MEMORANDUM

To: Mitch Daniels, President

From: Steve Schultz, Legal Counsel

Cc: Vicky Carwein
    George McClellan
    Beth McCuskey
    Eric Norman
    Katie Sernersheim
    Jeff Stefanic

Re: Revisions to Student Codes of Conduct: West Lafayette and IPFW

Date: August 12, 2016

Purpose: This memo requests your approval of the revised student conduct regulations for (1) the West Lafayette campus (which have system-wide application except to the extent modified by regional campuses to address local processes and characteristics), and (2) the IPFW campus.

Background: As you know, the Board of Trustees is vested with statutory power to “make all bylaws, rules and regulations required or proper to conduct and manage Purdue University.”1 However, effective July 1, 2010, the Board delegated to the President the authority to make amendments to the student conduct codes for all campuses. Therefore, the authority to approve these revisions lies with you.

The system-wide policy review conducted in 2013 did not cover these codes. While the West Lafayette-based student conduct regulations have occasionally been amended on an ad hoc basis in recent years (e.g., to add the sanction of degree revocation three years ago), they had not been the subject of a systematic overhaul for quite some time. For its part, the IPFW code was last amended in 2006. Both were therefore due for a comprehensive review.

Of particular note is the fact that the IPFW team worked with Azhar Majeed of FIRE on its code revisions, with the effect that IPFW is poised to become the final Purdue campus to receive a “green-light” rating once they are approved. The IPFW revisions were also reviewed and endorsed by IPFW’s Community Advisory Council consistent with current efforts on that campus to stay actively engaged with local stakeholders.

Updates to the student conduct regulations for Purdue Northwest are currently underway through a process that commenced as part of the campus unification effort.

1 IC 21-27-7-5.
Below is a summary of the key changes made to these two codes.

*Regulations Governing Student Conduct, Disciplinary Proceedings and Appeals (West Lafayette and System)*

The West Lafayette-based code was reviewed by representatives of the Office of the Dean of Students, the Office of Student Rights and Responsibilities (OSRR), the Office of Vice President for Ethics and Compliance and the Office of Legal Counsel. This collaborative exercise resulted in a number of drafting improvements throughout the document, such as creating definitions for consistent use of terms and adding parallel structure for the sake of clarity and consistency.

OSRR’s Jeff Stefancic made a number of recommendations that led to improvements in the language describing the types of conduct subject to disciplinary sanctions. For example, a new section on hazing was added, the provisions on use, possession, manufacture and distribution of illegal drugs and alcohol were updated and clarified, and faculty and students were consulted to update and provide more contemporary definitions on academically dishonest behavior.

Particular care was taken to incorporate additional steps to ensure due process in student disciplinary proceedings, both in individualized hearings with the OSRR conduct officer and in hearings before the Community Standards Board. Although many of these steps had already been followed by the OSRR in practice, they had not previously been incorporated into the regulations. Doing so now ensures that students will be on notice of their due process rights as well as their responsibilities within the same document.

*Code of Student Rights, Responsibilities, and Conduct (IPFW)*

The IPFW review team was led by Eric Norman, Associate Vice Chancellor and Dean of Students, and Christine Marcuccilli, Title IX Coordinator and Associate Director of Compliance.

Among other things, this team ensured that IPFW’s language on individual rights and responsibilities closely tracked corresponding language in the policies and procedures maintained by Vice President Rollock’s office on nondiscrimination and anti-harassment.

The review exercise identified many opportunities for streamlining language, which in some cases led to the deletion of duplicative provisions. In some sections, language was updated to reflect the current philosophy and practices of the Office of Dean of Students. In still other cases, sections were reordered to establish a more logical flow.

Ambiguous or overbroad language that had been flagged by FIRE with a “yellow light” rating was modified to ensure that it is suitably protective of freedom of expression. Again, these fixes should have the effect of garnering IPFW a “green light” rating from FIRE upon approval.

All time periods for taking action and for providing notice were evaluated and made uniform where necessary. In various cases, procedures for providing notice to students (e.g., in a
case of suspected academic misconduct) were clarified. The procedures on making appeals to the Campus Appeals Board were also updated and clarified.

**Recommendation**

I recommend that you indicate your approval of the revised student conduct regulations (complete copies of which are attached) by signing in the space provided below.

Revisions will be deemed to take effect on August 15, 2016 in the case of the West Lafayette regulations and July 1, 2016 in the case of the IFPW regulations.

Approved:  

Mitchell E. Daniels, Jr., President

Date: 8/15/16
Regulations Governing Student Conduct, Disciplinary Proceedings, and Appeals


A. Authority, Application, Amendments

1. Authority. These regulations are enacted pursuant to the power and authority conferred by the laws of the state of Indiana upon the Trustees of Purdue University, including without limitation, the power to do all acts necessary and expedient to put and keep Purdue University in operation, and to make all by-laws, rules, and regulations required or proper to conduct and manage the University, as provided in Indiana Code 21-27-7-4 and 21-27-7-5, and the power and duty to do all acts and things mandated or provided for in Indiana Code 21-39-2-2, 21-39-2-3, 21-39-2-4, and 21-39-2-5.

2. Application: These regulations, as from time to time amended, and except to the extent adapted for regional campuses pursuant to Subsection A-4 below, shall apply to all undergraduate, graduate, and professional school students of Purdue University at the West Lafayette campus, each regional campus, and each Purdue Polytechnic Statewide location, and shall be deemed a part of the terms and conditions of the admission and enrollment of all students as of the stated effective date. Alleged violations of the University’s Anti-Harassment Policy and of the University’s Equal Access, Equal Opportunity, and Affirmative Action Policy are governed exclusively by the Procedures for Resolving Complaints of Discrimination and Harassment and not by these regulations. In case of any conflict or inconsistencies with any other rules, regulations, directives, or policies of the University now existing, these regulations shall govern. They shall be enforced by the President.

3. Amendments. Pursuant to the authority delegated to the President of the University by resolution of the Board of Trustees adopted April 9, 2010, any amendments to these regulations shall take effect on a date prescribed by, and shall remain in effect until rescinded or modified by, the President. Amendments may be proposed at any time by the Purdue Student Government, Purdue Graduate Student Government, University Senate, administrative staff, or by the Board of Trustees. The Office of the Dean of Students shall, in consultation with the Office of Legal Counsel, conduct a review of these regulations every two years for the purpose of identifying any necessary updates resulting from changes in applicable law or University policy.
4. Adaptation for Regional Campuses. The Chancellors are hereby authorized and directed to make and promulgate modifications of these regulations, as applied to the regional campuses, which are necessary because of the different student or faculty organizations or governments existing at the regional campuses. Such revisions shall be effective when approved by the President, acting under the delegated authority of the Board of Trustees.

5. Definitions:

Advisor means any person selected by a student to assist him/her in a disciplinary proceeding. A student has the right to be assisted by an advisor, but the advisor is not permitted to speak or participate directly in any other manner during any disciplinary proceeding, nor may he/she appear in lieu of the student. Students are responsible for representing themselves. The advisor need not be an attorney, but the student is allowed to have an attorney serve as his/her advisor in the disciplinary proceeding, at his/her own expense, with the understanding that the attorney’s role is as an advisor rather than as an advocate. It is the responsibility of the student to arrange for an advisor who is available at the time of the scheduled disciplinary proceeding. Postponement or rescheduling of student disciplinary proceedings due to availability of an advisor will not be permitted.

Chancellor means the chief executive officer of the Indiana University-Purdue University Ft. Wayne and Purdue Northwest regional campuses.

Conduct Officer means a staff member authorized by the Office of the Dean of Students to administer disciplinary proceedings and represent the University at Community Standards Board hearings.

Dean of Students/Dean's Office means the dean of students or another person authorized to act for him/her.

Degree deferral means a sanction issued against a student who has completed the coursework of his/her degree program but who, at the time of the conduct in question, had not yet received a degree. In the case of such a sanction, student status shall be suspended, no grades (other than directed grades) or academic credit shall be given, no degree shall be awarded, and no diploma shall be given, in each case for such a period of time and subject to the satisfaction of such conditions as the University decision-maker imposing the sanction may determine. In cases where a degree deferral sanction has been issued, it will be notated on the student’s academic transcript until the date, if any, on which a degree is
awarded based on the expiration of the sanction or the satisfaction of the imposed conditions, or both. The term "degree deferral" is not intended to cover the University's temporary withholding of a degree from a student pending the completion of any educational sanctions imposed under these regulations.

**Disciplinary probation** means a probationary student status imposed for a limited time as a result of an official determination of conduct. In the event the student is found in violation (under the procedures set forth in these regulations) of subsequent charges of conduct, records of such disciplinary probations shall be taken into consideration in determining the disciplinary sanction, if any, to be imposed because of such subsequent conduct. Students placed on a status of disciplinary probation are restricted from holding elected and/or appointed positions in recognized student organizations and may be subject to additional restrictions as determined by the Conduct Officer.

**Disciplinary proceeding** means an administrative hearing conducted by a Conduct Officer or by a Community Standards Board panel in the manner described in these regulations for the purpose of considering whether a violation has been committed and making a determination as to any related disciplinary sanction/decision to be imposed.

**Disciplinary sanction/decision** means expulsion, degree deferral, suspension, probated suspension, disciplinary probation, written warning, restriction(s), and/or educational sanctions, as these terms are defined herein.

**Educational sanctions** means the imposition of mandatory learning opportunities for students who violate the University’s regulations, which require them to participate in reasonable and relevant educational activities that foster their personal, ethical and social development. Educational sanctions may be proposed in combination with other disciplinary actions. Examples of educational sanctions include but are not limited to referrals for assessments for substance use and abuse, community service, reflective writing assignments, research projects and presentations, and academic assessment referrals.

**Executive Vice President for Academic Affairs and Provost** (EVPAA/Provost) is the chief academic affairs officer or another person authorized to act for him/her.

6. **Expulsion** means permanent termination of student status, generally without grades; however, in cases such as academic dishonesty, a directed grade for a particular course may be appropriate. In cases where an
expulsion sanction has been issued, it will be notated on the student’s academic transcript on a permanent basis. In cases where an expulsion sanction has been issued against a student who has completed the coursework of his/her degree program but who, at the time of the conduct in question, had not yet received a degree, the expulsion sanction will result in no grades or academic credit being given, no degree being awarded, and no diploma being given.

**Informal action** means an action designed to educate students about the behavioral standards expected of them as members of the University community and to hold them accountable for inappropriate conduct.

**Obstruction or disruption of a University activity** means any unlawful or objectionable act or conduct (1) that seriously threatens the ability of the University to maintain or use its facilities for the performance of its educational, research and engagement activities, functions, or processes; (2) that is in violation of the reasonable rules and standards of the University designed to protect the academic community from unlawful conduct; or (3) that presents a serious threat to person or property of the academic community. Such phrase shall include, without limitation of the foregoing general definition: (a) the unlawful use of force or violence on or within any buildings or grounds owned, used, occupied, or controlled by the University; (b) using or occupying any such buildings or grounds in violation of reasonable rules or regulations of the University, or for the purpose or with the effect of denying or interfering with the lawful use thereof by others; (c) injuring or harming any person or damaging or destroying the property of the University or the property of others within such buildings and grounds; (d) obstructing building entrances, walkways, and rights-of-way or otherwise obstructing vehicular or pedestrian traffic on or adjacent to campus; and (e) interfering with classes, meetings, events or ceremonies sanctioned or sponsored by the University or with other essential processes of the University.

**Office of Student Rights and Responsibilities (OSRR)** is an administrative unit of the Office of the Dean of Students (ODOS) responsible for promoting student responsibility and encouraging honesty, integrity, and respect among Purdue students through education, compliance with behavioral standards, and support of individual rights.

**President** means the chief executive officer of the University.

**Probated suspension** means conditional continuation of student status for a limited and defined period of time. The student is permitted to retain student status upon the condition that the student does not further violate any provision of Subsection B-2 that would normally result in a
disciplinary sanction/decision during the time probated suspension is in effect. If, during the period of probated suspension, the student is found responsible for an additional violation of Subsection B-2 after a hearing, suspension may become immediately effective and may be extended for a longer period of time than the period of probated suspension originally assigned. Students placed on a status of probated suspension are restricted from holding elected and/or appointed positions in recognized student organizations and may be subject to additional restrictions as determined by the Conduct Officer.

**Restriction** means the withdrawal or limitation of privileges for a defined period of time. This may include the ability to access or enter certain campus facilities, the ability to participate in co-curricular activities, and the ability to hold positions in which one may represent the University in an official capacity.

**Student** means an individual who has been offered and accepted an offer of admission to Purdue University at the West Lafayette campus, a regional campus, or a Purdue Polytechnic Statewide location or who is otherwise enrolled or participating in any Purdue course or program of study at one of the foregoing campuses or locations. For degree-seeking students, it is assumed that an individual will maintain student status from the time of admission to the University until the time of graduation, unless the student is withdrawn from or otherwise ceases to be enrolled at the University.

**Summary action** means an immediate disciplinary suspension and exclusion from University property imposed under certain circumstances, as more particularly described in Subsection C-9 of these regulations.

**Suspension** means termination of student status for a limited time, generally without grades; however, in cases such as academic dishonesty, a directed grade for a particular course may be appropriate. In cases where a suspension sanction has been issued, it will be notated on the student's academic transcript for the duration of the suspension.

**University activity** is any teaching, research, service, administrative, or other function, proceeding, ceremony, program, or activity conducted by or under the authority of the University, or with which the University has any official connection, whether taking place on or off campus, including without limitation University cooperative education programs, internships, practicum, field experiences, and athletic or other intercollegiate activities.
University business day means a day when the University is open for normal business, regardless of whether classes are in session (e.g., the day preceding Thanksgiving).

University property means property owned, controlled, supervised, used, or occupied by the University.

Vice Provost for Student Life (VPSL) is the chief student affairs officer or another person authorized to act for him/her.

Written Warning is a disciplinary action consisting of an official notification to a student that his/her behavior is inappropriate and not in compliance with the standards set forth in these regulations.
B. Student Conduct

1. General. Students are expected and required to abide by the laws of the state of Indiana and of the United States and the rules and regulations of Purdue University, to conduct their academic and scholarly pursuits with the highest levels of ethical and honest behavior, to conduct themselves in accordance with accepted standards of social behavior, to respect the rights of others, and to refrain from any conduct that tends to obstruct the work of the University or to be injurious to the welfare of the University. A student who violates these general standards of conduct may be subject to informal actions (as defined in Subsection A-5). If the violation falls within one of the categories of conduct listed in Subsection B-2, the student may also be subject to disciplinary sanctions. No disciplinary sanction/decision may be imposed except for conduct covered by one of the categories listed in Subsection B-2. Violations of the University's Anti-Harassment policy and of the University’s Equal Opportunity, Equal Access and Affirmative Action policy, as well as the investigation and resolution of complaints made under those policies, are governed exclusively by the Procedures for Resolving Complaints of Discrimination and Harassment and not by these regulations.

2. Conduct Subject to Disciplinary Sanctions. The following actions constitute conduct for which students may be subject to informal action or disciplinary sanctions.

   a. Dishonesty in connection with any University activity. The expectation to uphold the standards of academic integrity and honesty is a responsibility of every member of the University community. Cheating, plagiarism, or knowingly furnishing false information to the University are examples of dishonesty. As recognized by the University Senate, “the commitment of the acts of cheating, lying, stealing, and deceit in any of their diverse forms (such as the use of ghost-written papers, the use of substitutes for taking examinations, the use of illegal crib, plagiarism, and copying during examinations) is dishonest and must not be tolerated. Moreover, knowingly to aid and abet, directly or indirectly, other parties in committing dishonest acts is in itself dishonest.” (University Senate Document 72-18, December 15, 1972). Accordingly, the following behaviors will be considered violations of these standards and are subject to disciplinary action as set forth in these procedures.

      i. Cheating: Students are expected to adhere to the guidelines provided by instructors for academic work so that no student gains an unfair advantage. Using or attempting to use unauthorized materials, information, study aids, notes, or any other device in any academic exercise will not be tolerated.
Unauthorized materials may include anything which or anyone who gives a student assistance that has not been approved by the instructor in advance.

ii. *Plagiarism*: Intentionally or knowingly representing the words or ideas of another as one’s own in any academic exercise. The sole exception of the requirements of acknowledging sources is when the information is considered common knowledge.

iii. *Fabrication*: Intentional and/or unauthorized falsification or invention of any information or citation in any academic exercise. Includes but is not necessarily limited to (A) the changing and/or manipulation of research data, results, processes, or research record; (B) the omission of results from the research record; and (C) the alteration and resubmission of a graded academic exercise.

iv. *Multiple Submissions*: The submission of substantial portions of the same academic work for credit more than once without authorization from the instructor.

v. *Collusion*: Intentionally or knowingly helping or attempting to help another to violate any regulation governing the standards of academic integrity described in these regulations. Students may only collaborate on academic work within the limits prescribed by the instructor.

b. Forcery, alteration, or the unauthorized use of University documents, records, or identification.

c. Obstruction or disruption of any University activity (as defined in Subsection A-5) or inciting, aiding, or encouraging other persons to engage in such conduct.

d. Physical abuse of any person or conduct that threatens or endangers the health or safety of any other person, whether or not such conduct occurs on University property.

e. *Hazing*: Any act that endangers the physical and/or mental health or safety of a student or any act or behavior that causes ridicule or humiliation for the purposes of initiation, admission into, or affiliation with, or as a condition for continued membership in, a group or organization, or as part of any activity of a recognized student organization or student group. Individuals will be held accountable for their own actions, and neither citing the activity as a “tradition” nor being coerced by current or former student leaders of such groups or organizations will suffice as a justifiable
reason for participation in such activity. Individuals or groups may not consent to these types of prohibited behavior. Examples of prohibited behavior under the hazing category include but are not limited to:

i. Misuse of authority by virtue of one’s leadership position

ii. Assaulting an individual by paddling, beating, striking, or hitting

iii. Preventing an individual from attending class

iv. Requiring another to engage in any form of forced physical activity or exercise

v. Failing to report any of the foregoing behavior to the appropriate University officials (e.g., the Office of the Dean of Students and/or the Purdue University Police Department) after having firsthand knowledge of the planning of such activities or firsthand knowledge that an incident of this type has occurred.

The foregoing list of prohibited behaviors under the hazing category is not intended to prohibit the following conduct:

- Planning or participating in customary public athletic events, contests, or competitions that are sponsored by the University or the organized and supervised practices associated with such events; or

- Planning or participating in any activity or conduct that furthers the goals of a legitimate educational curriculum, a legitimate extracurricular program or a legitimate military training program as defined and approved by the University.

f. Theft or attempted theft of, or the unauthorized use or possession of, or the unauthorized exertion of control over, or causing damage to property of any kind belonging to the University, a member of the University community, a campus visitor, or a person or agency participating in a University activity.

g. Unauthorized entry or access to, or unauthorized use or occupancy of, any University property, including without limitation lands, buildings, structures, telecommunications, computer or data processing equipment, programs, systems, software, or other facilities or services connected with a University activity.
h. Violation of any University rule governing student organizations, or the use of University property (including the time, place, and manner of meetings or demonstrations on University property), or of any other University rule that is reasonably related to the orderly operation of the University; provided, however, that no disciplinary sanction shall be imposed in any such case unless it is shown that the accused student knew, or, in the exercise of reasonable care, should have known, of the rule in question.

i. Use, possession, manufacturing, or distribution of any illegal drug, controlled substance, narcotic or prescription drug, except as expressly permitted by law. Intentionally or recklessly inhaling or ingesting any substance (e.g., nitrous oxide, glue, paint, etc.) for the purpose or effect of altering a student’s mental state is also prohibited.

j. Lewd, indecent, or obscene conduct on University property or in connection with a University activity.

k. Failure to comply with directions of University officials acting in the performance of their duties, including but not limited to failing to present identification upon request of a University official acting in the official capacity of his/her position.

l. Any conduct that substantially threatens or interferes with the maintenance of appropriate order and discipline in the operation of the University, or any conduct on University property or in connection with a University activity that invades the rights of others.

m. The possession, sale, use, or manufacturing of alcohol beverages in or on any University property, unless expressly permitted by law or University Regulations (University Senate Document, 99-9, April 24, 2000). Prohibited behavior also includes displaying behavior of public intoxication, operating a vehicle or other mode of transportation under the influence of alcohol, and providing or distributing alcohol to a minor.

n. The possession, use, or distribution of any explosives, guns, or other deadly or dangerous weapons reasonably calculated to cause bodily injury on University property or in connection with a University activity, unless specifically authorized by the University (University Senate Document 99-10, April 24, 2000).

o. Violating the terms of any University disciplinary sanction. This behavior includes violating standards outlined in these regulations while currently under a University sanction for previous behavior
or failing to meet deadlines and/or requirements assigned in conjunction with a violation of these regulations.

3. Demonstrations. Any individual or group expressive activity that has the intent or effect of calling attention to the participants’ point of view on an issue is not of itself misconduct. Demonstrations that do not involve conduct beyond the scope of constitutionally protected rights of free speech and assembly are, of course, permissible. However, conduct that is otherwise improper cannot be justified merely because it occurs in the context of a demonstration. Demonstrations that involve violations of any provision of Subsection B-2 will not be permitted. A student will be charged with misconduct for any individual misconduct committed by the student in the course of a demonstration.

4. Status During Suspension and Degree Deferral. No grades (other than directed grades) or academic credit shall be given, no degree shall be awarded, and no diploma shall be given to any student who has been suspended from the University so long as the suspension is in effect. Similarly, no grades (other than directed grades) or academic credit shall be given, no degree shall be awarded, and no diploma shall be given to any student who received the sanction of a degree deferral until such time as the degree deferral period has expired and all conditions related thereto have been satisfied.

5. Status During Appeal of Expulsion. No grades (other than directed grades) or academic credit shall be given, no degree shall be awarded, and no diploma shall be given to any student who has been expelled while an appeal, if any, under these regulations is pending. After the time for any appeal of expulsion has expired, or upon the conclusion of any unsuccessful appeal of expulsion, no grades or academic credit shall be given, no degree shall be awarded, and no diploma shall be given to any student who has been expelled.

6. Status During Disciplinary Proceedings. Except where summary action is taken as provided in Subsection C-9, the status of a student charged with misconduct shall not be affected pending the final disposition of charges; provided, however, that no diploma shall be given, and no grades (other than directed grades), academic credit, or degree shall be awarded, to a student against whom charges are pending for which a disciplinary sanction may be imposed. The effective date of any disciplinary sanction shall be a date established by the final adjudicating University authority.

7. Conduct Subject to Other Penalties. As provided by Indiana Code 21-39-2-5, conduct that constitutes a violation of these rules and regulations may be sanctioned after determination of responsibility by the procedures herein provided, without regard to whether such conduct also constitutes an offense under the criminal laws of any state or of the United States or
whether such conduct might result in civil liability of the violator to other persons.

C. Procedures in Student Conduct Cases

1. Any individual from inside or outside the University community may file a complaint against a student suspected of violating University regulations. The complaint shall be directed to the Office of Student Rights and Responsibilities (OSRR). Complaints should be submitted as soon as possible after the event takes place, preferably no later than during the semester in which the event happened. Upon receipt of an alleged violation, the Conduct Officer will conduct an initial review of the information provided.

After this initial review of the complaint, the Conduct Officer will determine:

a. Whether there is insufficient information to move forward with student disciplinary proceedings.

   i. The Conduct Officer may elect to conduct a preliminary investigation of the complaint to determine if additional information may be obtained that would lead to student disciplinary proceedings being initiated.

   ii. In addition, the Conduct Officer may request to meet with the student identified as the subject of the complaint to discuss the circumstances surrounding the incident. (This meeting may, but need not, also serve as the pre-hearing information session described in Subsection C-2-b below.)

b. Whether there is sufficient information to initiate student disciplinary proceedings as described in these regulations.

c. If student disciplinary proceedings are to be initiated, whether an individual hearing with the Conduct Officer or a hearing before the Purdue University Community Standards Board (CSB) panel should occur.

2. Disciplinary Proceedings, General. The procedures hereby established and set forth in Subsection C-1 to C-7 shall be followed in all cases in which the University initiates disciplinary proceedings against students for alleged violations of the standards of student conduct set forth in Subsection III-B.

a. Relationship to Other Procedures. These procedures shall not affect additional jurisdiction or procedures established by recognized student organizations or agencies/offices authorized to act on behalf
of the University (e.g., Office of Vice President for Ethics and Compliance, University Residences, Recreational Sports, Student Activities and Organizations, Intercollegiate Athletics, etc.).

b. Pre-Hearing Information Session. At any pre-hearing information session held with the student, a representative of the OSRR will meet informally with the student prior to the hearing to explain the disciplinary process and to answer questions about the procedures and possible consequences. The attendance of the student at such a pre-hearing information session is required in cases where the alleged misconduct may result in the student’s being suspended or expelled from the University or receiving a degree deferral sanction. In other cases, the pre-hearing information session will be offered to the student as an optional step in the process. The pre-hearing information session may be held either before or after a notice of charges is formally delivered to the student.

3. Initiation of Disciplinary Proceedings

a. Disciplinary proceedings shall be initiated by the Conduct Officer by the issuance of a written notice of charges.

b. The notice of charges (and all other written notices given to students against whom disciplinary proceedings are initiated) shall be delivered by the most effective method (including electronic means) to the student’s address as it then appears on the official records of the University. The notice shall inform the student of the rule or regulation allegedly violated, fairly inform the student of the reported circumstances of the alleged violation and either (i) require the student to appear before the Conduct Officer for an individual hearing regarding the alleged violation, or (ii) inform the student that there will be a hearing regarding the alleged violation before a panel of the Community Standards Board as described in Subsection C-7. A reference to these regulations shall accompany each notice of charges. A copy of the notice of charges may be sent to the parent or guardian of the student if the student is a dependent as defined in Section 152 of the Internal Revenue Code of 1986, as amended.

4. Failure to Respond to Charges

a. If the notice of charges requests the student to appear before the Conduct Officer and the student fails or refuses to appear, the Conduct Officer may, after conducting such investigation as he/she may deem necessary, dismiss the charges or impose a
disciplinary sanction/decision as defined in Subsection A-5 of these regulations.

b. If the Conduct Officer imposes a disciplinary sanction/decision as defined in Subsection A-5 of these regulations, he/she shall notify the student in writing of such action, and the student may, subject to the eligibility criteria and procedures set forth in Subsection C-8, appeal this action to the VPSL (or his/her designee), the EVPAA/Provost (or his/her designee), or the Dean of the Graduate School (or his/her designee), as applicable, in each case as provided in Subsection C-8.

c. When it appears necessary to avoid undue hardship or to avoid injustice, the Conduct Officer may extend the time to enable a student to respond to the charges.

5. Response to Charges

a. If the student appears before the Conduct Officer in response to the notice of charges, either (i) for the purpose of an individual hearing regarding the alleged violation as provided in Subsection C-3-b or (ii) for the purpose of a pre-hearing information session as provided in Subsection 2-b, the Conduct Officer shall advise the student as fully as possible of the facts concerning the charges.

b. The student will be informed that he/she is afforded the following rights in connection with the student disciplinary proceeding:

i. The right to be informed of the allegations against him/her that have formed the basis for the charges;

ii. The right to make a statement regarding the allegations and the charges. The student may choose to not make a statement regarding the allegations and the charges. The decision not to make a statement will not be held against the student in determining whether or not he/she is responsible for committing a policy violation;

iii. The right to be informed of any witnesses that the University will call as part of the disciplinary proceeding;

iv. The right to present witnesses as part of the student’s response to the allegations and the charges. Students may present witnesses in person, with the exception of character witnesses, which will be considered in written format only;
v. The right to have one person of the student's choosing serve as an advisor to the student during the disciplinary proceeding;

vi. The right to be informed of the outcome of the student disciplinary proceeding; and

vii. The right to appeal the decision of the Conduct Officer subject to the eligibility criteria and procedures set forth in Subsection C-8 (Appeal of the Disciplinary Decision).

6. Procedures for Conducting Individual Hearings with Conduct Officer

   a. Each hearing shall be conducted before a Conduct Officer. Although the hearing process is informal in nature, it shall be conducted in accordance with the rights described in Subsection C-5 and shall provide the following procedural safeguards:

      i. The student shall have the opportunity to hear information regarding the alleged violation;

      ii. The student shall have the opportunity to rebut statements made by witnesses;

      iii. The student shall have the opportunity to present witnesses or any relevant information in the student's own behalf; and

      iv. The student shall be given the opportunity to respond to any new information gathered during any investigation conducted subsequent to a preliminary meeting with the Conduct Officer as described in Subsection C-1-a-(ii) or subsequent to the individual hearing described in this Subsection C-6.

   b. After hearing all relevant information and conducting such further investigation as the Conduct Officer may deem necessary, the Conduct Officer has the responsibility to determine whether it is more likely than not that the student is responsible for the alleged violation(s). The decision of the Conduct Officer shall be based solely on information obtained at any preliminary meeting between the student and the Conduct Officer, introduced at the hearing, or obtained during any subsequent investigation conducted by or at the request of the Conduct Officer. The finding shall be rendered by the Conduct Officer, who shall be present for all testimony and discussion of the results of any such investigation.
c. No person other than the student, his/her advisor as defined above, the Conduct Officer, and staff members of OSRR shall be present during the discussion between the Conduct Officer and the student except by mutual agreement of both parties.

d. Within five University business days following the conclusion of the hearing and any subsequent investigation that the Conduct Officer may have deemed necessary, the Conduct Officer shall make the determination as to whether it is more likely than not that the student is responsible for the alleged violation(s). The Conduct Officer shall notify the student of the decision. The decision letter shall contain a finding as to the responsibility of the accused student and a brief statement of the reasons for the sanction(s), if any. Any disciplinary sanction imposed or informal action taken is subject to the provisions of Subsection B-4 and Subsection B-5 (relating to status during suspension or degree deferral and status during appeal of an expulsion sanction), as well as all other applicable University rules, regulations, or directives.

e. Subject to the eligibility criteria and procedures set forth in Subsection C-8 (Appeal of the Disciplinary Decision), a student may appeal a disciplinary sanction/decision that has been issued. If an appeal is allowed and properly submitted in accordance with Subsection C-8, instructions regarding the appeal form and notification of appeals procedures, including the address (which may be an email address) to which the appeal may be submitted, shall be provided in the decision letter to the student.

7. Community Standards Board Hearings

a. Purpose. The Community Standards Board (CSB) is organized by the OSRR to adjudicate student conduct cases that may result in suspension, degree deferral or expulsion for the charged student. Cases that may not result in separation from the University may also be forwarded to the CSB for adjudication at the discretion of the OSRR.

b. Composition. The CSB membership is composed of a pool of panelists representing undergraduates, graduate students, staff and faculty who have voluntarily applied and been trained to serve on a CSB panel. CSB members are trained to function as a team, to ask clear, sensitive and relevant questions designed to determine the facts of the case, and to consider the facts carefully and make recommendations for fair sanctions.

c. Organization and Governance. For each case brought before it, the empaneled CSB generally consists of three students, one faculty member and one administrative staff member selected by OSRR
from among the CSB membership. In cases involving alleged academic dishonesty, the CSB panel must include a faculty member. Each CSB panel selects a chair from among its membership to preside over all of its proceedings. In order to constitute a quorum necessary to proceed with a hearing, the CSB panel must have four members present, including at least three students and one staff or faculty member. Decisions of the CSB panel shall be rendered by vote of a majority of the quorum. In the event of any tie, the chair of the CSB panel shall be empowered to break the tie.

d. Procedures for CSB Hearings.

i. Each hearing shall be conducted before the members of a CSB panel and shall follow procedures similar to those of an individual hearing with the Conduct Officer. Although the hearing is formal in nature, it shall be conducted in accordance with the rights described in Subsection C-5 and shall provide the student with the opportunity (A) to hear information regarding the alleged violation; (B) to rebut statements made by witnesses; (C) to present witnesses or any relevant information in the student's own behalf; and (D) to respond to any new information gathered during any investigation conducted subsequent to the preliminary meeting with the Conduct Officer as described in Subsection C-1-a-(ii).

ii. Both the referred student and the Conduct Officer will have the opportunity to appear before the CSB panel to present information about the incident. As noted above, the student may present witnesses. The Conduct Officer may also present any of the witnesses who were previously disclosed to the student. CSB panel members may direct questions to the student and/or to the witnesses.

iii. No person other than the student, his/her advisor, or witnesses shall be present during the hearing except by mutual agreement of the CSB panel and the student.

e. Recommendation of the CSB Panel. After hearing all relevant information, the CSB panel will (A) deliberate and make a written recommendation to the Dean of Students regarding whether it is more likely than not that the student is responsible for the alleged violation(s), and, if so (B) recommend sanctions to the Dean of Students. The recommendation of the CSB panel shall be based solely on information introduced at the hearing.

f. Decision by Dean of Students. Within five University business days following the conclusion of the hearing and any further
investigation deemed necessary, the Dean of Students shall review the recommendation of the CSB panel and make the determination as to whether it is more likely than not that the student is responsible for the alleged violation(s). The Dean of Students shall notify the student of the decision. The decision letter shall contain a finding as to the responsibility of the accused student and a brief statement of the reasons for the sanction, if any. Any disciplinary sanction imposed or informal action taken is subject to the provisions of Subsection B-4 and Subsection B-5 (relating to status during suspension or degree deferral and status during appeal of an expulsion sanction), as well as any other applicable University rules, regulations, or directives.

g. Appeal. Subject to the eligibility criteria and procedures set forth in Subsection C-8 (Appeal of the Disciplinary Decision), a student may appeal a disciplinary sanction/decision that has been issued by a CSB panel. Instructions regarding the appeal form and notification of appeals procedures, including the address (which may be an email address) to which the appeal may be submitted, shall be provided in the decision letter if the student is found responsible for the violations.

8. Appeal of the Disciplinary Sanction/Decision

a. A student may appeal a disciplinary sanction where:

i. There is significant new information related to the case that was not available at the time of the individual hearing with the Conduct Officer or initial hearing and that would alter the finding and/or sanction(s) assigned in the case. The new information must be detailed in an appeal letter with an explanation of why the information was not available at the time of the individual hearing with the Conduct Officer. A student who fails to appear for his/her initial disciplinary proceeding after notice has been sent to his/her University-issued email address will be deemed to have waived the right to present witnesses and relevant information in the student’s own behalf and thus foreclosed from presenting “significant new information” on appeal.

ii. There is evidence that the University failed to follow established procedures.

iii. The assigned sanction of expulsion, suspension, degree deferral, probated suspension, disciplinary probation, or restrictions, is grossly disproportionate to the violation. Assigned sanctions of a written warning and/or educational sanctions may not be appealed.
b. In cases involving alleged academic dishonesty, an undergraduate student may appeal a disciplinary decision of the OSRR or CSB to the EVPAA/Provost or his/her designee. In cases involving alleged academic dishonesty, a graduate/professional program student may appeal a disciplinary decision of the OSRR or CSB to the Dean of the Graduate School or his/her designee. All other appeals of disciplinary decisions imposed by the OSRR or the CSB may be appealed to the VPSL or his/her designee.

c. The appeal must be submitted by the student in accordance with the instructions provided to him/her and state the specific grounds for the appeal. The appeal must be received by the appropriate appeal officer within five University business days of the date of the decision letter. It is the student’s responsibility to ensure that the appeal notice is received by the appropriate appeal officer by the specified due date. Disciplinary decisions not properly appealed by such date are deemed final.

d. Appeals will be decided solely on the basis of the record of the original proceeding and the written materials provided to support the appeal.

e. The appeal officer shall review all material pertinent to the case. The appeal officer may affirm the findings and/or sanction, decrease the sanction, or remand the case to the original hearing authority for a second hearing.

f. The appeal officer shall notify the student in writing (which may be sent to his/her University-issued email address) of the outcome of the case, normally within ten University business days of the appeal officer’s receipt of the appeal. All decisions of the appeal officer are final.

9. Summary Action

a. Summary action by way of an immediate disciplinary suspension and exclusion from University property may be imposed when the student’s continued presence poses a threat to (i) the safety, security, or well-being of members or guests of the University community, (ii) University property, or (iii) the ability of the University to maintain normal operations and carry on its programs, services and activities free of disruption.

b. Summary action may be taken by the Dean of Students, the VPSL, the EVPAA/Provost, or the President.

c. During the period of summary action, the student may be denied access to University-owned housing, University property, and classes (whether delivered through on-campus or on-line methods).
In addition, the student may be restricted from all other University activities or privileges for which the student might otherwise be eligible.

d. Whenever summary action is taken under this Subsection C-9, the applicable procedures provided for in Subsection C for a hearing and any appeal in the related disciplinary proceeding shall be expedited so far as possible to shorten the period of summary action.

e. A student subject to summary action may submit a written appeal to the Conduct Officer of record within ten University business days of receiving notice of the summary action. The appeal may be accompanied by written evidence, which may include written testimony of witnesses, bearing on the issue of whether summary action is appropriate in the case. The appeal will be forwarded to the University official who made the original summary action decision (i.e., the Dean of Students, the VPSL, the EVPAA/Provost, or the President, as applicable) for review and reconsideration. A favorable decision on the appeal shall be limited to lifting the summary action and shall not affect the conduct of the hearing and any appeal in the related disciplinary proceeding.

D. The Campus Appeals Board

1. Purpose. A Campus Appeals Board shall be established for each campus of the University, the purpose of which is to hear appeals concerning decisions made by the University about student organizations, Student Supreme Court decisions, and complaints under the Student Bill of Rights.

2. Organization and Governance. For each case brought before it, the Campus Appeals Board for the West Lafayette Campus shall consist of three students and two faculty and/or staff members. The Campus Appeals Board shall be drawn from a pool of faculty, staff, and students who have been nominated, selected, and trained to serve in this capacity by members of the University community.

3. Appeals Concerning Student Organizations. On the West Lafayette campus, the Campus Appeals Board shall hear any appeal made by a student organization that the University has refused to recognize or against which the Office of the Dean of Students has issued a misconduct penalty in the form of suspension or withdrawal of recognition of the student organization.

a. In a case of the University's refusal to recognize a student organization, the Campus Appeals Board has the power to uphold or reverse the decision.
b. In a case of an appeal of a misconduct penalty in the form of suspension or withdrawal of recognition of the student organization, the Campus Appeals Board has the power to affirm the findings and/or sanction(s), decrease the sanction, or remand the case to the original hearing authority for a second hearing.

In each case, the action of the Campus Appeals Board on such appeal shall be final.

4. Appeals from Student Supreme Court. On the West Lafayette campus, the Campus Appeals Board shall have discretionary jurisdiction to hear appeals from cases decided by the Student Supreme Court, either acting alone or, for cases involving student government elections, in concert with a board of Purdue Student Government advisors. In the cases it hears, the Campus Appeals Board may affirm or reverse a decision, and its action shall be final.

5. Complaints under Bill of Student Rights. On the West Lafayette campus, the Campus Appeals Board shall hear complaints from students concerning actions or decisions made by the University that are claimed to violate rights established under the Bill of Student Rights. In such cases, the Campus Appeals Board shall have the power and duty to make findings and recommendations to the President of the University or his/her designee, whose decision shall be final.
Code of Student Rights, Responsibilities, and Conduct (IPFW)

Part I. Student Rights and Responsibilities

Preamble. IPFW regulations governing the actions of students are intended to enhance the values that must be maintained in the pursuit of IPFW's mission and goals. These values include freedom of inquiry, intellectual honesty, freedom for the open expression of ideas and opinions within limits that protect the rights of others, and respect for the views and the dignity of other persons.

In exercising their rights, students must bear responsibility to act in accordance with local, state, and national laws, and IPFW rules, regulations, policies, and procedures. No right should be construed as enabling students to infringe upon the individual rights of another member of the academic community.

A. Individual Rights and Responsibilities as Citizens

1. Students retain all of their citizenship rights when enrolled at IPFW.

2. Students who violate civil law may incur penalties prescribed by civil authorities. Only where IPFW's interests as an academic community are distinct from those of the general community should the special authority of IPFW be asserted.

3. Nondiscrimination. IPFW is committed to maintaining a community that recognizes and values the inherent worth and dignity of every person; fosters tolerance, sensitivity, understanding, and mutual respect among its members; and encourages each individual to strive to reach his or her own potential. (see purdue.edu/purdue/ea_eou_statement.html)

4. All members of the university community must be able to pursue their goals, educational needs, and working lives without intimidation or injury generated by harassment.

5. In pursuit of its goal of academic excellence, the university seeks to develop and nurture diversity. The university believes that diversity among its many members strengthens the institution, stimulates creativity, promotes the exchange of ideas, and enriches campus life.

IPFW views, evaluates, and treats all persons in any university-related activity or circumstance in which they may be involved solely as individuals on the basis of their own personal abilities, qualifications, and other relevant characteristics.

IPFW prohibits discrimination against any member of the university community on the basis of race, religion, color, sex, age, national origin or ancestry, genetic information, marital status, parental status, sexual orientation, gender identity and expression, disability, or status as a veteran. The university will conduct its programs, services, and activities consistent with applicable federal, state, and local
laws, regulations and orders and in conformance with the procedures and
limitations as set forth by the Purdue University Equal Opportunity, Equal Access,
and Affirmative Action policy, which provides specific contractual rights and
remedies. Additionally, the university promotes the full realization of equal
employment opportunity for women, minorities, persons with disabilities, and
veterans through its affirmative action program. IPFW is an equal access, equal
opportunity, affirmative action university.

6. It is the policy of IPFW to maintain the campus as a place of work and study for
faculty, staff, and students, free from all forms of harassment, as defined in Purdue
University's policy on Anti-Harassment (III.C.1) (hereinafter, the “Anti-Harassment
Policy”). In providing an educational and work climate that is positive and
harassment-free, faculty, staff, and students should be aware that harassment in the
workplace or the educational environment is unacceptable conduct and will not be
tolerated. [See Anti-Harassment Policy:] That policy addresses harassment in all
forms, including harassment toward individuals with legally protected status for
reasons of race, gender, religion, color, age, national origin or ancestry, genetic
information, or disability, as well as harassment toward individuals for other
reasons such as sexual orientation, gender identity, gender expression, marital
status, or parental status.

7. Academic Freedom and Freedom of Speech. Freedom of thought and expression are
the lifeblood of our academic community and require an atmosphere of mutual
respect among diverse persons, groups and ideas. The maintenance of mutually
respectful behavior is a precondition for the vigorous exchange of ideas, and it is the
policy of the university to promote such behavior in all forms of expression and
conduct. The university reaffirms its commitment to freedom of speech as
guaranteed by the First Amendment of the United States Constitution. Accordingly,
any form of speech or conduct that is protected by the First Amendment is not
subject to this policy. The University reaffirms its commitment to academic
freedom, which is essential to its educational mission and is critical to diversity and
intellectual life.

B. Individual Rights and Responsibilities as Students

1. Degree-seeking students have the responsibility for selecting a major field of study,
choosing an appropriate degree program within the discipline, planning class
schedules, and meeting the requirements for degrees. IPFW will provide advisors to
assist students in academic planning, but students are responsible for being
knowledgeable about all academic requirements that must be met before a degree is
granted.

2. Students have the right to receive in writing (the terms "in writing" or "written"
here and throughout this Code include both printed and electronic communication)
accurately and plainly stated information that enables them to understand clearly:

a. the general qualifications for establishing and maintaining acceptable
   academic standing within a particular major and at all other levels within
   IPFW,
b. the graduation requirements for specific curricula and majors, and

c. at a minimum, the course objectives, requirements, and grading policies set by individual faculty members for their courses by means of a course syllabus.

3. In the classroom, students have the freedom to raise relevant issues pertaining to classroom discussion, to offer reasonable doubts about data presented, and to express alternative opinions to those being discussed. However, in exercising this freedom, students shall not interfere with the academic process of the class. Students who interfere with the academic process of a class may be directed to leave class for the remainder of the class period. Longer suspensions from a class must be preceded by the personal misconduct procedures set forth in Part III.B of this Code.

4. Students' course grades shall be based upon academic performance, and not upon opinions or conduct in matters unrelated to academic standards. Students have the right to discuss and review their academic performance with their faculty members. Students who feel that any course grade has been based upon criteria other than academic performance have the right to appeal through the IPFW grade appeals system. [See IPFW Academic Regulations-Grade Appeals.]

5. Students have the right to obtain a clear statement of basic rights, obligations, and responsibilities concerning both academic and personal conduct.

6. Students have the responsibility to become familiar with, uphold, and follow all codes of conduct, including this Code, relevant codes of colleges/schools and departments, professional programs, and all rules applicable to conduct in class environments or university-sponsored activities, including off-campus clinical, field, internship, or in-service experiences.

7. Students have the right to participate in the formulation of IPFW policies that directly affect them. In exercising this right, students have the right of access to appropriate information, to express their views, and to have their views considered.

8. Students have the privacy rights specified in the IPFW policy on the release of student information. [See IPFW Academic Regulations-Release of Student Information.]

C. Rights and Responsibilities as Participants in Student Groups, Student Organizations, and Campus Activities

1. Students have the right to form, join, and participate in groups or organizations that promote the common interests of students, including but not limited to groups or organizations that are organized for academic, professional, religious, social, economic, political, recreational, or cultural purposes.

2. Any group of students may petition to become a recognized IPFW student organization in accordance with the established guidelines. Any appeal of a campus decision to discontinue or refuse recognition of a student group shall be made
through the Campus Appeals Board.

3. Any student group recognized as an IPFW student organization shall be entitled to the use of available campus facilities in conformity with IPFW regulations. [See IPFW Regulations Governing the Use and Assignments of University Facilities at the Fort Wayne Campus.] Recognition shall not imply IPFW endorsement of group goals and activities.

4. Any recognized IPFW student organization or any group of students able to secure sponsorship by a recognized student organization and to demonstrate financial responsibility has the right to present speakers of its choice to address members of the IPFW community using appropriate campus facilities. These assemblies shall be subject to regulations necessary to prevent space and time conflicts and to protect the operations of the campus and the safety of persons or property.

5. Freedom of assembly shall be guaranteed to all members of the IPFW community. Such assemblies shall be consistent with IPFW regulations regarding the time, place, and manner of such assemblies.

6. A student, student group, or student organization has the right to distribute written material on campus without prior approval providing such distribution is consistent with appropriate regulations concerning the time, place, and manner of distribution and does not interfere with IPFW activities.

7. Students who publish student publications under IPFW auspices have the right to be free of unlawful censorship. At the same time, students who publish such publications must observe the recognized canons of responsible journalism such as the Sigma Delta Chi Code of Ethics and avoid libel, obscenity, undocumented allegations, attacks on personal integrity, and the techniques of harassment and innuendo. Editors and managers of The Communicator may not be arbitrarily suspended or removed from their positions because of student, faculty, administrative, or public disapproval of their editorial policies or publications. Student editors and managers may be suspended or removed from their positions only for proper cause and by appropriate proceedings conducted by the Board of Directors. All student publications shall explicitly state on the editorial page that the opinions expressed are not necessarily those of IPFW or of the student body.

D. Summary of Rights and Responsibilities

1. This statement of Student Rights and Responsibilities is a reaffirmation by the entire IPFW community that the constitutional guarantees and the basic principles of fair treatment and respect for the integrity, judgment, and contribution of the individual student, coinciding with each student’s freedom to learn set forth in the foregoing articles, are essential to the proper operation of an institution of higher learning. Accordingly, in the interpretation and enforcement of the policies, procedures, rules, and regulations of IPFW, these student rights shall be preserved and given effect, but they shall not be construed or applied so as to limit the rights guaranteed students under the Constitution of the United States or the Constitution of the State of Indiana.
Except in the case of grade appeals and appeals of Student Housing decisions, which are addressed further below in this paragraph, a complaint by a student or a group of students that the rights described in this Part I have been violated and that the student or group of students has been or will be adversely affected thereby shall be submitted and resolved in accordance with the procedures described in Part IV. In case of grade appeals, the individuals and committees designated in the IPFW grade appeals system shall have final authority to decide the appeal. In the case of an appeal of Student Housing decisions, the individuals and committees designated in the Housing Agreement shall have final authority to decide the appeal. In the case of complaints of discrimination and harassment, the individuals and committees identified in the Purdue University Procedures for Resolving Complaints of Discrimination and Harassment shall have the authority designated in such procedures.

2. If the student has a question as to whether IPFW’s grade appeals procedures, Student Housing procedures, or the student complaint procedures described in Part IV should be used to resolve a complaint, the dean of students shall decide which one set of procedures shall be used after consulting with the unit head of the faculty or staff member with whom the student or group of students has the complaint. Once the appropriate process is identified, the dean of students will explain the time lines associated with the process.

3. The enumeration of these rights and responsibilities shall not be construed to deny or disparage others retained by the student. Nothing contained in the Code of Student Rights, Responsibilities, and Conduct shall be construed as any denial or limitation upon the legal authority or responsibility of the Board of Trustees to establish policies and to make rules and regulations governing the operation of IPFW.

E. Definitions

1. An IPFW activity is any teaching, research, service, administrative, or other function, proceeding, ceremony, program, or activity conducted by or under the authority of IPFW or with which IPFW has any official connection, whether taking place on or off campus. Included within this definition without limitation are IPFW cooperative education programs, internships, practicums, field experiences, and athletic or other intercollegiate activities.

2. IPFW property means property owned, controlled, used, or occupied by IPFW.

3. A business day means any day other than Saturday, Sunday, and any day on which IPFW is closed, whether by virtue of its being a university holiday or otherwise.
Part II. Student Conduct Subject to University Action

Preamble. Students are expected and required to abide by the laws of the United States, the State of Indiana, and the rules, regulations, policies, and procedures of IPFW. Students are expected to exercise their freedom to learn with responsibility and to respect the general conditions that maintain such freedom. IPFW has developed the following general regulations concerning student conduct which are intended to safeguard the right of every individual student to exercise fully the freedom to learn without interference. IPFW may hold a student responsible for his or her behavior, including for academic or personal misconduct.

A. Academic Misconduct

This type of misconduct is generally defined as any act that tends to compromise the academic integrity of the university or subvert the educational process. At IPFW, specific forms of academic misconduct are defined as follows:

1. Using or attempting to use unauthorized materials, information, or study aids in any academic exercise. The term "academic exercise" includes all forms of work submitted for credit or hours.

2. Falsifying or fabricating any information or citation in an academic exercise.

3. Helping or attempting to help another in committing acts of academic dishonesty.

4. Adopting or reproducing ideas or statements of another person as one's own without acknowledgment (plagiarism).

5. Submitting work from one course to satisfy the requirements of another course unless submission of such work is permitted by the faculty member.

6. Serving as or permitting another student to serve as a substitute (or "ringer") in taking an exam.

7. Altering answers or grades on a graded assignment without authorization of the faculty member.

8. Engaging in activities that unfairly place other students at a disadvantage, such as taking, hiding, or altering resource material.

9. Violating professional or ethical standards of the profession or discipline for which a student is preparing (declared major and/or minor) as adopted by the relevant academic program.

In order to ensure that the highest standards of professional and ethical conduct are promoted and supported at IPFW, academic departments should establish a written policy/statement addressing the professional or ethical standards for their discipline, which if developed, must be available to all students who are preparing in the discipline. Students have the responsibility to familiarize themselves with the academic department's policy/statement.
B. **Personal Misconduct**

IPFW may find a student responsible for the following acts of personal misconduct that occur on campus property or in connection with an IPFW activity, or when the health, safety, property, or security of the campus may be adversely impacted.

1. Dishonest conduct, including but not limited to false accusation of misconduct; forgery, alteration, or misuse of any IPFW document, record, or identification; and giving to an IPFW official information known to be false.

2. Release of access codes for IPFW computer systems to unauthorized persons; use of an access code for a purpose other than that stated on the request for service.

3. Lewd, indecent, or obscene conduct as defined by law.

4. Disorderly or disruptive conduct that interferes with teaching, research, administration, or other IPFW or IPFW-authorized activity.

5. Failure to comply with the directions of authorized IPFW officials in the performance of their duties, including failure to identify oneself when requested to do so, and violation of the terms of a sanction.

6. Unauthorized entry, use, or occupancy of campus facilities; refusal to vacate a campus facility when directed to do so by an authorized official of IPFW.

7. Unauthorized taking or possession of IPFW property or services; unauthorized taking or possession of the property or services of others, including but not limited to selling or bartering notes/handouts/recordings from academic classes.

8. Intentional action or reckless disregard that results in damage to or destruction of IPFW property or of property belonging to others.

9. Possession of firearms or other weapons; possession or display of any firearm except as authorized by the IPFW police; and intentional possession of a dangerous article or substance as a potential weapon, or of any article or explosive calculated to injure or threaten any person. Public law enforcement officials who are required by their departments to carry their firearms at all times must register with the IPFW police.

10. Acting with violence; and aiding, encouraging, or participating in a riot.

11. Harassment, as defined by the Anti-Harassment Policy. Use of the term “harassment” includes all forms of harassment, including stalking, racial harassment, and sexual harassment as defined more completely by the Anti-Harassment Policy (purdue.edu/ethics/policies/FosteringRespect_accessible.pdf).

12. Hazing, defined as any conduct that subjects another person, whether physically, emotionally, or psychologically, to anything that may endanger, abuse, degrade, or intimidate the person as a condition of association with a group or organization, regardless of the person’s consent or lack of consent.
13. Physical abuse of any person or conduct that threatens or endangers the health or safety of another person.

14. Any form of communication that (a) involves a serious expression of intent to commit an act of unlawful violence to a particular individual or group of individuals or to cause damage to another person's property, or other conduct which threatens or endangers the health and safety of another person or another person's property, or (b) that is inherently likely to provoke a violent reaction or incite an immediate breach of the peace in a face-to-face situation.

15. Possession, consumption, distribution, or sale of alcoholic beverages on campus except as expressly permitted by the Internal Operating Procedures for the Possession, Consumption, Distribution, and Sale of Alcoholic Beverages on the Fort Wayne campus.

16. Use, possession, manufacture, processing, distribution, or sale of any drug or controlled substance except as expressly permitted by law. The term "controlled substance" is defined in Indiana statutes, and includes, but is not limited to, substances such as marijuana, cocaine, narcotics, certain stimulants and depressants, hallucinogens, and prescription drugs used without proper authorization.

17. Violations of other published IPFW regulations, policies, procedures, or rules, such as the IPFW Tobacco and Smoke Free Campus policy.

18. Violation of any IPFW rule governing student organizations, or the use of IPFW property (including the time, place, and manner of meetings or demonstrations on IPFW property), or of any other IPFW rule that is reasonably related to the orderly operation of IPFW.

19. Obstruction or disruption of any IPFW activity or inciting, aiding, or encouraging other persons to engage in such conduct. Obstruction or disruption means any unlawful or objectionable acts or conduct: (1) that seriously threaten the ability of IPFW to maintain its facilities available for performance of its educational activities, or (2) that are in violation of the reasonable rules and standards of IPFW designed to protect the academic community from unlawful conduct, or (3) that present a serious threat to persons or property of the academic community. Such phrases shall include, without limitation of the foregoing general definition, the unlawful use of force or violence on or within any buildings or grounds owned, used, occupied, or controlled by IPFW; using or occupying any such buildings or grounds in violation of lawful rules, regulations, policies, or procedures of IPFW, or for the purpose or with the effect of denying or interfering with the lawful use thereof by others; and injuring or harming any person or damaging or destroying the property of IPFW or the property of others, within such buildings and grounds.

C. Other Student Conduct Issues

1. Demonstrations. Any individual or group activity or conduct apparently intended to call attention to the participants' point of view on some issues is not of itself misconduct. Demonstrations that do not involve conduct beyond the scope of
constitutionally protected rights of free speech and assembly are, of course, permissible. However, conduct that is otherwise improper cannot be justified merely because it occurs in the context of a demonstration.

2. **Misconduct Subject to Other Penalties.** As provided by Indiana statute, misconduct that constitutes a violation of this Code may be sanctioned after determination of responsibility under the procedures herein provided, without regard to whether such misconduct also constitutes an offense under the criminal laws of any state or of the United States or whether such conduct might result in civil liability of the violator to other persons.

3. **Personal Conduct Not on IPFW Property.** IPFW may find a student responsible for acts of personal misconduct that are not committed on campus property or in connection with an IPFW activity if the acts distinctly and adversely affect the security of the campus community, the safety of others, or the integrity of the educational process.
Part III. Student Misconduct Procedures

Preamble. IPFW procedures for imposing academic and personal misconduct sanctions are designed to provide students with the guarantees of due process and procedural fairness. Except as provided in Part IV, the procedures hereby established shall be followed in all cases in which IPFW institutes proceedings against students for violations of rules of student conduct set forth in Part II.

A. Procedures for Academic Misconduct

1. The process for investigating complaints of academic misconduct may vary depending upon the situation. An essential component of any misconduct process should incorporate the requirements of due process. As such, a student whose conduct is being reviewed should know the nature of the information presented against them and be able to have a meaningful opportunity to be heard. Therefore, throughout Part III, Section A, of this Code, whenever there is a requirement for the student to have an "opportunity to be heard," the minimum standard for that meaningful opportunity will include all of the following:

   • notice of the nature of the alleged misconduct
   • notice of the date, time, location, and general procedure of the review of the allegation
   • notice of the potential outcomes of the review
   • opportunity to address the information supporting the allegation

2. When a student in a course commits an act of academic misconduct related to that particular course, the faculty member teaching the course has the authority to initiate academic misconduct proceedings against the student in accordance with these procedures.

   a. A faculty member who has information that a student enrolled in a course being conducted by the faculty member has committed an act of academic misconduct related to that course is required to hold a conference with the student concerning the matter within 10 business days of discovering the alleged misconduct. The faculty member must advise the student of the alleged act of misconduct and afford the student the opportunity to address the information supporting the allegation. Any action that must be performed by faculty under these procedures may be performed by the faculty chair or next highest administrator if the faculty member is not able to fulfill the requirement within the 10-business day period.

   b. If the faculty member finds that the student did commit the act of misconduct as alleged, the faculty member is authorized to impose an appropriate academic sanction related to the particular course involved. An appropriate academic sanction for such misconduct may include, and is limited to, one or more of the following:

      (1) The student may be given a lower grade than the student would otherwise have received or a failing grade for any assignment, course work, examination, or paper involved in the act of misconduct.
(2) The student may be required to repeat the assignment, complete
some additional assignment, or resubmit any assignment, course work,
examination, or paper involved in the act of misconduct.

(3) The student may be given a lower grade than the student would
otherwise have received or a failing grade for the course.

c. After imposing an academic sanction, the faculty member is required to
report the matter and action taken within 10 business days in writing to the
student, the chair of the department in which the course is offered, the
dean/director of the college/school/division in which the course is offered,
the chair of the student's department (if different from above), the
dean/director of the student's college/school/division (if different from
above), and the dean of students.

d. The student has the right to appeal the faculty member's findings and/or
sanction through the procedures specified in Part IV of this Code.

e. The chair of the student's department has the authority to initiate additional
academic sanctions against the student if the chair concludes, in
consultation with the dean of students, that additional sanctions may be
warranted by the nature of the act or because the student has committed
previous acts of academic misconduct.

The chair of the student's department must notify the student in writing
within 10 business days of the date of the faculty member's report if
additional sanctions are contemplated at the department level. If additional
sanctions are contemplated, the student shall be provided an opportunity to
be heard in accordance with the standards articulated in the opening
paragraph of Part III, Section A.

The chair must report any decision to initiate additional sanctions in writing
to the student, the student's college/school/division dean/director, and the
dean of students within 10 business days of the student's opportunity to be
heard.

Additional sanctions imposed at the department level may include academic
probation, denial of future admission, or dismissal from the department. The
student may appeal the chair's decision about additional sanctions through
the procedures specified in Part IV of this Code.

f. The dean/director of the student's college/school/division also has the
authority to initiate additional academic sanctions against the student if the
dean/director concludes, in consultation with the dean of students, that
additional sanctions may be warranted by the nature of the act or because the
student has committed previous acts of academic misconduct. The
dean/director must notify the student in writing within 10 business days of
the date of the chair's report if additional sanctions are contemplated at the
college/school/division level. If additional sanctions are contemplated, the
student shall be provided an opportunity to be heard in accordance with the standards articulated in the opening paragraph of Part III, Section A.

The dean/director must report any decision to initiate additional sanctions in writing to the student, the chair, and the dean of students within 10 business days of the student's opportunity to be heard.

Additional sanctions imposed at the college/school/division level may include academic probation, denial of future admission, or dismissal from the college/school/division. The student may appeal the dean's/director's decision about additional sanctions through the procedures specified in Part IV of this Code.

3. When a student is alleged to have committed an act of academic misconduct that is not related to a course in which the student is enrolled, the chair of the student's department has the authority to initiate a review of the allegation.

   a. After discovering the alleged academic misconduct, the chair must notify the dean of students and the student in writing within 10 business days if action is contemplated at the department level and provide the student an opportunity to be heard in accordance with the standards articulated in the opening sentence of Part III, Section A.

   The chair must report the decision, including any sanctions imposed, in writing to the student, the student's college/school/division dean/director, and the dean of students within 10 business days of the student's opportunity to be heard.

   Sanctions imposed at the department level may include, and are limited to, one or more of the following: academic probation, denial of future admission, or dismissal from the department. The student may appeal the chair's decision (including sanctions) through the procedures specified in Part IV of this Code.

   b. Similarly, the dean/director of the student's college/school/division has the authority to initiate additional academic sanctions against the student if the dean/director concludes that additional sanctions may be warranted by the nature of the act or because the student has committed previous acts of academic misconduct in accordance with the procedures above.

   The dean/director must report any decision to initiate additional sanctions in writing to the student, the chair, and the dean of students within 10 business days of the student's opportunity to be heard.

   Additional sanctions imposed at the college/school/division level may include, and are limited to, one or more of the following: academic probation, denial of future admission, or dismissal from the college/school/division. The student may appeal the dean's/director's
decision about additional sanctions through the procedures specified in Part IV of this Code.

4. A student may not be placed on disciplinary probation or suspended or expelled from IPFW because of an act of academic misconduct unless the dean of students concludes that such a sanction is justified by the nature of the act or because the student has committed previous acts of misconduct. If the dean of students concludes that additional disciplinary sanctions are warranted, the proceedings will be governed by the same procedures that apply to acts of personal misconduct (Part III.B).

B. Procedures for Personal Misconduct

Any member of the IPFW community may initiate a complaint of student personal misconduct with the dean of students. Misconduct proceedings are initiated by the issuance of a notice of charges and are governed by the following procedures.

1. Notice of Charges

   a. A personal misconduct proceeding is initiated by the dean of students by sending a notice to the student who is the subject of the complaint. If proceedings are initiated against a student under the age of 18, the dean is required to make reasonable efforts to assure that the parent(s) or, when appropriate, the legal guardian of the student is notified concerning the proceedings and the nature of the complaint.

   b. The notice shall be sent by IPFW email to the student’s address as it appears in the official records of IPFW or shall be delivered personally to the student. The notice shall quote the rule claimed to have been violated and shall fairly inform the student of the reported circumstances of the alleged misconduct. The notice shall require the student to appear in the office of the dean of students at a time and on a date specified (which ordinarily will not be earlier than three business days after the emailing of the notice) for a hearing on the alleged violations. A copy of these procedures can be found on the web page: bulletin.ipfw.edu, a link to which will be included in the email or other notice to the student.

   c. The notice shall inform the student of the following:

      (1) The offense the student is alleged to have committed by citing the relevant section of this Code;

      (2) The date, time, and place of the alleged offense, and other relevant circumstances;

      (3) The date, time, and place of the hearing to discuss the alleged violation;
(4) That the student may have an advisor or other counsel present during the hearing, but with the understanding that such an advisor or counsel is limited to the role of advising the student and that such an advisor or counsel may not participate in presenting the case, questioning the witnesses, or making statements during the hearing;

(5) That the student need not answer questions and that a choice to remain silent will not be taken as an admission of responsibility, nor shall it be detrimental to the student’s position;

(6) That, if the student fails to appear for the hearing, the dean of students may (a) reschedule the conference; (b) dismiss the charges; or (c) if the dean reasonably believes the failure to appear to be inexcusable, impose any of the prescribed sanctions set forth in Part III.B.3 below.

2. Hearing

a. When the student appears as required, the dean of students shall inform the student as fully as possible of the facts concerning the alleged misconduct and of the procedures that follow. The student may, but need not, make responses and explanations.

b. If, after discussion and such further investigation as may be necessary, the dean of students determines that the violation alleged is not supported by the information, the dean shall dismiss the accusation and notify the student.

c. If, after discussion, or if the student fails to appear, the dean of students believes that the violation occurred as alleged, the dean shall so notify the student and shall impose a sanction by means of a written notice. The student, by such notice, shall have the option of accepting or appealing the finding and/or sanction through the procedures specified in Part V of this Code.

d. Both the student and the student’s accuser shall be informed of the outcome of any hearing brought alleging any form of physical violence, threat, or harassment.

3. Personal Misconduct Sanctions

The dean of students is authorized to impose a sanction including, and limited to, one or more of the following:

a. Reprimand and Warning. A student may be given a reprimand accompanied by a written warning that the student may receive additional sanctions if the student engages in the same misconduct again or commits any other violation of this Code.
b. Disciplinary Probation. A student may be placed on probation for a specified period under conditions specified in writing by the dean of students, with a warning that any violation of the conditions or any further acts of misconduct may result in additional sanctions, including suspension or expulsion from IPFW. As a condition of probation, the student may be required to participate in a specific program, such as an alcohol-education program, or to provide a specific service, such as the repair or restoration of any property damaged or taken by the student.

c. Restitution. A student may be required to pay the cost for the replacement or repair of any property damaged by the student. If the student fails to pay the cost or make the repairs, the student may be subjected to additional sanctions, including suspension or expulsion.

d. Participation in a Specific Program. A student may be required to participate in a specific program, such as an alcohol-education program. If the student fails to participate in the program as directed, the student may be subjected to additional sanctions, including suspension or expulsion.

e. Provision of a Specific Service. A student may be required to provide a specific service, such as the repair or restoration of any property damaged or taken by the student. If the student fails to provide the service as directed, the student may be subjected to additional sanctions, including suspension or expulsion.

f. Suspension. A student may be suspended from classes and future enrollment and excluded from participation in all aspects of campus life for a specified period of time.

g. Expulsion. A student may be permanently dismissed from IPFW.

C. Summary Action

Summary action by way of temporary suspension and exclusion from IPFW property may be taken against a student without the issuance of a notice of charges and without following the procedures prescribed in Part III.B or Part IV on the following conditions:

- Summary action shall be taken only by the chancellor or the chancellor's designee, and only after the student shall have been given an opportunity to be heard if such procedure is practical and feasible under the circumstances.
- Summary action shall be taken only if the chancellor or the chancellor's designee is satisfied that the continued presence of the student on IPFW property threatens imminent harm to any other persons or to the property of IPFW or of others, or to the stability and continuance of normal university functions.
- Whenever summary action is taken under this provision, the procedures provided for in Part III.B for a hearing or the procedures provided for in Part V for appeals shall be expedited so far as possible in order to shorten the period of summary action.
D. **Time Limitations**

Time limitations specified in the preceding sections of this Code may be extended by either the dean of students or the Campus Appeals Board for a reasonable period if an extension is justified by good cause under the totality of the circumstances. The documentation for extending the time limitations must be provided to the student.

E. **Status During Conduct Proceedings.**

Except where summary action is taken as provided in Part III.C, the status of a student charged with misconduct shall not be affected, pending the final disposition of charges. The effective date of any sanction shall be a date established by the final adjudicating body (dean of students or the Campus Appeals Board). In case of suspension or expulsion, the student shall not be withdrawn any earlier than the date the notice of charges originated or later than the effective date established by the final adjudicating body.
Part IV. Student Complaint Procedures

Preamble. The following student complaint procedures are designed to ensure that students have an identified and well-understood mechanism for registering and resolving complaints of the types described below.

A. Students having complaints concerning alleged violations of the Anti-Harassment Policy, as referenced in Part IA.3, Part IA.4 and Part IA.6 of the Code, should use the Purdue University Procedures for Resolving Complaints of Discrimination and Harassment.

B. Students having complaints concerning actions or decisions which are claimed to violate other rights recognized in Part I of the Code must first make a reasonable effort to resolve the complaints informally with the faculty/staff member whose action or decision is the basis for the complaint.

1. The effort to resolve the complaint informally with the faculty/staff member must be initiated by the student in a documented manner no later than within 21 calendar days the action or decision occurred. The documentation only needs to be dated and indicate that the student has made a good faith effort at initiating the conversation with the responsible faculty/staff member. For a complaint to continue to receive consideration under these procedures, the student must initiate each successive step in the process within 21 calendar days of conclusion of the previous step. In addition, it is expected that each step in the process will be concluded within 21 calendar days of initiation.

2. If the complaint is not resolved informally between the student and the responsible faculty/staff member, the student may pursue the complaint informally with the faculty/staff member’s department head, who shall investigate, mediate, and suggest a resolution.

3. If the complaint remains unresolved after the department head’s attempt to mediate a resolution, the student may continue to pursue the complaint with the head of the next highest administrative level (e.g., the college/school/division dean/director), who shall investigate, mediate, and suggest a resolution.

4. Only after all such remedies have been exhausted may the student petition for a hearing before the Campus Appeals Board. To petition for a hearing before the Campus Appeals Board, the student must file a complaint with the dean of students. The complaint must describe the action or decision claimed to violate one or more of the student rights recognized in Part I of the Code, identify the right(s) claimed to have been violated, and specify the remedy sought. The dean shall direct properly received complaints to the chair of the Campus Appeal Board. The Campus Appeals Board shall have the authority and duty to reach findings and to convey recommendations to the chancellor of IPFW. If necessary, the chancellor of IPFW may present such recommendations to the university president and Board of Trustees for their consideration.

5. See Part V of the Code for information about the composition of the Campus Appeals Board.
Part V. Petition for Hearing

A. Preamble

Students wishing to appeal any decision by a university official or body under the preceding sections of this Code shall use this petition process.

B. Types of Appeals

The Campus Appeals Board (CAB) may hear the following types of appeals from students: (1) appeals of misconduct findings and sanctions imposed by the dean of students, including findings and sanctions concerning student organizations; (2) appeals of academic misconduct findings imposed by faculty members, department chairs, or academic deans or division directors; (3) appeals of IPSGA Judicial Court rulings; and (4) appeals of faculty/staff decisions claimed to violate student rights recognized in Part I of the Code (per Part IV). Extension to any time limits specified below must be approved by the chair of the board.

C. Campus Appeals Board

1. **Composition.** The Campus Appeals Board (CAB) shall consist of nine members selected in the following manner: four students appointed by the president of Indiana-Purdue Student Government Association subject to confirmation by the IPSGA Senate; three faculty members elected by the IPFW Senate; and two administrative staff members appointed by the chancellor, one of whom shall be designated as chair of the Campus Appeals Board. An equal number of alternates from each constituent group shall be appointed at the same time and in the same manner as the regular members. From the members and alternates, the chair shall designate a hearing panel consisting of a minimum of three members including at least one student. A minimum of three panel members including at least one student is required for quorum.

2. **Terms of Office.** The term of office for student members and their alternates shall be one year, and for the faculty and administrative members, it shall be two years, except that members shall continue to have jurisdiction of any case under consideration at the expiration of their term. The terms of office for all members shall begin at the start of the fall semester. No member shall serve more than two consecutive terms. If any appointing authority fails to make its prescribed appointments to the Campus Appeals Board, or to fill any vacancy on the panel of alternates within seven calendar days after being notified to do so by the chancellor, or if at any time the Campus Appeals Board cannot function because of the refusal of any member or members to serve, the chancellor may make appointments, fill vacancies, or take such other action as deemed necessary to constitute the Campus Appeals Board with a full complement of members.

D. Criteria for Appeal

Appeals may only be requested for one or more of the following reasons:

1. Failure to follow an established policy or procedure;

2. The assigned sanction is unduly harsh or arbitrary;
3. New information has become available since the conclusion of the process; or

4. Bias has been exhibited through the process.

The purpose of an appeal shall not be simply to hold a rehearing of the original matter.

**E. Filing the Petition.**

Students who wish to request Campus Appeals Board action shall submit a written petition to the dean of students within 10 business days of the date of the sanction letter or within 10 business days of the conclusion of the previous step in the appeal process, as applicable. The dean shall in turn forward properly-filed appeals to the chair of the Campus Appeals Board.

To be properly filed, the appeal must be submitted within the established time limits, identify the action or decision being appealed, name the party whose decision or action is being appealed (sometimes referred to below as the “named party”), and identify one or more of the criteria identified in the Criteria for Appeal set forth above.

**F. Investigation of Appeals**

Within 10 business days of the chair’s receipt of the appeal, the CAB chair will assign a board member or alternate who is a faculty member or administrator to investigate the appeal and notify the party named that an appeal has been filed. Notification will include a copy of the appeal and the identity of the student who filed the appeal. The party whose action or decision is being appealed will be requested to respond in writing within 10 business days from the date of notification. To protect both the student and the named party, CAB appeals will be treated with the greatest degree of confidentiality possible.

As soon as practicable following appointment, the investigator will interview the student who filed the appeal. The student may have an advisor or legal counsel (at the student’s own expense) present at meetings with the investigator. However, the advisor or counsel may not stand in place of the student or otherwise participate in the investigation process.

Within 10 business days following completion of the interview with the student, the investigator will notify the chair as to whether or not the allegations set forth in the appeal, if substantiated, would support the basis for the appeal and, if so, whether the action or decision being appealed would constitute a violation of one or more student rights recognized in Part I of the Code. If in such notification the investigator answers these inquiries in the negative, the chair may dismiss the appeal, and the decision shall be final. The chair shall provide the student and named party with written notice of such dismissal. In all other cases, the investigator will conduct a thorough fact-finding investigation, and will meet separately with the student and named party, interview pertinent witnesses, and review relevant documents regarding the appeal. The investigation shall be completed within 10 business days following the assignment of the appeal to the investigator.

Within 10 business days following conclusion of the investigation, the investigator will prepare and deliver a report to the chair, the student filing the appeal, and the named party. The report will include a finding based upon a preponderance of information that the appeal shall be upheld or denied. The “preponderance of information” standard requires that the information supporting the
finding is more convincing than the information offered in opposition to it. The report will include the basis upon which the investigator reached the finding and recommendation for remedy, if any.

G. Determination

Within 10 business days of receipt of the investigator's report, the chair will convene a meeting of the CAB hearing panel. The student and the named party will be notified of the date, time, and location of the meeting. Prior to the meeting, the student, named party, and panel members shall be furnished with a copy of the investigator's report and copies of the appeal and response. The student may have an advisor or legal counsel (at the student's own expense) present at the meeting. However, the advisor or counsel may not stand in place of the student or otherwise participate in the hearing process. At the meeting the panel will be afforded the opportunity to ask questions of the investigator. The student who filed the appeal and the named party will be afforded the opportunity to make a brief statement to the panel, after which the panel members may ask questions. The panel shall meet separately with the student and the named party.

Within 10 business days following the final meeting with the panel, the chair shall render the written recommendation of the hearing panel and include a brief explanation of the recommendation setting forth the findings upon which the recommendation is based. The chair shall furnish copies of the recommendation to the chancellor, the student who filed the appeal, the party whose decision is being appealed, and to others within IPFW with a need to know as determined by the panel. The chancellor shall render a written and final decision within 10 business days of receiving the panel's recommendation.
Part VI. Authority, Application, and Amendments

A. Authority

As provided in the Indiana University-Purdue University Fort Wayne Management and Academic Mission Agreement, "Purdue University shall be responsible for all policies related to student matters. IPFW student rights, responsibilities, and standards of conduct will be established by campus administrators in consultation with the student and faculty government organizations and with the IPFW Community Advisory Council and shall be consistent with the principles established by Purdue and Indiana universities."

B. Application

This Code, as from time to time amended, shall apply to all undergraduate and graduate students with either Indiana University or Purdue University affiliation while enrolled at IPFW and shall be deemed a part of the terms and conditions of admission and enrollment at IPFW. In case of any conflict or inconsistencies with any other rules, regulations, directives, or policies now existing, this Code shall govern. They shall be enforced by the chancellor of IPFW.

C. Amendments

1. **In General.** This Code, and any amendments hereto, shall remain in effect until rescinded or modified by or under the authority of the Board of Trustees of The Trustees of Purdue University, as exercised by the president of the university under delegated authority from the Board and in consultation with the Community Advisory Council and the chancellor of IPFW. Amendments may be proposed by the Indiana-Purdue Student Government Association, IPFW Senate, IPFW administrative officials, the Community Advisory Council, or the Board of Trustees, and any such proposed amendment shall be submitted to the Indiana-Purdue Student Government Association and IPFW Senate for review and comment before adoption.

2. **Amendments to Part I: Student Rights and Responsibilities.** Without limiting the generality of the amendment process described in Part VI.C.1 above, the following additional provisions shall apply to amendments to the student rights and responsibilities set forth in Part I. Proposed amendments of such rights and responsibilities may be initiated by the Indiana-Purdue Student Government Association, the IPFW Senate, IPFW administrative officials or the Board of Trustees and shall be submitted to the Indiana-Purdue Student Government Association, the IPFW Senate, and the Community Advisory Council for consideration and recommendation before adoption by or under the authority of the Board of Trustees, as exercised by the president of the university under delegated authority from the Board. In the event such an amendment to the rights and responsibilities set forth in Part I is adopted without approval of the Indiana-Purdue Student Government Association or the IPFW Senate, either of such bodies may withdraw its endorsement of such rights and responsibilities, in whole or in part.