

## ARTICLE X: STUDENT POLICIES AND PROCEDURES

### Section 2. Policy on Student Conduct

#### Policy 2.1: Grievance Procedures

Revised: May, 2015

#### **The Judicial Hearing Process for Academic Misconduct, and Non Academic Misconduct**

Chicago State University (CSU) is a public, comprehensive university that provides access to higher education for students of diverse backgrounds and educational needs. The University fosters the intellectual development and success of its student population through a rigorous, positive, and transformative educational experience. The CSU community engages in open discussion, free discourse, spirited debate and peaceful dissent. Free inquiry is indispensable to the purposes of the University and should be protected as a matter of academic freedom within the institution. Accordingly, conditions must exist which allow and encourage this freedom for all students. No student or group of students, regardless of moral impetus, sincerity or conviction, has the right to limit or abrogate this freedom or prevent the peaceful and lawful pursuits of other students. Therefore, the University has an inherent right to require cooperation of its members in the performance of educational functions and to take appropriate action when the conduct and behavior of members impede or obstruct the achievement of its educational objectives or threatens the security of the institution and community members. The very nature of the University as an educational community requires that both the standards of student conduct and the judicial procedures by which such conduct is maintained be reasonable, equitable and fair. To protect students from enforcement

against a student who is charged with an off campus violation of federal, state or local laws or of off campus conduct that adversely affects the University and/or the pursuit of its objectives.

During the hearing, both parties may present evidence, produce witnesses and ask questions. The alleged offender is not required to answer questions but may choose to do so. The decisions rendered thorough the judicial process are independent from other decisions made by a civil or criminal court.

Inquiries regarding initiating a complaint should be directed to the Office of Judicial Affairs.

### **ACTS OF ACADEMIC MISCONDUCT**

Academic Misconduct is defined as, but not limited to, the receipt or transmission of unauthorized aid on assignments or examinations, plagiarism, unauthorized use of examination materials, encouraging academic dishonesty or other forms of dishonesty in academic matters.

At Chicago State University, students are responsible for the honest completion and representation of their work, for the appropriate citation of sources and for the respect of other's academic endeavors. Students who violate these standards must be confronted and must accept the consequences of their actions. Academic misconduct is an offense against the University. Nothing herein is intended to or shall be construed to limit or restrict students' rights. However, in order to prevent abuse of the rights of others and to maintain public order appropriate to the University, students may be subjected to disciplinary action.

A student is subject to University discipline for participating or conspiring in the following acts of academic misconduct:

1. Cheating: Use or attempted use of any unauthorized assistance in taking an exam, test, quiz or other assignment (University, state and/or national assessment exams are included).
2. Encouraging Academic Dishonesty: Knowingly helping or attempting to persuade and/or influence another to violate the University's rules, policies and regulations governing academic integrity.
3. Fabrication: Falsification or design of any material or excerpt in an academic assignment or exercise.
4. Plagiarism: Appropriation or imitation of the literary composition of another and representing the piece as one's own product. Included is paraphrasing another's ideals or conclusions without proper acknowledgement, inserting entire paragraphs, chapters, submission as one's own work prepared by another person or agency. Submitting or attempting to submit any written work authored, in whole or in part, by someone other than the submitting student (Language, ideas and thoughts of another are included).

5. Bribes, Favors, Threats: Bribing or attempting to bribe, promising favors to or making threats against any person with the intention of affecting a grade or evaluation of academic performance.
6. Grade Tampering: Any unauthorized attempt to change a grade in any manner.
7. Non original Works: Submission or attempt to submit any written work authored, in whole or in part, by someone other than the student.
8. Examination by Proxy: The taking or attempting to take an examination for another student. A violation may be charged to the student enrolled in the course or scheduled to take the exam as well as the student who took or attempted to take the exam for the enrolled student.

If a student's observed conduct or apparent behavior is such



determination shall be made as to whether sufficient facts exist as to a violation of the rules, policies and/or regulations and if further proceedings are warranted.

1.1. During the Preliminary Meeting, which occurs between the Director of Judicial Affairs (or one acting in the Director's stead) and the alleged offender, the Director will explain the protocol of the University Judicial System, advise the student of his/her rights, and answer any questions the student may have. The student shall be provided a copy of the incident report, notice of charges, a copy of the Student Judicial Code and any other pertinent information that the student has not received previously.

1.2. The Director of the Office of Judicial Affairs may later serve as the University's presenter if the case requires a formal hearing. The student shall be made aware of this role of the Director of Judicial Affairs during the initial meeting.

1.3. After the student has been provided all pertinent information, the student may elect to present his or her interpretations of the incident.

1.4. The Director will then enter a decision as to whether to proceed with the case; drop the charges against the student or adjourn the preliminary meeting pending further consultation with the complainant.

1.5. If the Director decides to drop the charges, the preliminary meeting will end; the student will receive written notification of the Director's decision.

1.6. If the Director decides to proceed with the matter, the student will receive an explanation of the pleas available within the University judicial system.

1.7. The student may then decide to enter a plea or may request a maximum of one academic day in which to plead. If more than one day is needed, the student may request additional time in which to enter the plea. The request for additional time must be submitted in writing to the Director of Judicial Affairs, indicating the reason why the additional time is necessary. This request must be submitted on the same day of the preliminary meeting or within 24 hours of the preliminary meeting. The Director will notify the student promptly if the request has been granted. If insufficient grounds are presented that additional time will assist in a substantial manner, the request shall be denied.

1.8 a. Plea of Responsible entered. If the alleged offender enters a "Responsible" plea, the Director will then assign sanctions for the offender to complete. The offender must complete all sanctions with one semester, if possible, or soon thereafter if the sanctions cannot be completed in a semester period.





- a. At the conclusion of the presentation of evidence, the interested parties will be excused and the Judicial Hearing Panel will conduct a closed session for deliberation.
- b. A simple majority vote of those present will decide whether the charge(s) is/are sustained or not. The Director shall only have a vote if necessary to break a tie and render a decision.
- c. This panel shall prepare and submit to the Director written findings of ~~fact~~



cases. The sanctions are not inclusive but merely serve as guidelines. The sanctions are listed in reasonable order of severity and may be levied in any combination.

Whenever a sanction is levied against a student for a violation of the Student Code of Conduct, an encumbrance will automatically be placed on the student's record. The student cannot register for classes or receive his/her CSU transcription until the conditions for the sanction has been satisfied and the encumbrance removed from the record.

Notwithstanding the list of Sanctions below, for matters involving Sexual Assault, Suspension and Expulsion are the available sanctions.

- A. Academic Penalties – Upon a finding that academic misconduct occurred, the instructor may impose a reduced or failing grade for the assignment or course in addition to any judicial sanctions imposed. Academic misconduct may also affect a student's continuation in certain degree programs.
- B. Verbal Warning: an oral warning to the student that the student has violated the Student Code of Conduct and/or Code of Excellence.
- C. Disciplinary Warning: A letter of reprimand indicated that any future violation of the Student Judicial Code of Conduct will subject the student to further judicial proceedings in which the original violation will be considered when determining the sanctions to be imposed on future findings of responsibility.
- D. Work Assignment/Community Service: A contractual agreement between Judicial Hearing Officer and the student to fulfill the requirements of an available assignment. Failure to complete the assignment satisfactorily will result in an encumbrance upon the student's academic records. The encumbrance will remain in a student's record until the work assignment is completed.
- E. Fines: A sum imposed as punishment for an offense. The amount of the fine may not be less than \$5.00 or more than \$100.00. The amount of the fine being imposed is at the discretion of the Judicial Hearing Officer or the Judicial Hearing Committee. The sanctioned student is billed by the Bursar's Office for the sum of the fine, and the student shall pay the fine within 30 days. Failure to pay a fine will prevent the student from obtaining transcripts and registering for classes; however, if the student's financial position hinders the direct payment of the fine, and with the concurrence of the Judicial Officer, the student may substitute a work assignment.
- F. Restitution: Payment for damage to an individual's or the University's property. The dollar amount is determined by the cost of materials to repair the item damaged, including any labor needed to replace or restore the item. The Student will be responsible for payment of charges assessed within 30 days after receipt of a bill.

- G. Probation: A strong formal warning which defines a student's status for a specific period of time. If a student violates any other rules and regulations within the jurisdiction of the judicial system while under University Disciplinary Probation, that student will be subject to further disciplinary proceedings. If a student is found responsible for the new violation, a more severe sanction may be imposed than would normally have been imposed for the new violation alone.
- H. Suspension: The loss of student status for a specified length of time, not to exceed two years, with resultant loss of all student rights and privileges. Any student sanctioned with suspension is prohibited from being on campus, participating in any University sanctioned activities whether on campus or on an offsite location, using the library, attending classes, participating in elections or appointed positions. Any student re admitted after a suspension may be denied housing in residence hall indefinitely depending on the severity of the violation.
- I. Suspension from Residence Hall: A student who is removed from the residence hall as the result of this sanction shall be required to pay the full room and board charges pursuant to his existing housing agreement entered in to with the University.
- J. Expulsion – Termination of student status with resultant permanent loss of all student rights and privileges. This sanction shall be employed when the violation or actions threatens the safety, health and /or welfare of any CSU member.
- K. Revocation of Admission and/or Degree: Admission to or a degree awarded from the University may be revoked for fraud, misrepresentation, or other violations of University Standard in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- L. Withholding Degree: The University may withhold awarding a degree otherwise earned until the completion of the judicial hearing process, including the completion of all sanctions imposed, if any.
- M. No Contact Orders between the parties The parties shall not communicate with each other in person, by phone, text, social media or by a 3<sup>rd</sup> party.
- N. Drug and/or Alcohol evaluation: The student must make an appointment with the Counseling Center and obtain a drug and alcohol assessment, following all treatment plans recommended by the Counseling Center.
- O. Any combination of the above

\*\* Temporary Sanctions may be imposed by the Dean of Students before a Judicial Hearing or before an admission of responsibility (for a limited duration). Temporary sanctions are imposed in cases of allegations pertaining to acts of serious misconduct. The Director of Housing and Residence Life may impose temporary sanctions for violations related to the Residence Hall.



Petitions

Q. Disagree with the University's judicial system, expectations of conduct, final disposition or any/all imposed conditions of sanctions.

- 5.3 The Appeals Committee shall consider the record of the hearing together with any written material in the file. In instances where the appeal is based on the excessive severity of the sanction for the committed violation, the Appeals Committee may also consider any prior judicial contact that the sanctioned student has had. Decisions are rendered by majority vote of the Committee hearing the appeal and all evidence shall be judged by the Preponderance of the Evidence standard.
- 5.4 The Appeals Committee may modify or affirm the disciplinary sanction.
- 5.5 The Appeals Committee shall notify the involved parties in writing of the results of the appeal within ten working days of receipt of the appeal or as soon as is reasonable possible.
- 5.6 Each party shall have the right to one (1) appeal.
- 5.6 After the right to appeal is exhausted, the Appeals Committee's decision shall be final.

NOTE: ALL SANCTIONS REMAIN IN EFFECT DURING THE APPEAL PROCESS.

### **GLOSSARY OF TERMS**

Accused Student – any student or students who have had disciplinary charges filed against them

Adjudicator – The person who makes a determination on a majority vote of affirm

Appeal An administrative review of a disciplinary decision regarding violations of the Student Code of Conduct or the sanctions imposed after a disciplinary proceeding in which the

responsible 20004.570 DD 2002.520 HE 2004.2000 2003.717.2250 FT 2000.3025 (c) 06.000 04.520 03.5012 03.50

Mediation – a method of settling disputes outside of the formal hearing process

Preponderance of the Evidence – A general standard of proof where, based on the presented evidence, it is more likely than not that the misconduct occurred.

Sanction – a measure imposed as a result of violating the Student Code of Conduct

Student – persons taking courses at or through the University, both full time and part time, pursuing undergraduate, graduate or doctoral degrees

Student Club/Organization – A registered club/organization is a group of 3 or more students who have successfully completed the Student Activities "Recognition Packet," received approval from the Department of Student Activities and attended the Annual Leadership Retreat. To remain an active club/organization they must complete monthly reports, attend monthly meetings and implement campus programming.

Temporary Sanction – A sanction imposed before a Judicial Hearing, or before an admission of responsibility (for a limited duration). Temporary sanctions are imposed in cases of allegations pertaining to acts of serious misconduct. The Director of Housing and Residence Life may impose temporary sanctions for violations to the Residence Hall

Witness – Any person who gives evidence in a case being heard before a judicial body

Working Days – Calendar days in which the University is open and conducting business (Monday through Friday, excluding holidays)

University – Chicago State University

University Official – any person, including faculty members, employed by the University performing assigned administrative duties or professional responsibilities

University premises – all land, building, facilities or other property in the possession of, owned, used or controlled by the University, including adjacent streets and sidewalks.

University property – any item of value to which the University has and asserts legal possession and/or title over.