



EMU Board of Regents Policy

Section: 08 Student Programs and Requirements
Title: 08.01 Code of Community Responsibility
Last Revised: 12/15/2017
Last Reviewed: 12/15/2017

University Policy Statement

It is the policy of Eastern Michigan University to establish a code of Community Responsibility, to be administered by the Office of Wellness and Community Responsibility, for the purpose of maintaining a campus environment that is conducive to learning, protects the university's educational purposes, maintains reasonable order on campus, and protects the rights of all members of the University community.

Section I: Purpose

The Code of Community Responsibility and the accompanying student disciplinary policies are intended to foster ethical development, academic integrity, personal accountability and civility toward others. The Code of Community Responsibility sets forth standards and expectations of behavior applicable to all Eastern Michigan University students.

The Code embraces several core philosophies: preservation of the rights of free speech and peaceable assembly; respect for freedom of inquiry and constructive criticism; a conviction that honesty and integrity are key values to the University community; and the belief that all members of the University should be part of a campus environment that respects diversity including but not limited to differences of culture, gender, gender identity, religion, race, age, sexual orientation and/or ability.

Section II: Responsibility for Implementation

The President, as Chief Executive Officer of the University, has overall responsibility for implementation of the Code of Community Responsibility and the student disciplinary process and has delegated its overall management to the Associate Vice President for Student Affairs and/or their designee. The Office of Wellness and Community Responsibility is directly responsible for the daily administration of the University's student Community Responsibility system.

Section III: Jurisdiction

The University has jurisdiction over misconduct that occurs on University premises and/or at University--sponsored activities but may also address off--campus behavior if the University determines that the behavior, or the continued presence of the student threatens, impairs, obstructs, interferes with or adversely affects the community, mission, processes or functions of the University. Criminal offenses committed off campus may also be considered violations of the Code of Community Responsibility.

The University Community Responsibility system acts independently of criminal proceedings. The University may pursue disciplinary action against a student while the student is facing criminal charges for the same offense, even if the criminal prosecution is pending, has been dismissed or the charges have been reduced.

Section IV: Definitions

For purposes of the Code of Community Responsibility only, the following definitions apply:

- **Faculty Member:** means any person hired by the University to conduct
- **Institution or University:** means Eastern Michigan University.
- **Member of the University Community:** includes any person who is a student, faculty member, University official or any other person employed or contracted by the University.
- **Student:** includes all persons
 - Enrolled in any number of courses, in any format at EMU
 - Who are not officially registered for a particular term but whose EMU record indicates a continuing relationship with the University. The term relationship includes but is not limited to:
 - Those applying for re-enrollment and/or readmission;
 - Those involved in an appeal or grievance process;
 - Those persons under any administrative action other than permanent dismissal;
 - Who have been accepted into EMU and who are eligible to register for courses but have not yet registered
- **Good Standing:** means a student or student organization who is not presently under an administrative action with disciplinary probation or higher.
- **Student Organization:** means a number of students who have complied with University requirements for registration and/or recognition.
- **University Premises:** includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the University.
- **University Sponsored Activity:** means any activity on or off campus, which is initiated, aided, authorized or supervised by the University.
- **Community Responsibility Administrator:** is an individual who is trained and designated by the Director of Wellness and Community Responsibility, or designee, to investigate, hear and determine responsibility for cases of student misconduct.
- **Community Responsibility Review:** is a meeting between a student and a community responsibility administrator and the process by which administrative or restorative actions may be agreed upon.

Section V: Violations

The following behavior is subject to disciplinary action under this Code. An individual, a group of individuals or a student organization may be charged with any of the violations under the Code of Community Responsibility. In cases where a violation is committed by an individual member of a student organization, the entire organization may be held responsible, in addition to the individual member, when those members not directly involved participate in the activity by encouraging, witnessing or condoning the act in any manner.

Academic Dishonesty

Engaging in academic dishonesty in any form with respect to examinations, course assignments, research projects, grades, and/or academic records, including, but not limited to the following:

08.01 Code of Community Responsibility

- Cheating-- using or attempting to use unauthorized materials, information or study aids in any academic assignment. Examples of cheating are: looking on someone else's paper; using any kind of "cheat" sheet or other enhancement during a test; allowing someone else to take an exam in your place; submitting the same work more than once for credit; using someone else's homework or lab assignments; collaborating with another student on any assignment or take-home test if told that collaboration was not allowed; assisting another student in committing an act of academic dishonesty by allowing another student to copy homework or an exam; taking an exam for someone else; or giving test information to students in other sections of the same class.
- Falsification -- falsification or invention of any information or citation in an academic assignment. Examples of falsification are: making up data on an assignment; making up a source to cite in a paper; unauthorized altering then resubmitting returned academic work; giving false information to a faculty or staff member to increase one's grade; or attempting to change, actually changing, altering grades or any other unauthorized tampering with grades.
- Plagiarism - presentation or use of someone else's work or ideas as one's own. Examples of plagiarism are: quoting a source verbatim, or paraphrasing text from a given source, without properly citing the source; turning in a research paper that was written by someone else; or in any other way passing off someone else's work as one's own; or failing to give credit for ideas or materials taken from someone else.
- Other Academic Dishonesty - public posting, selling of, or in any other way, distribution of notes of class lectures, course handouts and outlines, and/or any other University supplied materials without the express written permission of the instructor.

Misuse of Alcohol

- Possession, creation, distribution, or consumption of alcoholic beverages, in violation of local, state or federal law, or university policies and procedures.
- Violation of any section of the Code of Community Responsibility while under the influence of alcohol.

Misuse of Drugs

- Possession, creation, distribution, or use of illegal drugs, prescription drugs or other controlled substances, in violation of local, state or federal laws.
- Possession or use of drug paraphernalia.
- Misuse or distribution of over the counter drugs, or substances used as drugs.
- Violation of any section of the Code of Community Responsibility while under the influence of legal or illegal drugs, or other controlled substances.

Computer Misuse

- Unauthorized access, entry or use of a computer, computer system, network, software, password, account or data.
- Unauthorized alteration or tampering with computer equipment, software, network, or data.
- Unauthorized copying or distribution of computer software or data.
- Use of computing facilities or equipment to send obscene, harassing, threatening or abusive messages.
- Use of computers to falsify records, tamper with records or commit any act of academic dishonesty.
- Any other act in violation of law and/or University policies and guidelines regulating computer--related use.

Disruptive Conduct

- Actions that impair, interfere with, or obstruct the normal operations of the University and/or interfere with the rights of other members of the University community or visitors. This includes intentional occupation of or blocking the entry or exit of University facilities, including but not limited to, buildings, classrooms, offices, hallways, entryways, conference rooms and campus grounds.
- Actions that impair, interfere with, or obstruct the orderly conduct, processes and functions within the university community.
- Participating in, leading or inciting others to disrupt scheduled and/or normal campus activities, events and programs.
- Intentional obstruction of the free flow of pedestrian or vehicular traffic on University premises or at University sponsored or supervised functions.
- Solicitation on campus without prior approval from appropriate University officials. This includes, but is not limited to, the disbursement of any forms of promotional/informational material on University property or on items (e.g.

08.01 Code of Community Responsibility

motor vehicles) on University property, requests for donations, or the selling or vending of any merchandise or services.

Failure to Comply

- Failure to comply with a lawful order or directive of a University official, in the performance of his/her duty.
- Failure to comply with the actions decided upon during the Community Responsibility process.

Falsification/Fraud/False Testimony

- Furnishing false information to the University, including false reporting of emergencies, making false accusations or giving false testimony during the disciplinary process.
- Misuse, reproduction, alteration or forgery of any University related documents, records, identification, keys, identification cards, access codes or property.
- Providing a worthless check or money order in payment to the University or to a member of the University community.

Gambling

Participation in games of chance on campus for money or other things of value except as provided by local, state or federal law.

Guests

Students are responsible for informing their guests about campus regulations and may be held accountable for the behavior of their guest.

Harassment/Bullying

The University's Sexual Misconduct and Interpersonal Violence Policy governs conduct of a sexual or gender based nature. This section of the Code of Community Responsibility applies only to conduct that is not covered by the Sexual Misconduct Policy.

- Intimidating conduct which would cause a reasonable person to feel as though there was an imminent threat to the health and safety, or personal property, of themselves or another individual.
- Pervasive conduct directed toward another person or group that results in the intimidating, humiliating, degrading, or otherwise harming of another person or group.

Discrimination by Student Organizations

Selecting its membership upon the basis of restrictive clauses involving race, religion, color, national origin, gender, age, sexual orientation, gender identity or disability unless any given student organization's membership restriction is shown to be specifically allowed by law.

Hazing

In cases where hazing is performed by an individual member of a student organization and in which other members of the organization encourage, or condone hazing, the organization as a whole may be held responsible. Any individual and/or organization found responsible for hazing may be subject to a minimum penalty of suspension if the violation is found to directly impact the health and safety of an individual or group.

08.01 Code of Community Responsibility

- Any action or activity committed by either active members, associate members or pledges of an organization which inflicts or intends to cause physical or mental harm or anxieties; Which may demean, degrade, or disgrace any person, regardless of location, intent or consent of Hazing includes, but is not limited to:
 - Interference with a student's academic or work performance.
 - Forced consumption of any food, alcohol, other drugs, or any other substance.
 - Forced physical activity.
 - Deprivation of food or sleep.
 - Physical acts of violence.
 - Requiring participation in any activity that violates University policies or any local, state or federal law.
 - Other violations as outlined in the Interfraternity Council (IFC), College Panhellenic Council (CPC), National Pan-Hellenic Council (NPHC) Constitutions, or any other councils for Greek Life which have been officially recognized by the Board of Regents.
- Any action or situation, which intentionally or unintentionally endangers a student who is attempting admission into or affiliation with any student organization.

Physical Abuse and Endangerment

The University's Sexual Misconduct and Interpersonal Violence Policy governs conduct of a sexual or gender based nature. This section of the Code of Community Responsibility applies only to conduct that is not covered by the Sexual Misconduct Policy.

- Physical violence or attempted physical violence toward another person or group.
- Threat of physical violence against another person or group.
- Any action that endangers the health, or safety of a person or group.
- Damage to, removal or misuse of, or tampering with any fire safety systems, firefighting equipment or other emergency warning or lifesaving equipment

Property/Facilities/Services

- Theft, damage, destruction, littering, or defacement of University property or property of a member of the University or visitor.
- Theft, damage, destruction, littering or defacement of property not owned or controlled by the University but occurs at an event sponsored by the University, or enacted by a student representative of the University.
- Wrongful appropriation of University property or property of a member of the University or visitor.
- Unauthorized possession and/or use of University property or property of a member of the University or visitor, including knowingly being in possession of stolen goods. This includes unauthorized use of vehicles, equipment, services, the University name and logo.
- Unauthorized entry into University facilities, including but not limited to buildings, classrooms, hallways, entryways, conference rooms, and campus grounds.
- Bringing animals and/or pets into University buildings, except where properly authorized.
- Use or operation of rollerblades, skates, skateboards, bicycles, and similar items inside University facilities, unless expressly permitted.
- Violation of any policy or guidelines pertaining to specific usage of a University facility.

Sexual Misconduct/Sexual Harassment

All forms of Sexual Assault, Sexual Exploitation, Intimate Partner Violence, Stalking, Sexual or Gender- Based Harassment and Retaliation are prohibited. Conduct of this nature, including definitions, investigative procedures, interim measures, sanctions, and all other matters related to sexual misconduct and interpersonal violence are governed by the Sexual Misconduct and Interpersonal Violence Policy and not by the Code of Community Responsibility.

Weapons/Firearms/Explosives

- Possession, sale, storage or use of firearms and other weapons, including non-lethal weapons. Examples of such weapons may include, but are not limited to pellet guns, air-soft guns and paintball guns.
- Possession, sale, storage or use of firecrackers, gunpowder, ammunition, explosives or incendiary devices, dangerous chemicals, or other articles or substances which could endanger health or safety.

Other Violations

- Violation of any other published or posted University regulations not specifically mentioned in this Section, including, but not limited to:
 - Board Policy Manual(s)
 - Guide to Campus Living;
 - Housing Contracts;
 - Student Handbook;
 - Course Syllabi;
- Aiding and abetting another in any violation of local, state or federal laws, and/or University policies and procedures.

Section VI: Actions for Code Violations

Actions may be imposed after a student is found responsible for a violation of the Code of Community Responsibility. An administrative action is generally combined with a restorative action in order to promote corrective behavior. The actions are determined by the community responsibility administrator, or the hearing board assigned to the case, and take into account the impact of the violation on the community, prior incidents and implemented actions. Actions issued may include, but are not limited to:

Administrative Actions

Formal Reprimand

An official written statement of the University's disapproval of a student's actions and a warning that any future violation(s) will be dealt with more severely.

Disciplinary Probation

An official notice that the student's conduct is in violation of the Code of Community Responsibility but does not warrant suspension or permanent dismissal. Probation is for a designated period of time and includes the probability of more severe administrative actions if the student violates another conduct code during the probationary period. During the probation period, a student may be excluded from some programs and curricular, or extra-curricular activities, including running for and/or holding office in any student organization.

Suspension

An involuntary separation of the student from the University for a definite period of time and/or until certain conditions for readmission are met. Conditions for lifting the suspension, including a subsequent probationary period (if any), will be provided to the student upon notification of the suspension. The student must complete all actions in order to be considered for readmission. At the conclusion of a suspension period, the student will need to meet with the Director of the Office of Wellness and Community Responsibility (or designee) to lift disciplinary holds, provided all conditions of the suspension have been met. During the suspension period, the student will be excluded from programs and curricular, or extra-curricular activities, and may be banned from University Premises. (Suspension

08.01 Code of Community Responsibility

requires administrative review and approval by the President or his/her designee.)

Deferred Suspension

The administrative action of Suspension may be placed in deferred status provided that the student completes other assigned actions by the specified deadlines. Failure to complete all actions and provide proof of completion by the deadlines will result in the automatic enactment of the suspension. If a student is found responsible for another violation of the Code of Community Responsibility during the period of Deferred Suspension, the student may be permanently dismissed from the University. During the Deferred Suspension period, a student may be excluded from some programs and curricular, or co-curricular activities, including running for and/or holding office in any student organization.

Permanent Dismissal

An involuntary permanent separation from the University. (Permanent dismissal requires administrative review and approval by the President or his/her designee.)

Delay and/or Denial of Degree Award

During the period disciplinary charges are pending against a student, the University may deny and/or delay issuance of a degree. Further, the University may refuse to issue a degree to a student who is serving a suspension or has been permanently dismissed from the University.

Revocation of degree

An awarded degree may be revoked for violations of the Code of Community Responsibility, which occur prior to the award of the degree but are discovered after the degree has been awarded, where the violation is sufficient to justify the suspension or permanent dismissal of the student. (Revocation of a degree requires administrative review and approval by the President or his/her designee.)

Restorative Actions

Restitution

Compensation for loss, damage or injury.

Fines

Payment for alcohol or drug violations.

Community Service

A specified amount of time worked for an authorized individual or group which directly relates to the violation of the Code of Community Responsibility.

Educational Activities

A reflective writing assignment or attendance at an event directly related to the violation of the Code of Community Responsibility. (e.g. alcohol/drug workshop; diversity awareness training; ethics workshop). Students are responsible for all costs related to educational activities.

Restrictions

Temporary or permanent loss of privileges or the use of a University facilities and/or services.

Administrative Actions for Student Organizations

Formal Reprimand

An official written statement of the University's disapproval of a student organization's actions and a warning that any future violation(s) will be dealt with more severely.

Disciplinary Probation

An official notice that the student organization's conduct is in violation of the Code of Community Responsibility but does not warrant suspension of or permanent termination of the organization's University status. Probation is for a designated period of time and includes the probability of more severe administrative actions if the student organization commits another community responsibility code violation during the probationary period. During the Probationary period, a student organization may also be excluded from campus activities, forfeit student monetary allocations, and lose Campus Life status.

Suspension

An involuntary withdrawal of student organization status from the University for a definite period of time and/or until certain conditions for renewal of recognition are met. During this time, the University will not in any way recognize nor support the continued operation of said student organization. The Student organization must re-apply to the University for renewed recognition following any period of suspension. The suspension shall be reported to said organization's national office, if applicable. (Suspension requires administrative review and approval by the President or his/her official designee.)

Deferred Suspension

The administrative action of Suspension may be placed in deferred status provided that the student organization completes other assigned actions by the specified deadline dates. Failure to complete all actions and provide proof of completion by the deadline date(s) will result in the automatic enactment of the suspension without charges or hearing. If a student organization is found responsible for another violation of the Code of Community Responsibility during the period of deferred suspension, the student organization may have its University status permanently terminated.

Permanent Termination of University Status

An involuntary permanent withdrawal of student organization status from the University. The University will not in any way recognize nor support the continued operation of said student organization. The permanent termination shall be reported to said organization's national office, if applicable. (Permanent termination requires administrative review and approval by the President or his/her official designee.)

Restorative Actions

A restorative action from section "B" may be imposed upon the student organization, or involved members of the student organization, in addition to those specified above.

Section VII: University Discipline, Rights, and Responsibility

Reporting

Any member of the University Community, or an individual not affiliated with Eastern Michigan University, may submit a report of an alleged violation of the Code of Community Responsibility. All reports of student misconduct must be submitted, in writing, to the Office of Wellness and Community Responsibility. Reports can also be written electronically at EMU's Public Incident Report.

Review

All reports of alleged violation of the Code of Community Responsibility will be reviewed by the Office of Wellness and Community Responsibility or a designee. All information regarding the alleged violation will be reviewed by a community responsibility administrator. If there are facts that substantiate a potential violation of the Code of Community Responsibility, the student(s)/student organization involved will be notified of the allegation(s) and have the right to meet for a community standards review. The community standards review will follow all Procedures established by the Office of Wellness and Community Responsibility which shall comport with all elements of due process. Should the student/student organization fail to schedule a review by the deadline, the community responsibility administrator will schedule a review and notify the student of the meeting date and time. A failure to appear will result in the review being conducted by the community responsibility administrator. After the review, a decision will be made as to the students' responsibility.

The University and the Office of Wellness and Community Responsibility values student engagement and encourages students to engage in the Community Responsibility system. Engagement in the process is necessary to provide educational opportunities and outline the impact of misconduct on the University Community. Should a student or student organization choose not to engage and meet with community responsibility administrators, the University reserves the right to make a decision in the student's absence.

Appeals

The appeals procedure for students/student organizations may be found on the Office of Wellness and Community Responsibility website.

Except for cases that were referred back for review, and decisions resulting from an appeal, all students or student organizations who are found responsible for a violation of the Code of Community Responsibility have a right to appeal the decision within a time designated by the Office of Wellness and Community Responsibility.

The appeal must be submitted to the Office of Wellness and Community Responsibility, in writing, by the designated deadline. Failure to submit a letter of appeal before the deadline may result in an ineligibility for appeal..

Medical Amnesty

The Office of Wellness and Community Responsibility will develop and maintain a policy for medical amnesty with regards to alcohol and drug use. This policy will encourage students who may be in violation of university policy to step forward and report an incident where an individual's health and safety is at risk.

Student Records and Files

Student's disciplinary files will be managed and maintained by the Office of Wellness and Community Responsibility. A policy regarding record confidentiality, disclosure, and management will be included in the Office of Wellness and Community Responsibility policies and procedures.

Section VIII: Provisions Governing Academic Dishonesty

Academic dishonesty is both an academic matter between a student and his/her faculty member and a violation under the Code of Community Responsibility subject to University disciplinary action. An act of academic dishonesty may and should be handled by the faculty member, the student, and, if appropriate, the faculty member's department head and/or the dean over that particular academic department. Sanctions that can be assigned by a faculty member range from giving a reduced grade on the particular work in question to failing the student for the entire course. In addition, some academic departments and programs have their own policies for dealing with academic dishonesty and/or violations of Professional Codes of Ethics which allow the department or program to impose sanctions ranging from probation to program dismissal. A sanction assigned by a faculty member and/or an academic department or program is an academic, not a disciplinary sanction.

If the matter is resolved satisfactorily between the student and the faculty member, and the faculty member decides not to refer the student for university disciplinary action, the faculty member may still report the incident to the Office of Wellness and Community Responsibility. Faculty members are encouraged to report cases of academic dishonesty for documentation purposes. The Office of Wellness and Community Responsibility will maintain a record of the reported incident and may elect to pursue university disciplinary action against a student who is reported to that office for a subsequent act of academic dishonesty.

If the faculty member decides that formal disciplinary action is needed instead of or in addition to any academic sanctions assigned by that faculty member, the incident may be referred to the Office of Wellness and Community Responsibility for review and possible university disciplinary action. Once the referral is made to the Office of Wellness and Community Responsibility, the incident will be handled in the same manner as would any other allegation under the Code of Community Responsibility.

In cases where the student denies the allegation of academic dishonesty, the faculty member may elect to postpone assigning any academic sanctions until after the student has gone through the university disciplinary process. If at the end of that process, the charge of academic dishonesty is upheld, the faculty member may then assign an academic sanction. The academic sanction is independent of any disciplinary actions taken against the student by the University.

Academic sanctions assigned by the faculty member to a student or assigned by the faculty member after the charge of academic dishonesty has been validated through the University disciplinary system cannot be grieved under the University's Grade Grievance Procedure.

Section IX: Interim Administrative Actions

For alleged violations of the Code of Community Responsibility, interim administrative actions, including but not limited to, interim suspension, reassignment to alternate housing, limitation of access to designated University housing facilities and/or campus facilities by time and location, and limitation of privilege to engage in specified University activities may be imposed by the President or his/her designee. Such interim administrative actions are to be utilized only when there is reason to believe that the student(s)/student organization's conduct poses a substantial threat of harm to others, threatens or endangers University property, or disrupts the stability and continuance of normal University operations and functions.

For Interim Suspension Only, a student will be denied access to the residence halls, and/or to the campus (including classes), and to all other University activities or events, which the student might otherwise be eligible to participate in or attend. A student organization will lose its University student organization status and will be denied access to any University activities, events, or resources which the student organization might otherwise be eligible to participate in or attend.

A student/student organization will be notified of an interim administrative action or interim suspension, orally, by written notice served on the student/student organization, or by written notice sent to the last address on record. The interim administrative actions or interim suspension takes effect the day it is issued by the President or his/her designee.

A student/student organization issued an interim suspension or interim administrative action will be given an opportunity to appear before the Associate Vice President for Student Affairs or a designee within three working days in order to discuss the following issues only:

- The reliability of the information concerning the student/student organization's alleged misconduct.
- Whether the conduct and surrounding circumstances reasonably indicate that the continued presence of the student on University premises poses a substantial and immediate threat to himself/herself, to others, or to property.

The Associate Vice President for Student Affairs or his/her designee may affirm or alter the interim administrative actions or interim suspension based on the discussion with the student/student organization. If the decision is affirmed, the Associate Vice President or his/her designee will inform the student/student organization of that decision at the conclusion of the discussion. Regardless of whether the interim administrative actions or interim suspension is affirmed or altered, the Associate Vice President or his/her designee will direct that a community standards review take place and the case be heard according to University policies and procedures. If the University fails to schedule the formal hearing within the ten (10) day period, the interim administrative actions or interim suspension will cease although the original charges will not be dropped and will still be handled through the University's

disciplinary process.

Authority for Creation and Revision:

Minutes of the Board of Regents, September 17, 1969; para. .816M.

Minutes of the Board of Regents, August 19, 1970; para. .921M.

Minutes of the Board of Regents, March 27, 1991; para. .4356M.

Minutes of the Board of Regents, December 1, 1992; para. .4630M.

Minutes of the Board of Regents, January 17, 2006; para. .6103M.

Minutes of the Board of Regents, February 24, 2009

Minutes of the Board of Regents, September 18, 2012

Minutes of the Board of Regents, June 21, 2016

Minutes of the Board of Regents, December 15, 2017