to intervene to prevent (and/or) failing to discourage (and/or) failing to report those acts may also violate this policy.

2.4.3 PUBLIC EXPOSURE

Public Exposure: Includes deliberately and publicly exposing one's intimate body parts, public urination, defecation, and public sex acts.

2.4.5 THREATENING BEHAVIORS

Threatening Behaviors: 1. Threat – Written or verbal conduct that causes a reasonable expectation of injury to the health or safety of any person or damage to any property.
2. Intimidation – Implied threats or acts that cause a reasonable amount of fear of harm in another.

2.5.4 FINANCIAL RESPONSIBILITY

Financial Responsibility: Failure to promptly meet financial responsibilities to the institution, including, but not limited to, knowingly passing a worthless check or money order in payment to the institution or to an official of the institution acting in an official capacity.

2.5.5 HEALTH & SAFETY

Health and Safety: Creation of health and/or safety hazards (dangerous pranks, hanging out of or climbing from/on/in windows, balconies, roofs, etc.).

2.5.6 LEGALITY

Legality: Evidence of violation of local, state or federal laws, when substantiated through the University's conduct process.

2.5.7 OTHER POLICIES

Other Policies: Violating other published University policies or rules, including but not limited to those outlined in Section 1.3.

2.5.9 VOLUNTARY COMPLIANCE

Voluntary Compliance: Students will comply with the reasonable directives of University officials or law enforcement officers during the performance of their duties and/or will identify oneself to these persons when requested to do so.

STU 3.0: STUDENT CONDUCT PROCEDURES

3.1 CONDUCT PROCESS FOR STUDENT CODE AND OTHER UNIVERSITY POLICY ALLEGATIONS

3.1.1 Reported Misconduct: A misconduct report may be made to Student Conduct by any member of the University community (or may be brought by a member of

Student Conduct) on one's own initiative alleging that a student violated a specific regulation in the Student Code of Conduct.

3.1.2 Conduct Coordinator: One or more Conduct Coordinators shall be appointed by the Director of Student Conduct. The Conduct Coordinator will make, or cause to be made, an investigation of the charge.

3.1.3 Notification and Request for Educational Conference: If, from the investigation, the Conduct Coordinator determines the matter may be reason for discipline under the Student Code of Conduct regulations, the Conduct Coordinator will notify the student and will offer the student an opportunity to discuss the matter through an Educational Conference. The notice will include the alleged misconduct, date of alleged misconduct, and a link to the student conduct procedures.

The notice will be sent through university email and will be deemed received immediately upon delivery. The student will have three (3) business days from the date of receipt in which to respond to the notice. If the student has not responded at the end of this three-day period, the Conduct Coordinator will follow procedures set forth in section **3.1.5**.

3.1.3.1 Business Day: For purposes of the Student Code, a business day shall be a Monday through Friday when the University is open for business.

3.1.4 Educational Conference: If the student chooses to discuss the matter, the Conduct Coordinator will, at the discussion, inform the student of the charge(s) and the regulation(s) which are alleged to have been violated and will explain to the student the procedures outlined in this document.

3.1.5 Student is Nonresponsive/Noncompliant: If the student chooses not to respond to the Coordinator's request for an educational conference, chooses not to attend the educational conference, or chooses not to participate in these conduct procedures, the Conduct Coordinator will schedule a hearing and the student will be notified of the date and time of the hearing and/or a hold may be placed on the student's account until the matter is resolved.

3.1.6 Student Record: A record of any misconduct report will be kept in Student Conduct containing information about the reported incident, the violation (if any), and the sanction (if any). In cases where there is a violation of the Student Code and/or other University policies, this record will become part of that student's conduct record with the University.

3.1.7 Student Admits Responsibility for the Violation

3.1.7.1 If the student admits responsibility the violation, they are waiving their right to a hearing and other University process protections. The Conduct Coordinator may then, considering the cumulative conduct history of the student charged, choose to:

1. Issue a sanction,
2. Order that the sanction be recommended by a Hearing Officer, and/or
3. Enter into a written, mutually acceptable, disruptive behavior agreement with the student.

3.1.7.2 Accepting Sanctions: A student may choose to accept in writing the sanctions issued by the Conduct Coordinator. This agreement ends the conduct process and may not be appealed.

3.1.7.3 Limited Appeal: The student charged or the person or group who first brought the charge, or the University, may appeal the sanction (except the terms of a disruptive behavior agreement), in writing to the Conduct Coordinator within two (2) business days after the Conduct Coordinator has assigned the sanction. Since admission of the violation by the student is a prerequisite to the Conduct Coordinator

acting under this section, such an appeal will only be as to the appropriateness of the sanction.

3.1.7.4 Failure to complete or adhere to the terms of any sanction may result in additional sanctions, a hold on the student's account and/or suspension as determined by the Conduct Coordinator. Under this section, a decision to suspend a student will be made in consultation with the Assistant Dean of Students.

3.1.8 Student Denies Responsibility for the Violation

After discussion with the student, the Conduct Coordinator may determine that the matter requires no further action. The Conduct Coordinator will refer the matter to a hearing if:

3.1.8.1 Student Denies Responsibility: The student denies the charge and the Conduct Coordinator determines the matter may be reason for discipline.

3.1.9 Disruptive Behavior Agreement: In lieu of, or in addition to, a sanction or referral to a hearing, the Conduct Coordinator may arrange a disruptive behavior agreement with the student. A disruptive behavior agreement is a mutually acceptable agreement between the University and a student that specifies certain behavior with which the student must comply, and specifies automatic sanctions that will be imposed if the contract is broken. As this is a mutual agreement, it may not be appealed. If the contract is broken, as determined by a finding of fact under procedures set forth in Section 4 herein, the student may be suspended from the University as determined by the Conduct Coordinator.

3.2 HEARINGS

There are two bodies before which a hearing may be held: Hearing Officer and the Hearing Board. The Conduct Coordinator will assign a case to one of these bodies, except that in cases where there is potential for a sanction of suspension or dismissal, the student may choose which body will hear the case and will have two (2) business days from the date of the meeting with the Conduct Coordinator to make a hearing body choice). If no such timely choice is made, the Conduct Coordinator will designate which body will hear the case and the student will be notified of the time and date of the hearing. Under Section 3.6.1 University Process for Emergency Suspension, the hearing will be held before a Hearing Officer.

3.2.1 Conduct Pool Obligations

3.2.1.1 Hearing bodies will decide the outcome based solely on information presented at the hearing (Hearing Boards will decide by a majority vote).

3.2.1.2 Each individual selected to serve as a member of a hearing body will promise to administer the rules and regulations of the University in a fair and impartial manner. Each will treat this appointment as a public trust, not allowing other influences or private interest to interfere with the prompt, proper and impartial discharge of their duties.

3.2.1.3 If a member of the hearing body feels they cannot render an impartial decision in a case for any reason, the individual shall disqualify themselves.

3.2.1.4 A person may not serve as a member of a hearing body if they are a witness who may testify at the hearing, if they have a personal interest in the outcome of the hearing, or if there is other sufficient reason to believe that they could not serve in a fair and impartial manner.

3.2.2 Hearing Officer: Members of the Administrative/Professional staff and Faculty pools are eligible to serve as Hearing Officers and must participate in annual training sessions regarding the Student Code of Conduct before participating in the hearing

process. The Hearing Officer will be assigned by the Dean of Students (or designee) to hear the case.

3.2.2.1 Administrative/Professional Staff: All Administrative/Professional staff members are eligible for appointment to the conduct pool. The Provost (or designee) will make at least ten (10) appointments to the pool by the first day of classes of the Fall Semester and may make additional appointments to fill vacancies as needed.

3.2.2.2 Faculty Members: Faculty are elected (by and from) to serve a three-year term in the conduct pool: four representatives from the College of Liberal Arts and Sciences, one from each of the remaining colleges, and University Libraries. If appointments are not made by the first day of classes of the Fall Semester, the Provost (or designee) is authorized to fill appointments from the faculty at large. In addition to representatives from academic colleges and University Libraries, the Provost (or designee) will appoint not fewer than four (4) members to the pool from the faculty at large.

3.2.3 Hearing Board: The Hearing Board consists of two (2) people who serve under Section 3.2.2 and one (1) student from the conduct pool. When the alleged violation is related to the Academic Integrity of Grades and Scholarships, the Hearing Board shall be composed of only faculty members. The Hearing Board members will be assigned by the Conduct Coordinator to hear the case. A minimum of three (3) Hearing Board members must be present for a hearing.

3.2.3.1 Student Members: The students appointed to the conduct pool will be selected and approved by the Director of Student Conduct in consultation with Student Senate and must participate in annual training sessions regarding the Student Code of Conduct prior to serving on the Hearing Board.

3.2.3.2 Unavailable Conduct Pool Members: At times when a hearing body cannot be assembled, such as when students are not in attendance at regular sessions, final exam periods, summer sessions, etc., the Conduct Coordinator may assign the case to be heard by a Hearing Officer.

3.2.4 Hearing Decisions: The hearing body, based upon the information presented at the hearing, determines whether the student charged violated student conduct regulations, and recommends sanctions, if any, to the Conduct Coordinator.

3.2.4.1 Failure to complete or adhere to the terms of any sanction may result in additional sanctions, a hold on the student's account and/or suspension as determined by the Conduct Coordinator. Under this section, a decision to suspend a student will be made in consultation with the Assistant Dean of Students.

3.2.5 Hearing Procedures

3.2.5.1 Burden of Proof: In all conduct hearings, the burden of proof rests with the Conduct Coordinator, who must demonstrate by a preponderance of evidence, whether it is more likely than not, that a violation has occurred.

3.2.5.2 Record of the Hearing: A single verbatim record, such as an audio recording, will be made of the hearing. This record will remain the property of the University and will be kept by Student Conduct. No other recording device is allowed.

3.2.5.3 Either a Hearing Officer or a person who serves under Section 3.2.2 will lead the hearing.

3.2.5.4 Hearing Officers, members of the Hearing Board, and the Conduct Coordinator may ask questions of any witnesses called on at the hearing.

3.2.5.5 Removal from Hearing: The hearing body may remove any individual from the hearing who is disruptive. The hearing may proceed without the presence of the

removed individual or be adjourned to reconvene at a later time. If the disruption is caused by a student, the hearing body, in consultation with the Director of Student Conduct, may determine that a misconduct report be submitted.

3.2.5.6 At least two (2) business days before the hearing, the student will be sent a notification that includes the date and time of the hearing. This notification will be sent through university email and will be deemed received immediately upon delivery.

3.2.5.7 Hearing Outcome: The hearing body will issue a written decision within three (3) business days to the Conduct Coordinator including whether a violation has been found, a rationale for the decision, and sanction recommendation, if applicable. Within three (3) business days from the date the decision is received by the Conduct Coordinator, the student charged and the person or group who first brought the charge will be notified of the decision, the rationale, and any assigned sanctions.

3.3 STUDENT RIGHTS IN REGARD TO THE CONDUCT PROCESS

The student charged and the person or group who first brought the charge have the following rights:

3.3.1 To a fair and prompt hearing before an impartial hearing body.

3.3.1.1 To appear in person and testify at a hearing.

3.3.1.2 To not attend the hearing, which will be held in their absence, providing that proper notice of the hearing has been given. The failure of a student charged to appear will not be taken as an admission of a violation.

3.3.1.3 The student charged has the right to refuse to answer questions.

3.3.2 To be accompanied by an advisor of the student's choice at any meeting and/or hearing under these procedures. If the student's advisor is an attorney, the student must notify the Conduct Coordinator of this in writing at least twenty-four (24) hours prior to the meeting. The advisor's role is limited to providing advice to the student. The advisor is not permitted to ask or answer questions or make oral arguments. Any case presented must be made by the student.

3.3.3 To call on witnesses whose testimony is directly related to the alleged incident, not to general character.

3.3.3.1 Names of any witnesses to be called on at the hearing must be submitted in writing to the Conduct Coordinator at least twenty-four (24) hours prior to the hearing.

3.3.4 To provide any evidence that may support their testimony. Additionally, both parties have the right to request to review any evidence submitted by the other party prior to the hearing.

3.3.4.1 For purposes of these conduct procedures, the term "evidence" shall mean anything outside of first-person, personal testimony that will be used, referenced, or shared with the hearing body by either party at the hearing (some examples include photos, emails, screenshots, documents, reports, audio/video recordings, etc).

3.3.4.2 Any evidence to be used at the hearing must be submitted in advance to the Conduct Coordinator at least twenty-four (24) hours prior to the hearing.

3.3.5 To ask questions of the other party and of any witnesses called on at the hearing. The Hearing Officer, however, has the right to determine the method of questioning (direct confrontation, submission of written questions, or any other method that, in the Hearing Officer's opinion, will elicit the desired testimony).

3.3.6 To a copy of the hearing decision, rationale, and assigned sanction (if any).

3.3.7 To appeal the decision, process and/or sanction, if grounds are met as outlined in Section 3.4.

3.3.8 In a hearing, the Conduct Coordinator, representing the University, is given the same rights as the student charged and the person or group who first brought the charge under procedures set forth in Section 3.3.

3.4 APPEALS

3.4.1 Grounds for Appeal: The student charged, the person or group who first brought the charge, or the University has the right to appeal the decision of the hearing body, the sanction decision of the Conduct Coordinator, or the decision of the appeal body if grounds for appeal are met. The party requesting the appeal must show clear error as the original finding/or compelling justification to modify a sanction, as both finding and sanction are presumed to have been decided reasonably and appropriately. The grounds for appeal are:

3.4.1.1 New Evidence: To consider new evidence, unavailable during the original investigation/hearing, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included.

3.4.1.2 Procedural Error: To address a procedural error that significantly impacted the finding.

3.4.1.3 Sanction Severity: The sanctions imposed are substantially disproportionate to the severity of the violation and any prior corrective or disciplinary action from a previous offense.

3.4.2 Appeal Window: An appeal is timely only if received within two (2) business days from the date of receiving the written decision appealed. An appeal not made within the time limit will not be heard unless the Assistant Dean of Students makes an exception.

3.4.3 Appeal Bodies: There are two bodies by which an appeal can be reviewed: Appeal Officer and the Appeal Board. When a timely appeal is received, the Conduct Coordinator will assign the appeal to one of these appeal bodies, except that in cases where there is, or is potential for, a sanction of suspension or dismissal, the student may choose which body will review the appeal (the student will include this information in the appeal request). If no such timely choice is made, the Conduct Coordinator will designate which appeal body will review the appeal.

3.4.3.1 Appeal Officer: Members of the Administrative/Professional staff and Faculty pools are eligible to serve as Appeal Officers and must participate in annual training sessions regarding the Student Code of Conduct prior to hearing appeals. The Appeal Officer will be assigned by the Conduct Coordinator to review the appeal.

3.4.3.2 Appeal Board: The Appeal Board consists of two (2) Appeal Officers and one (1) student from the conduct pool. The Appeal Board members will be assigned by the Conduct Coordinator to review the appeal. A minimum of two (2) Appeal Board members must be present for an appeal review.

3.4.3.3 A person may not serve as a member of an appeal body if they are a witness who testified at the hearing, if they have a personal interest in the outcome of the hearing, or if there is other sufficient reason to believe that they could not serve in a fair and impartial manner.

3.4.4 Requesting an Appeal: An appeal is made by eligible parties submitting a written statement to the Conduct Coordinator during the appeal window. The written statement of appeal must include: the grounds for appeal and the remedy that the person appealing is requesting from the appeal body.

3.4.5 The Conduct Coordinator is responsible for assembling an appeal body from the conduct pool and for setting the time and place for holding the appeal review.

3.4.6 Appeal Review: The appeal body will meet to review the appeal. If grounds for appeal are met, the appeal body will review the materials used in the hearing, the record made of the hearing, the administrative contact history made in connection with the matter, and if the appeal is regarding severity of sanctions assigned, the appeal body will review the cumulative conduct history of the student charged.

3.4.6.1 Purpose: The purpose of the appeal review is to decide if the grounds for appeal have been met, and to determine whether the findings of the hearing body or the sanctions imposed by the Conduct Coordinator were so incorrect, or that a procedural error occurred that significantly impacted the findings or sanctions, that the decision should be changed.

1. It is not the purpose of the appeal body to substitute its judgment for that of the original hearing body.
2. It is not the purpose of the appeal body to decide if it would have reached the same decision had it been the hearing body.
3. The appeal review is not a rehearing of the charges against the student; it is a limited review of the findings and/or sanction of the hearing body only as requested by the person or persons making the appeal.

3.4.6.2 At its discretion, the appeal body may invite a person submitting an appeal (or other person having information relating to the appeal) to appear to explain orally the basis for the appeal, although this is not ordinarily expected.

3.4.6.3 Appeal Body Decision: After review of the appeal, the appeal body may (by a majority vote of the appeal board):

1. Dismiss the appeal as untimely or substantively ineligible, upholding the original decision.
2. Grant the appeal and remand the case back to the original hearing body or Conduct Coordinator for its reconsideration, citing the findings of the appeal body.
3. Grant the appeal and remand for a new hearing, citing the findings of the appeal body.
4. When the appeal is submitted only as to the appropriateness of the sanction, the appeal body may grant the appeal and modify the sanction.

3.4.6.4 Appeal Outcome: The appeal body will issue a written decision to the Conduct Coordinator within three (3) business days of the appeal review including the decision of the appeal body and a rationale for the decision. Within three (3) business days from the date the decision is received by the Conduct Coordinator, the student charged and the person or group who first brought the charge will be notified of the decision and the rationale. The notification will be sent through university email and will be deemed received immediately upon delivery.

3.4.6.5 The decision of the appeal body is final unless appealed to the Dean of Students (or designee). Appeals submitted to the Dean of Students (or designee) shall follow the procedures set forth in Section 3.4, whereas the Dean of Students (or designee) serves as the appeal body.

3.4.6.6 At the sole discretion of the Dean of Students (or designee), the Dean of Students (or designee) shall decide whether to review a written appeal. In the event that the Dean of Students (or designee) reviews a written appeal, the Dean of Students (or designee) may:

1. Affirm the decision of the original appeal body

2. Reverse the decision of the original appeal body
3. Modify the sanction
4. Uphold the sanction

3.4.6.7 The decision of the Dean of Students (or designee) will be final and binding.

3.5 SANCTIONS

When a student admits responsibility or is found responsible through a hearing for violating the Student Code regulations or University policy, sanctions may be imposed. Prior corrective or disciplinary action for a previous offense may be taken into account for determining the appropriate sanction. Disciplinary action may be conditional or final, and it may include one or more of the following:

1. *Warning*: an official, written notice of violation.
2. *Educational Program/Meeting/Workshop*: requirement to attend, present and/or participate in a program, meeting, or workshop related to the violation. It may also be a requirement to sponsor or assist with planning or presenting a program for others on campus.
3. *Restitution*: compensation for damage or loss incurred by the University or another person.
4. *Community Service*: for a student to perform assigned task(s) through a designated office or department.
5. *Probation*: an official notice that, should further violations occur during a definite/indefinite period, the student may face suspension or expulsion. Regular probationary meetings may also be imposed.
6. *Grade/Credit Penalty*: Loss of course credit or reduction in grade points (for academic offenses).
7. *Loss of Privileges*: the student will be denied specified privileges for a definite/indefinite period of time. Examples include:
 1. operating an automobile on campus;
 2. participating in and/or holding an office in a campus organization;
 3. representing the University in any official capacity;
 4. access to a designated University facility or area;
 5. participating in a University function.
8. *University Housing Probation*: an official notice that, should further violations occur during a specified probationary period, the student may immediately be removed from University housing. Regular probationary meetings may also be imposed.
9. *University Housing Reassignment*: reassignment to another University housing unit/building.
10. *University Housing Suspension*: the student's privilege to live in and/or visit any University housing facility is revoked for a definite/indefinite period of time. This sanction may be enforced with a trespass action if deemed necessary.
11. *Evaluation/Assessment Referral*: a requirement to complete an independent evaluation/assessment supporting the student's eligibility to remain/return as a student, with which the Conduct Coordinator (or designee) concurs.
12. Denial of a University honor, scholarship, or degree or revocation of an honor, scholarship or degree previously awarded, in an appropriate situation.

13. *Suspension*: separation from the University for a specified minimum period of time, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension. For the duration of the suspension, the student shall forfeit all rights of their student status and may also forfeit their privileges of access to property owned or controlled by the University or engaging in University sponsored activities or programs. This sanction may be enforced with a trespass action if deemed necessary.
14. *Dismissal*: permanent separation from the university. The student is banned from property owned or controlled by the University and is prohibited from University sponsored activities or programs. This sanction may be enforced with a trespass action if deemed necessary.
15. *Trespass*: an order prohibiting a student from entering upon any property owned or controlled by the University or engaging in University sponsored activities or programs.
16. *Other Sanctions*: additional or alternate sanctions may be created and designed as the University deems appropriate.

For violations involving Registered Student Organizations, the following sanctions may be imposed, in addition to one or more of the sanctions listed above: deactivation, de-recognition, and/or loss of all privileges (including status as a Registered Student Organization), for a specified period of time.

As outlined in sections **3.1.7.4** and **3.2.4.1**, failure to complete or adhere to the terms of any sanction may result in additional sanctions, a hold on the student's account and/or suspension as determined by the Conduct Coordinator. Under the aforementioned sections, a decision to suspend a student will be made in consultation with the Dean of Students (or designee).

3.5.1 Depending on the nature and severity of the violation found, sanctions may be imposed immediately and remain in effect during the pendency of any appeal.

3.6 EMERGENCY CASES

If, in the opinion of the Dean of Students (or designee), a student constitutes a continuing danger to persons or property and/or is an immediate or ongoing threat of disrupting the academic process and/or administrative operations at the University, the Dean of Students (or designee) may immediately suspend, as set forth in Section 3 of the Conduct Process, the student for up to ten business days. The student will be sent a notice of the suspension and/or hearing regarding the suspension through University email which will be deemed received immediately upon delivery. This notice will initiate the conduct process, which may be carried out during the suspension. In appropriate circumstances as determined by the Dean of Students (or designee), the suspension may be extended.

3.6.1 University Process for Emergency Suspensions

1. A suspension hearing shall be scheduled within three (3) days of the emergency suspension.
2. The student will be sent a notification including the time and place of the hearing.
3. The notification will also include the charges and an explanation of the evidence supporting the charges.
4. If the student attends the hearing, they shall be given an opportunity to present their version of the events.

5. The Dean of Students (or designee) who suspended the student shall conduct the suspension hearing and decide whether or not to cancel or continue the suspension for the balance of the ten days.
6. The suspended student shall not have the right to confront or question witnesses, or call their own witnesses.
7. The suspended student is entitled to be accompanied at the Hearing by one advisor. The advisor shall have no role at the hearing other than to advise the student and shall not be permitted to ask or to answer questions or to make oral arguments.
8. Disciplinary proceedings may be initiated through the normal University conduct process whether or not the emergency suspension has been canceled. If disciplinary proceedings are initiated, the Hearing will be held before a Hearing Officer.

3.7 CHARGES INVOLVING STUDENT ORGANIZATIONS

All notices referred to in these procedures, when involving a Registered Student Organization, shall be sent to the president of the organization on record in the Office of Student Life, at the president of the organization's University email account, unless another representative of the organization was previously and formally designated by the organization in the Office of Student Life to receive such notices. When a Registered Student Organization is charged with a violation, the president of the organization shall represent the organization in the conduct process as outlined in Section 3.

3.8 UNAVAILABLE ADMINISTRATORS OR OFFICIALS

Should the Conduct Coordinator, the Dean of Students, or other officials required for the functioning of this Conduct Process be unavailable to act hereunder, or if their replacement is not otherwise provided for herein, the Provost or their designee, may appoint a replacement for such official.

3.9 SEVERABILITY

If any portion of these Conduct Process Provisions or the application thereof to any person or circumstance shall be found to be invalid by a court, such invalidity shall not affect the remaining portions or applications of these Conduct Provisions which can be given effect without the invalid portion or application.

STU 4.0: ACADEMIC INTEGRITY OF GRADES & SCHOLARSHIP

The principles of academic honesty and integrity are fundamental to a community of scholars. The University expects that students will not engage in acts of academic dishonesty in curricular and non-curricular academic activities. Engaging in academic dishonesty compromises the integrity of university grades, and scholarship and research.

Academic dishonesty is defined as actions or behaviors that misrepresent one's contributions to or the results of any scholarly product submitted for credit, evaluation, or dissemination. This definition includes, but is not limited to,

fabrication, falsification, cheating, and plagiarism. Terms are defined as the following:

- Fabrication is defined as making up data or results and recording or reporting them.
- Falsification is defined as manipulating research materials, equipment, or processes, or changing or omitting data or results such that research is not accurately represented in the research record.
- Cheating is defined as attempting to use materials, information, or study aids in any academic exercise that have not been allowed by the instructor.
- Plagiarism is defined as offering the work of someone else as one's own. The language or ideas taken from another may range from isolated formulas, sentences, or paragraphs to entire articles copied from books, periodicals, speeches or the writings of other students.

Integrity of Grades

Academic dishonesty compromises the integrity of grades, meaning that all academic work should be done by the student to whom it is assigned without unauthorized aid. Students will comply with the following rules, when engaging in coursework:

- No student shall knowingly, without authorization, procure, provide or accept any materials, which contain questions or answers to any examination or assignment.
- No student shall, without authorization, complete, in part or in total, any examination or assignment for another person.
- No student shall, without authorization, allow any examination or assignment to be completed, in part or in total, by another person.
- No student shall knowingly plagiarize or copy the work of another person and submit it as their own.
- No student shall submit work that has been previously graded or is being submitted concurrently to more than one course, without authorization from the instructor(s) of the class(es) to which the student wishes to submit it.

When the instructor feels that action beyond a failing course grade is warranted, the instructor will report the incident at www.gvsu.edu/conduct and request additional action via the University Conduct Process. When the alleged violation is related to the Academic Honesty - Integrity of Scholarships and Grades, the Hearing Body shall be composed of faculty members.

It is the instructor's responsibility to establish a classroom atmosphere that fosters academic honesty on the part of the students. If any instance of academic dishonesty is discovered by an instructor, they will notify the student and discuss the incident. After discussing the instance with the student, the instructor will make a decision. Depending on the instructor's judgment of the particular case, they may do nothing, impose additional course requirements, ask the student to repeat the work in question, or give a failing grade for the assignment, examination or the entire course. Any time an instructor addresses a violation of Academic Honesty with a failing grade on an assignment or in a course, they must report the incident at www.gvsu.edu/conduct. Other incidents may be reported for tracking purposes. Reporting the incident will notify the Department Chair, the Dean of Students, and the Dean(s) of the Instructional Colleges. Reporting the incident does

not automatically initiate additional action, but keeps record of the incident. Students may utilize the Academic Grievance Process to appeal a faculty initiated decision.

Section 3 Student Conduct Procedures outlines the procedures related to this policy.

STU 5.0: CLASS REMOVAL

No student shall engage in disruptive behavior in a class. In the event a faculty member believes a student is engaging in disruptive behavior, the faculty member may ask the student to leave the class immediately. If the student refuses to leave, the faculty member should call the Department of Public Safety promptly to request assistance. The faculty member should follow-up with the student to convey expectations regarding future classroom behavior. This follow-up may be done in concert with others at the university.

If the faculty member believes that the disruptive behavior warrants removing the student from the class for the balance of the semester, the faculty member shall submit a written summary of the situation to the Dean of Students Office to initiate a review hearing. During the pendency of this Class Removal Process or a Conduct Process, the student shall not attend class.

A two-person Review Team shall be jointly selected by the Dean of Students (or designee) and the Dean of the College (or designee) where the course is offered. At least one member of the Review Team shall be from outside the College from which the course is taught that involves the alleged disruptive behavior. The Review Team shall review the written summary, meet with the faculty member whose class was disrupted, and will meet with the student to review the student's alleged behavior and afford an opportunity to respond. This review process will occur as promptly as possible, normally within two days (as defined in the Student Code) but not more than seven days, and the student may not attend class until the review process is completed.

The Review Team shall decide to: 1) remove the student from the class; 2) move the student to a different section or an independent study; or 3) permit the student to remain in the class according to certain stipulations. The Review Team shall submit its findings and decision in writing to the Dean of the College in which the course is taught and the Dean of Students, who shall submit a copy of the findings and decision to the student.

The student may appeal the decision of the Review Team to the Provost by submitting written appeal within three days after receiving the Review Team's findings and decision. The Provost's decision is final. If a student is removed from a class for the balance of the semester through this process, no tuition or fees will be refunded except through the university's normal refund policy.

In the event the disruptive behavior is of such a nature that suspension or dismissal from the institution could result, the Conduct Process shall be followed in lieu of the Class Removal Process.

A two-person Review Team shall be jointly selected by the Dean of Students (or designee) and the Dean of the College (or designee) where the course is offered. At least one member of the Review Team shall be from outside the College from which the course is taught that involves the alleged disruptive behavior. The Review Team

shall review the written summary, meet with the faculty member whose class was disrupted, and will meet with the student to review the student's alleged behavior and afford an opportunity to respond. This review process will occur as promptly as possible, normally within two days (as defined in the Student Code) but not more than seven days, and the student may not attend class until the review process is completed.

The Review Team shall decide to: 1) remove the student from the class; 2) move the student to a different section or an independent study; or 3) permit the student to remain in the class according to certain stipulations. The Review Team shall submit its findings and decision in writing to the Dean of the College in which the course is taught and the Dean of Students, who shall submit a copy of the findings and decision to the student.

The student may appeal the decision of the Review Team to the Provost by submitting written appeal within three days after receiving the Review Team's findings and decision. The Provost's decision is final. If a student is removed from a class for the balance of the semester through this process, no tuition or fees will be refunded except through the university's normal refund policy.

In the event the disruptive behavior is of such a nature that suspension or dismissal from the institution could result, the Conduct Process shall be followed in lieu of the Class Removal Process.

STU 6.0: STUDENT NON-ACADEMIC GRIEVANCE PROCESS

The grievance procedure may be used to resolve any student complaint except those that are covered by a specific University procedure (e.g.: the University Conduct Process, the Student Academic Grievance Procedures, the Anti-Harassment Policy, Parking Services, etc.)

No disciplinary or other unfavorable action may be taken against any student or anyone who may represent a student using the grievance procedures.

A grievance is a student's formal complaint concerning an incident, policy or condition within the institution. A student to grieve the actions of another student cannot use this process.

7.1 FILING A GRIEVANCE

1. A student with a grievance or a complaint reports it to the Dean of Students Office. A designated staff member will be assigned as the Grievance Coordinator.
2. The Grievance Coordinator will discuss the complaint with the student. Many concerns students may have regarding an incident, policy or condition within the institution can be resolved if the student first expresses a concern to the appropriate Unit Head of the area in which the concern arises. If the student has not already discussed the complaint with the appropriate Unit Head, the Grievance Coordinator will refer the student to the Unit Head as the first step in filing a grievance.
3. If the grievance is not resolved by the Unit Head, the student will submit the grievance in writing to the Grievance Coordinator. The written grievance should contain a complete and specific account of the student's complaint,

including the names of the people involved, the date and the location of the incident or the condition complained of, any written evidence attached, and the remedy the student seeks.

7.2 GRIEVANCE HEARING

1. The student may request that a grievance hearing be held before either the Grievance Coordinator or a grievance committee. (**Note:** the Grievance Coordinator may choose to bring the grievance before the grievance committee at any time.) The grievance committee will be comprised of the Grievance Coordinator, one faculty member from the pool of eligible Conduct Board members, and one student from the pool of eligible Conduct Board members. The grieving student must attend the grievance hearing.
2. The Grievance Coordinator will investigate the student's complaint by gathering information from the involved people named by the student as well as from others as necessary. The Grievance Coordinator may ask those named to respond to the student's complaint in writing.
3. If a grievance committee hearing is held, the Grievance Coordinator will chair the hearing. Information gathered during the investigation by the Grievance Coordinator will be presented. Any involved party may be called in to respond to the student's complaint during the grievance hearing.
4. The Grievance Coordinator or grievance committee will make recommendations based on information presented at the hearing in an effort to resolve the grievance. The student will be notified of the recommendations, typically within five days of the hearing.

7.3 APPEALS

1. If the student is not satisfied with the recommendations of the Coordinator/committee, the student may file a written appeal to the Dean of Students within two days of receipt of the decision by the counselor/committee.
2. The Dean of Students will review the information regarding the grievance, which was submitted to the Grievance Coordinator and/or grievance committee. The Dean of Students may choose to gather additional information. Typically, the Dean of Students will notify the student of any recommendations regarding the grievance within ten days of receiving the appeal. The decision of the Dean of Students is final unless appealed.
3. If the student is not satisfied with the recommendations from the Dean of Students, the student may file a written appeal to the Provost within two days of receipt of the Dean of Students' decision. In their sole discretion, the Provost may review the appeal. Any decisions made by the Provost are final.

If the student is satisfied that the grievance has been resolved at any point during the grievance process, the process will end.