

IN THIS SECTION

Code of Conduct

Regulations Governing Student Conduct, Disciplinary Proceedings and Appeals

As adapted from Purdue University West Lafayette Regulations Governing Student Conduct, Disciplinary Proceedings and Appeals approved by The Trustees of Purdue University, April 9, 2010 (from Vice President and Treasurer Memo A-16, Board of Trustees, April 30, 1970, with revisions dated January 9 and July 10, 1975, May 31, 1997 and April 2, 1999.) for Purdue University Northwest – as approved by the President of Purdue University on February 9, 2011, April 9, 2010, May 10, 2013, June 1, 2014, August 15, 2016, July 1, 2018, and August 19, 2020)

Operationalized for Purdue University Northwest

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.

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. Unless specifically noted, these regulations apply to behaviors that occur both off and on campus. 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,

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.

Degree revocation means rescinding a degree previously awarded by the University. In cases where a degree revocation sanction has been issued, it will

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.

Diversion Program is described in Section E.

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 Diversity and Provost ("Provost") is the chief academic affairs officer or another person authorized

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.

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. This definition includes individuals who withdraw after allegedly violating this code or who are registered for a future semester, even if not currently enrolled. In addition, persons who are living in University Residence Halls, although not enrolled in the institution, are also considered “students” for the purpose of enforcing this code.

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

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 cribs, 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.

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. Forgery, alteration, or the unauthorized use of any 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 or groups may not consent to these types of prohibited behavior. Individuals will be

groups or organizations will suffice as a justifiable reason for participation in such activity. 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.

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.

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. Examples of prohibited behavior under this category include but are not limited to:

Organizing and/or hosting, either individually or with others, an event, party or other gathering (“Event”), or attending such an Event, where the attendees are not required to, or willfully fail or refuse to, adhere to the requirements of the PNW COVID-19 Student Guide, state and local public health laws, regulations or orders, including but not limited to the requirements of maintaining appropriate social distancing (6 feet based on current public health guidance) and wearing an appropriate face mask. This applies to Events that are organized and/or held on or off campus.

- i. Use, possession, providing, 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.

Regulations (University Senate Document, 99-9, April 24, 2000).

Additionally, prohibited behavior 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, whether or not such conduct occurs on University property.

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

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 the Dean of Students. 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:

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: (i) whether an individual hearing with the Conduct Officer of record or a hearing before the Purdue University Community Standards Board (CSB) panel should occur, or (ii) whether, in the Conduct Officer's sole discretion and judgment, the information supports the offer of diversion from formal proceedings via the Diversion Program described in Section E (to the extent the case has not already been dismissed or referred to the Diversion Program pursuant to the Summary Action procedures described in Subsection C-9-e-ii).

2. Disciplinary Proceedings, General. Except for a disposition pursuant to the Summary Action procedures described in Subsection C-9-e-ii and the Diversion Program procedures described in Section E, 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.).

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.

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 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,

- 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

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. Normally, 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 ODOS to adjudicate student conduct cases that may result in suspension, degree deferral, expulsion, or degree revocation for the charged student. Cases that

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 ODOS from among the CSB membership. In cases involving alleged academic dishonesty or in cases where degree revocation is a possible sanction, 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).

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. In cases in which degree revocation is the recommended sanction, this recommendation will also be forwarded to the Senior Vice Provost for Teaching and Learning (for undergraduate students) or to the Dean of the Graduate School (for graduate students), or his/her designee.

f. Decision by Dean of Students. Normally, within five University business days following the conclusion of the hearing and any further investigation deemed necessary, the Dean of Students, or in cases involving degree revocation, the Dean of Students and Senior Vice Provost for Teaching and Learning (for undergraduate students) or the Dean of the Graduate School (for graduate students) (or his/her designee), 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

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 the Dean of Students. 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 ODOS or CSB to the Provost or his/her designee. In cases involving alleged academic dishonesty, a

cases involving degree revocation, undergraduate and graduate students may appeal a disciplinary decision of the CSB to the Provost or his/her designee. All other appeals of disciplinary decisions imposed by ODOS 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, or in the case of degree revocation, are recommended to the Board of Trustees for final action.

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, subject only, in the case of a degree revocation, to the final action by the Board of Trustees.

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

b. Summary action may be taken by the Dean of Students, the VPSL, the 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:

i. the student may be restricted from all other University activities or privileges for which the student might otherwise be eligible, and

ii. in cases of alleged violations of the PNW COVID-19 Student Guide, the student may be required, as a condition to returning to University housing, property, classes or activities, to provide to the Dean of Students proof of a negative COVID-19 test, taken at the student's expense in a 5-7 day window after the alleged violation.

d. Whenever summary action is taken under this Subsection C-9, and if a summary dismissal is not granted as provided in Subsection C-9-e-ii below or if a diversion from formal proceedings is not made available under the Diversion Program described in Section E, 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 five 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 Conduct Officer of record shall make a decision on the appeal normally within five business days following its receipt.

i. Except as provided in Subsection 9-e-ii below, a favorable decision on the appeal shall be limited to lifting or modifying the terms of the

ii. In cases of alleged violations of the PNW COVID-19 Student Guide, the Conduct Officer of record may, upon review of the evidence and in such officer's sole discretion and judgment, do one of the following:

1. Dismiss the summary suspension and restore the student's status without the need for further disciplinary proceedings under this Section C or for a diversion from formal proceedings under the Diversion Program described in Section E; provided, however, that if the Conduct Officer determines, based on evidence and in consultation with a medical advisor, that the student may have had a clinically relevant COVID-19 contact in connection with the incident giving rise to the alleged violation, the student may be required to: (A) comply with the test requirement described in Subsection 9-c(ii) above as a condition to returning to University activities, and/or (B) monitor symptoms.

2. Offer diversion from formal proceedings pursuant to the Diversion Program procedures described in Section E.

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, and complaints under the Student Bill of Rights.

2. Organization and Governance. For each case brought before it, the Campus Appeals Board for the Purdue Northwest 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 Purdue Northwest 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

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. Complaints under Bill of Student Rights. On the Northwest 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.

E. PNW Diversion Program

1. Purpose. Purdue has implemented an informal program to facilitate the investigation and disposition of alleged violations of the PNW COVID-19 Student Guide/COVID-19 safety protocol appropriate cases, without the record permanency that would otherwise result from a finding of conduct violations.

2. Process. The offer of referral to the PNW Diversion Program (the "Diversion Program") is at the sole discretion and judgment of the Conduct Officer of record as described in subsection C-1-c. Upon determining that an alleged violation is eligible for diversion, the following process shall occur:

a. The Conduct Officer shall provide the student with a written summary of the charges and offer to divert the formal disciplinary proceedings and enter into a Diversion Agreement with the student.

b. The student shall agree in writing to enter into the Program; provided, however, that at any time prior to the signing of a Diversion Agreement, the

c. The Conduct Officer shall prepare and present to the student a written Diversion Agreement, which will contain the following:

i. The specific public health and safety requirements the student must fulfill and the deadlines by which they must be completed, which may include: (1) the test requirement described in Subsection 9-c(ii) above as a condition to returning to University activities, and/or (2) monitoring symptoms and adhering to the PNW COVID-19 Student Guide/COVID-19 safety protocol ;

ii. Any limitations on campus access pending fulfillment of the requirements described in Subsection E-2-c-i;

iii. Any additional disciplinary sanctions or educational requirements;

iv. A statement that the student's violation of the terms of the Diversion Agreement constitutes a conduct violation under Subsection B-2-h.

v. The specific duration (e.g., semester, Academic Year) of the Diversion Agreement, during which the student must avoid any violations Subsection B-2.

d. If the student agrees to the terms of the Diversion Agreement, they shall do so in writing by signing the Diversion Agreement.

e. A student who fulfills the requirements of a Diversion Agreement shall not have any record of a violation of any University rule or regulation.

f. A student who violates the requirements of a Diversion Agreement will be charged with a violation of Subsection B-2-h and will be subject to the formal disciplinary proceedings described in Subsection C.

g. A student who commits a violation of these regulations while subject to the terms of a Diversion Agreement may be disciplined for both the original violation of the PNW COVID-19 Student Guide/COVID-19 safety protocol and the subsequent violation.

Diversion Program, the Conduct Officer may consider:

- a. The nature and severity of the alleged violation, including any mitigating or aggravating circumstances;
- b. The student's past conduct record;
- c. The likelihood that the student will cooperate and benefit from the Program and comply with its requirements; and
- d. Whether there are specific and tangible actions the student can take that will correct the violation of the PNW COVID-19 Student Guide/COVID-19 safety protocol and protect the health, safety and continuity of the campus community.

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