



STUDENT CODE OF CONDUCT

INTRODUCTION.

The purpose of the Student Code is to provide all University students with guidance and to promote standards of personal integrity that are in compliance with the mission of the institution. Students attending the University automatically accept the application of the University's Student Code and its processes. Any questions regarding the interpretation or application of the Student Code and its processes can be answered by the Center for Campus Life.

The following is the official policy of the University regarding student rights, responsibilities, disciplinary procedures, outlines the hearing process, appeal process, and the application of sanctions, and Title IX.

The disciplinary procedures used by the University are considered part of its educational process and support its philosophy to produce graduates who are ethically and professionally oriented. Hearings conducted as part of this process are not courts of law and are not subject to many of the rules of civil or criminal proceedings. Because some of the violations of these standards are also violations of law, students may be accountable to both governmental authorities and to the University for their actions. Disciplinary action at the University will proceed at the discretion of the Executive Director of the Center for Campus Life and/or appropriate directors, notwithstanding any related civil or criminal proceedings. The University reserves the right to alter, change, or modify these policies and procedures at any time as deemed best for the safety, security, and benefit of the University community. Such changes will be published accordingly.

DEFINITIONS.

1. "Business day" shall be defined as Monday through Friday excluding official University holidays or University closures.
2. "Campus designee" refers to a University appointee who is responsible for initiating the Student Code process at the local level.
3. "Complainant" refers to a member of the University community, a student organization, or the University who is bringing charges against a student organization or a student. When the complainant is a student organization or the University, a single person may be appointed by that body to represent it.
4. "Hearing Officer" refers to the person or persons selected to administer the Student Code process, as outlined later in this document, to determine whether there has been a violation of the Student Code and to determine appropriate sanctions.
5. "Hearing" refers to the scheduled meeting wherein the respondent is provided the opportunity to present all relevant information and evidence regarding the alleged misconduct.
6. "Member of the University community" includes any person who is a student, faculty member, University official, or other person employed by the University.

7. “Respondent” refers to a student organization or student charged with a violation of University policy, not the University itself.
8. “Student” shall be defined as any person admitted, enrolled or registered for study at Davenport University. Student also includes persons not officially registered or enrolled for a particular term but who are eligible to enroll or have a continuing relationship with the Davenport University.
9. “Student Code” is defined as the written regulations of the University applicable to students and student organizations as found in, but not limited to: the student handbook, the University catalog, University residence hall publications, the University website, and any other official publications of the University.
10. “Student Organization” includes all athletic teams, club teams, student based organizations registered with the University through the local campus office.
11. “University” is defined as Davenport University, and includes all campuses.
12. “University official” and/or “appropriate director” includes any person employed by the University who performs assigned administrative or professional responsibilities.
13. “University property” and “University premises” include all land, buildings, facilities, and other property in the possession of the University or owned, used, or leased by the University, including adjacent streets and sidewalks. University property also, where applicable, includes all tangible personal property owned, used, or leased by the University, such as supplies, materials, equipment, technology and furnishings.
14. “University Technology Resources” includes but is not limited to: University computers, networks, software, websites, and properties.

Student Rights.

Each student is afforded the following rights:

1. Freedom from unlawful discrimination or harassment on the basis of race, sex, gender, age, religion, national origin, disability, or sexual orientation under federal or state laws.
2. The right to information pertaining to academic standing, graduation requirements, and course requirements.
3. The freedom to establish student organizations consistent with University requirements, to pursue common educational interests.
4. The right to privacy of student records to the extent provided for under applicable federal or state laws. Information will be released only as allowed by federal and state laws.
5. The right to initiate a complaint that may bring about an investigation and/or disciplinary action involving another member of the academic community.
6. The right to a fair process as outlined herein.

Student Responsibilities.

Each student accepts the following responsibilities:

1. Students are expected to respect and value the rights of others, support the academic environment, follow standards of the community and encourage the proper use of University facilities.
2. Students are also expected to observe federal, state, and local laws, as well as University rules, regulations, and policies, including the use of existing measures to resolve disputes.

3. Students are expected to make themselves aware of, and comply with the policies and procedures governing them as members of the University community.
4. Students are expected to conduct themselves as mature individuals at all times consistent with the institution's values, beliefs, and highest standards of ethics and civility. This encompasses all conduct while on campus, off campus, and during all University-related or University sponsored endeavors including, but not limited to: internships, practicums, clinicals, or other University-related experiences.
5. Students are expected to maintain a current local and permanent address with the University. Addresses may be updated through the University website.
6. Students are expected to regularly check their Davenport email and respond to University notices appropriately.
7. Students are expected to comply with all University handbooks applicable to their student status, including but not limited to the Athletic Handbook, the College of Health Handbook, and the Student Code of Conduct.

MISCONDUCT.

Any student, group of students or student organization accused of having violated any of the following policies while on University premises, including virtual communications, or during University-related or sponsored endeavors including, but not limited to: internships, practicums, clinicals, or other University-related experiences whether on or off University premises, is subject to disciplinary action by the University. The University reserves the right to investigate and take action for any off-campus student behavior violating the Student Code of Conduct if such behavior is criminal, and/ or is deemed inconsistent with the values of the institution. Participation in off-campus events that involve students or student organizations at which this Student Code may have been violated, or at which participation has negatively impacted the reputation of the University, may also be investigated. The student's or student organization's continued suitability for enrollment or continued registration may also be examined.

The following is not a complete listing of potential misconduct that may lead to discipline, but serves as a guideline to students and student organizations.

ACADEMIC INTEGRITY.

Academic Dishonesty

The University may discipline a student for academic dishonesty, meaning any activity that undermines the academic integrity of the institution. Davenport University defines academic integrity as the expectation that each person's academic work is responsibly and honorably acquired, developed and presented. Davenport University Academics outlines the specifics of the following policy violations on our website, in our handbook, as well as below. Violations of academic integrity include, but are not limited to:

1) Cheating

A student may not use or attempt to use; give or attempt to give unauthorized assistance, materials, information, or study aids in any academic exercise, including but not limited to, the following:

- A. A student must not use or give external assistance on any “in-class” or “take-home” examination, unless the instructor has specifically authorized in writing external assistance. This prohibition includes, but is not limited to, the use of tutors, books, notes, calculators, and analytical tools.
- B. A student must not use another person as a substitute in the taking of an examination or quiz.
- C. A student must not steal, acquire, or obtain from the internet or any other source, academic papers, examinations, examination keys, or other course materials.
- D. A student must not allow others to conduct research or to prepare work for him or her without explicit authorization from the instructor for whom the work is being submitted. Under this prohibition, a student must not make any unauthorized use of materials obtained from commercial term paper companies or materials prepared by other persons.
- E. A student must not offer to conduct research or to prepare work for others without advance written authorization from the instructor for whom the work is being submitted.
- F. A student must not collaborate with other persons on a particular project and submit a copy of a written report which is represented explicitly or implicitly as the student’s individual work.
- G. A student must not use or give any unauthorized assistance in a laboratory, at a computer terminal, or on fieldwork.
- H. A student must not submit substantial portions of the same academic work for credit or honors more than once without written permission of the instructor to whom the work is being submitted.
- I. A student must not log into another student or staff member’s electronic classroom (ie Blackboard, MyITLab, MyMathLab, etc.) to obtain, alter, or destroy materials housed therein.
- J. A student must not procure or purchase academic work from the internet, another student, or a third party whether by theft, payment, bribe, or promised favors.

2) Fabrication

A student must not falsify or invent any information or data in an academic setting or pertaining to his/her academic status, including, but not limited to: records or reports, resumes, transcripts, laboratory results, research findings, and citations of the sources of information.

3) Facilitating Academic Dishonesty

- A. A student must not intentionally or knowingly help or attempt to help another student to commit an act of academic dishonesty.
- B. A student is responsible for taking reasonable precautions to ensure his or her work is not accessed by or transferred to another individual wherein it may then be used to commit an act of academic dishonesty.
- C. A student shall not upload or otherwise share papers or assignments to websites that list or collect old materials, even under the guise of study assistance.

4) Interference

- A. A student must not steal, change, destroy, or impede another student's work. Impeding another student's work includes, but is not limited to: the theft, removal (deleting electronically) defacement, or mutilation of resources so as to deprive others of the information contained within those resources.
- B. A student must not give or offer a bribe, promise favors, or make threats with the intention of affecting a grade or the evaluation of academic performance.
- C. A student must not alter a grade or academic score in any way, whether theirs or others.

5) Plagiarism

American standards of Plagiarism refer to the intentional or unintentional use of previously created works, ideas, images, or creative works without proper documentation including citations of the sources used and a list of references. It is a student's responsibility to ask the faculty member to clarify any questions on correct use of documentation for the work submitted in the course.

Plagiarism includes, but is not limited to, the following:

- A. Copying print or electronic text.
- B. Having someone else write any portion of a paper.
- C. Rephrasing/paraphrasing text to avoid detection.
- D. Rephrasing/paraphrasing text without proper citation.
- E. Copying diagrams, illustrations, charts, pictures, or other visual materials without proper citation.
- F. Using information from audio, visual, or other media without proper citation.
- G. Using information from personal communication (interviews, group discussions, telephone conversations, email, blogs, etc.) without proper citation.
- H. Using information from an employer Intranet without proper citation and without permission.

6) Self- Plagiarism

Submitting previously created material, or course work from previous classes including discussion boards, projects, or presentations without discussion with and written authorization from the instructor for whom the work is being submitted. It is also impermissible to use an entire paper written for one class in another.

7) Violation of Course Rules

- A. A student must not violate course rules as contained in a course syllabus, College handbook, or University catalog. This also includes documents which are related to the content of the course or to the enhancement of the learning process, including course rules in classrooms, labs, clinicals, and off-site internships.
- B. A student must maintain expected levels of civility and professionalism, as laid out in course syllabi, College Handbook, University catalog, and/or other documents as it pertains to any academic setting, whether on campus or off-site.

ALCOHOL.

The use, possession, or sale of alcoholic beverages by students is prohibited by Davenport University on all University property including on-campus residential communities, all academic buildings, and all athletic facilities and outdoor spaces, regardless of age, except as expressly outlined below. The following misuses of alcohol are prohibited, and include but are not limited to:

- 1) In Panther Woods and Panther Ridge apartments, only students and guests who are 21 years of age or older may consume and/or store alcohol in the privacy of their apartment, with the door closed and with no minors present with the exception of the roommate(s) assigned to the occupied apartment. Students not assigned to the apartment and/or guests under the age of 21 are not to be present when alcohol is being consumed. Kegs, bongos, and mass quantities of alcohol are prohibited.
- 2) Open containers of alcohol are not permitted in any public areas in or outside of the residence halls or apartments, including elevators, hallways, breezeways, lobbies, balconies, entryways, parking lots, lounges, etc.
- 3) Possession or use of alcohol that creates a danger to self or others including, but not limited to, excessive intoxication is prohibited. The abuse of alcohol and high risk drinking activities are prohibited. High risk drinking activities include, but are not limited to, drinking large quantities of alcohol, consuming alcohol at an accelerated pace, participation in drinking games, use of beer bongos, and/or any activity that promotes irresponsible drinking.
- 4) The sale, gift, or transfer of alcohol to minors is prohibited.
- 5) Public intoxication, defined as being under the influence of alcohol or other drugs regardless of age, in circumstances where such behavior causes a disturbance or other concern to the University is prohibited.
- 6) The possession of alcoholic beverage containers is prohibited on campus, except in Panther Woods and Panther Ridge by students who are 21 years of age or older as described above. This includes collectible empty or full alcohol containers and dispensing paraphernalia.
- 7) Alcohol is prohibited at all University activities or student organization activities, excepting University functions or events at which the presence and use of alcoholic beverages has received presidential approval.
- 8) The use of University or organizational monies to purchase alcoholic beverages is prohibited.
- 9) Driving while under the influence of alcohol is prohibited.

DISHONESTY.

Acts of dishonesty are prohibited, including but not limited to the following:

- 1) Furnishing intentionally false information to any University official, faculty member, or office; this includes, but is not limited to: false information on an admission application, or any other document submitted to the University or on the University's behalf.
- 2) Forgery, alteration, or misuse of any University document, record, or instrument of identification.
- 3) Tampering with the election of any University-recognized student leader or student organization.

- 4) Falsification of University records; each student is expected to complete any University record accurately and honestly.
- 5) Providing false or misleading statements to any person charged with investigating or deciding the responsibility of the accused, reviewing a finding of responsibility, or determining or reviewing the appropriateness of the sanction or sanctions to be recommended or imposed.
- 6) Representing or acting on behalf of the University or another individual when not authorized to do so.

DISORDERLY CONDUCT.

Engaging in intentional expressions or conduct that substantially disrupts or interferes with the University's normal functions, the rights of others or causes substantial disorder. Disorderly conduct is prohibited, and includes but is not limited to the following:

- 1) **Threaten or Endanger:** taking an action that threatens or endangers the safety, health, or life of self or others, or behavior that creates the impression of such endangerment, and/or causes another person physical harm whether directly or indirectly.
- 2) **Obscene Conduct:** behavior that the student knows or should know is reasonably likely to be considered obscene under the standards of the local community, including, but not limited to: public exposure of one's own sexual organs, voyeurism, or video or photographed voyeurism, meaning the recording, use, or disclosing or distributing a recording of others in a location or situation where there is a reasonable expectation of privacy (including, but not limited to, a residence hall room, locker room, or bathroom), without the knowledge and consent of all individuals involved.
- 3) **Abusive or Offensive Language:** abusive or offensive language inherently likely to provoke an immediate violent reaction, whether or not it actually does so or is grossly indecent or offensive to a reasonable member of the University community.
- 4) **Aiding an Unlawful Act:** aiding any unlawful act or the violation of any University policy.
- 5) **Guest Behavior:** the inappropriate behavior of a student's guests and/or visitors on University premises or at University sponsored functions.
- 6) **Damage:** damage to University property or the property of another.
- 7.) **Unsuitable conduct:** behavior that is considered disrespectful, inappropriate, or unprofessional falling outside the Davenport University standard of civility.

FAILURE TO COMPLY.

Failure to comply with University sanctions or reasonable directives of University officials is prohibited.

FIRE AND SAFETY EQUIPMENT.

- 1) Possession and/or use of fireworks, incendiary devices, or other dangerous explosives or chemicals is prohibited.
- 2) Arson, meaning the ignition of a fire or attempt to ignite a fire is prohibited.

- a) Grills, and contained fires are prohibited on University property, which includes residential communities. University-owned grills and/or the fire pit may only be used with the express written permission of the Department of Public Safety or the Center for Campus Life, and only in designated areas.
- 3) Due to Davenport University Lettinga campuses' proximity to an airport, the use of laser pointers and drones is strictly prohibited.
- 4) Improper use or disablement of safety equipment or firefighting equipment such as fire extinguishers, fire alarms, exit signs, smoke alarms, and defibrillators.
 - a) Emergency Call Boxes: activating the call box as a prank or pushing the call button when there is no emergency is considered a breach of the student code of conduct. An automatic fine of \$100 will be assessed.

HAZING.

Hazing is defined as any action or situation imposed on another that can be presumed as forced, or with the intent to create embarrassment, harassment, ridicule, and induce physical, mental, or emotional harm. Hazing in all forms is prohibited, and includes, but is not limited to the following:

- 1) The destruction or removal of any public or private property.
- 2) Any initiation which may inhibit a person's physical health, well-being, or personal safety.
- 3) Any forced activity or action imposed on a person as a condition for membership in a student organization, athletic team, or other organization.
- 4) Any brutality of a physical nature including, but not limited to: whipping, beating, forced calisthenics, exposure to the elements, forced consumption of food, alcohol or drugs, sleep deprivation, or any forced activity that would cause distress, the willingness of an individual to participate in such an activity notwithstanding.

HARASSMENT AND/OR THREAT.

Harassment and/or threat is defined as any aggressive or intimidating behavior, or statement therein, intended to cause fear, discomfort, or that display bigotry or hate speech, whether overt or perceived. Harassment and/or threat is prohibited in all forms, and includes, but is not limited to the following:

- 1) Having the purpose or effect of creating an intimidating, hostile or offensive environment.
- 2) Having the purpose or effect of unreasonably interfering with an individual's participation in or access to educational activities, learning opportunities, and/or educational programs.
- 3) Adversely affecting an individual's living space, or access to extracurricular activities and programs, including athletics.
- 4) Harassment and/or threat carried out on the basis of sex, age, race, ability, familial status, height/weight, marital status, national origin, political affiliation, religion, gender, sexual orientation, and/or veteran status.

ILLEGAL DRUGS/PRESCRIPTION DRUGS.

Under the Controlled Substances Act establishing federal U.S. drug policy, the following substances are impermissible at Davenport University. The list includes, but is not limited to: substances such as marijuana, cocaine, narcotics, certain stimulants and depressants, misuse of prescribed medication (whether prescribed to the student in question or another), and hallucinogens. Illegal drugs are prohibited in all forms, and includes but is not limited to:

- 1) The possession and/or use of controlled substances, illicit drugs, or any substance used as a drug, inhalation or ingestion of such substances that may alter a person's mental state.
- 2) The production, distribution, sale, transfer, or gift of controlled substances, illicit drugs, or any substance used as a drug that will alter a person's mental state.
- 3) Use of or unauthorized possession of a prescription drug if the prescription was not issued to the student, the distribution or sale of a prescription drug to a person to whom the prescription was not originally issued, or use of prescription drugs which violates local, state, or federal law.
- 4) Possession, use, sale, or manufacturing of drug paraphernalia including but not limited to: bong, scales, glass or plastic pipes, syringes, needles, and/ or any handmade or common household items being misused for the purpose of drug paraphernalia.
- 5) Misuse of any household product for the intent of altering one's mental state.
- 6) The use or unauthorized possession of marijuana or cannabis products in all forms, as outlined in federal law.

INAPPROPRIATE USE OF TECHNOLOGY/UNIVERSITY INTERNET SERVICES.

Theft or other abuse of computers, related computing network, websites, equipment, data, or internet services, and/or the use of University technology resources to interfere with normal operation of the University computing system is prohibited, including, but not limited to:

- 1) Unauthorized entry into, use of, transfer, or deletion of a file or class assignment.
- 2) Unauthorized use of another individual's identification and/or password, or unauthorized provision of a student's identification and password to another.
- 3) Use of University technology resources to interfere with the work of another student, faculty member, University official or other entity.
- 4) Use of University technology resources for personal gain or profit.
- 5) Use of University technology resources to send or obtain obscene or abusive messaging, or to send, share, or sell pornographic material.
- 6) Use of University technology resources to threaten, intimidate, or otherwise violate University anti-harassment or anti-violence policies.
- 7) Copyright Infringement, meaning the use of works protected by copyright law without proper permission. This includes reproduction, distribution, display of copyrighted work, and up to the derivation of a copyrighted work.

OBSTRUCTION OR DISRUPTION.

Acts of obstruction or disruption are prohibited, including but not limited to:

- 1) Obstructing or disrupting teaching, research, disciplinary procedures, and/or other normal University activities or functions.
- 2) Leading or inciting others to disrupt scheduled and/or normal activities within any building or area.

PARKING POLICY.

Students are responsible for all Davenport University parking policy as published on the University website. Violations of these policies may result in disciplinary action.

PROXIMAL COMPLICITY.

Students who enter an area where a violation of policy is occurring, or a violation is initiated in an area that they are in, should leave immediately. In choosing to remain, the student assumes responsibility for all behavior and/or items in that vicinity, regardless of their participation, unless it can be clearly demonstrated that the student had no knowledge of the incident.

PUBLIC DEMONSTRATIONS AND PROTESTS.

Davenport University supports students' right to free speech. As such, all lawful, peaceful and organized demonstrations or protests that take place on Davenport University's property are permitted, while simultaneously required to adhere to the following;

1. Must be led by current, enrolled students. Outside organizations are not permitted to lead demonstrations or protests on private property.
2. Must follow all guidelines laid out in the Student Code of Conduct including but not limited to; maintaining a spirit of civility and respect, refraining from obstruction or disruption, abstaining from abusive or offensive language, and it must not incite or illicit violence.
3. No defacement or destruction of Davenport University property.
4. May not perpetuate hate speech, intimidation, harassment, discrimination, or create an unsafe environment for those participating or not participating in the demonstration or protest.

Should any student or student group wish to reserve a space for a protest or demonstration, inquire at your applicable campus welcome desk or contact Student Life.

RETALIATION.

No student, group of students, or registered student organization may intimidate, threaten, coerce, or take adverse action against any other student or Davenport University employee or affiliate to interfere with any right or privilege they hold as a student or employee, or to repay injury or insult

of any kind related to a person's good faith participation in an official University proceeding or process. Acts of retaliation are prohibited, including, but not limited to;

1. Retaliation against a reporting party or witness in a University process, whether through the Office of Student Affairs, Athletics, Title IX, Human Resources, or elsewhere.
2. Retaliation against a University employee and/or DU affiliate conducting their routine responsibilities in the context of an investigation, hearing, or appeals proceeding.

Persons who believe retaliation is occurring or has occurred toward them as a result of their good faith participation in a University process are invited to report that allegation to our *Incident Report* link available on the Davenport University website.

SEXUAL MISCONDUCT.

Sexual misconduct defined, is a broad term which encompasses any behavior of a sexual nature which is unwelcomed. Sexual misconduct is prohibited, and includes, but is not limited to:

- 1) Sexual assault: any sexual act or attempt to engage in any sexual act with another person without the consent of the other person, or in circumstances in which the person is unable, due to age, ability, the influence of alcohol or other controlled substances, or other impairment, to give verbal consent.
- 2) Sexual misconduct: any intentional intimate touching of another without the consent of the other person or in circumstances in which the person is unable, due to age, ability, or alcohol/chemical or other impairment, to give consent.

SEXUAL HARASSMENT.

Sexual harassment on the basis of sex is a violation of state and federal law. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment is strictly prohibited, and includes but is not limited to:

- 1) **Sexual Exploitation/Intimidation:** taking advantage of the sexuality or attractiveness of a person for personal profit or gain, an abuse of power of position, trust or differential power for one's own personal interest or purpose.
- 2) **Sexual Harassment- Quid Pro Quo:** harassing conduct is made either explicitly or implicitly as a term or condition of an individual's participation in or access to educational activities and programs.
- 3) **Sexual Harassment- Hostile Environment:** sexually harassing conduct that has the purpose or effect of unreasonably interfering with or creating an intimidating, hostile, or offensive working, living, or educational environment.
- 4) **Sexual Harassment- Unwanted Advances:** harassing conduct made either physically, sexually, in the form of sexual statements, whether verbal or written, or overt personal attention related to one's sex, which is unwanted.

STALKING.

Stalking is defined at Davenport University as repeatedly pursuing or approaching a person in an aggressive or threatening manner, which is against the expressed wishes of that individual. As such, it is strictly prohibited.

TOBACCO USE.

All buildings on all Davenport University properties are designated as tobacco free. Tobacco products include any product or device intended to simulate smoking, cigarettes, cigars, pipe tobacco, electronic cigarettes, vapes, and/ or smokeless tobacco including snuff, chewing tobacco, smokeless pouches, or loose leaf tobacco. Designated areas are clearly marked on each campus for the use of tobacco products, and all use is limited to these spaces.

THEFT.

The unauthorized possession or use of University property or the property of another is prohibited in all forms and includes, but is not limited to:

- 1) Larceny: the theft of personal property which belongs to another.
- 2) Burglary: unauthorized entry into a space or building in order to commit a crime, specifically theft.

UNAUTHORIZED ENTRY.

The unauthorized entry, occupancy, or use of physical or virtual University premises or property is prohibited.

UNAUTHORIZED ELECTRONIC OR DIGITAL RECORDING.

Making, using, disclosing, or distributing a recording of a person in a location or situation in which that person has a reasonable expectation of privacy and is unaware of the recording or does not consent to it is prohibited. Such conduct includes, but is not limited to, unauthorized recording of personal conversations, phone calls, images including screenshots, meetings, or activities.

UNAUTHORIZED USE OF UNIVERSITY PROPERTY, INCLUDING ONLINE PROPERTY.

Students are authorized to use University property only as consistent with their coursework, student housing, or related educational activities as provided for under this Student Code. The misuse of University property, including online property is prohibited, and includes but is not limited to:

- 1) Online materials, including syllabi, lectures, discussion threads, and other course- and University-related materials found online are the property of the University; and should not be

disclosed, directly or indirectly, to any person or entity outside of the University, and (in the case of online classes) to anyone otherwise not involved in teaching or who is enrolled in the particular class.

2) University physical property such as desks, chairs, tables, or any other University owned items.

3) Electronic or tech related items such as computers, printers, scanners, or any other University owned items.

VIOLATIONS OF CAMPUS POLICIES AND OTHER UNIVERSITY POLICIES.

Violations of University publications, including but not limited to: those found in the Residence Hall Handbook, Student Athletic Handbook, publications in the School of Health and Sciences, the School of Health Professions Manual, those related to Student Employment, Anti-Violence, Anti-Harassment, the Student Employee Handbook, the Student Academic Integrity publication, and all Title IX policies are prohibited and may result in disciplinary proceedings and sanctions under this policy. Guests and visitors to the University will also be held to University policies as outlined in these documents.

VIOLATION OF LAWS.

Violation of federal, state, or local laws is prohibited. This also includes any conduct that is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace.

VIOLATION OF UNIVERSITY SANCTIONS AND PROCESSES.

Students who violate the terms of sanctions which they are presently under through the University Student Conduct process may be held responsible and receive additional sanctioning on the part of the University.

Students who do not cooperate appropriately throughout a conduct process, by either withholding information, evading professional staff, or obstructing a conduct process may be held responsible and receive additional charges and/or sanctioning on the part of the University.

WEAPONS.

Possession, use, control, or distribution of any weapons is prohibited on all University premises across all campuses in both indoor and outdoor spaces, as well as at any University sponsored event, activity, educational experience, or athletic function. The following items are prohibited without limitation to the University's ability to prohibit additional items, as appropriate:

- 1) Firearms, rifles, shotguns, tasers, and handguns with, or without a concealed carry permit.
- 2) BB and pellet pistols, rifles that are spring, gas, or air powered, facsimile weapons, paint guns, and airsoft guns.

- 3) Sharp objects such as: hunting knives, throwing stars, swords, and bows and arrows.
- 4) Explosives, fireworks, dangerous chemicals, bombs, or household items manipulated with the intent to create a bomb.
- 5) Ornamental weaponry used for decorative purposes.
- 6) Self-made weapons or the use of any item with the intent of threatening or causing harm to another. Possession or use of any of the above items, even if legally possessed, that harms, threatens, causes fear, or raises the concern of members of the University is strictly prohibited.

Student Illness Statement

As permitted by law, the University reserves the right to require students who contract a contagious disease to remain quarantined, or away from the University until they present a doctor's statement that they are no longer infectious to others.

Title IX Statement

In accordance with federal law, Davenport University complies with all Title IX mandates. Please see the Davenport University Title IX website for details on process:
<https://www.davenport.edu/campus-life/title-ix>

Student Code Process

Incident Reporting Process

Anyone wishing to report student misconduct shall document all relevant information via an incident report, which shall be provided to a member of the campus administration. An incident report can be filed online at <https://publicdocs.maxient.com/incidentreport.php?DavenportUniv>. When a written incident report is filed, it shall be forwarded to Student Conduct personnel, and other applicable University Officials. Following review of the incident report (which may include, without limitation, any and all investigation research deemed appropriate by the Campus Designee regarding the underlying incident), a determination will be made by the Campus Designee (in possible consultation with other University leadership) whether charges of misconduct should be filed in response to the incident. The University may take action against a student for violating the Student Code and the student may use this procedure to appeal the decision and/or sanction.

Interim Suspensions and No-Contact Orders

In certain circumstances, the Executive Director of Campus Life, Director of Conduct, Director of Housing or campus designee may impose a University or residence hall suspension prior to a Student Code hearing. Interim suspension may be imposed if the student poses a threat of disruption or interference with the normal operations of the University or, in order to ensure the safety and wellbeing of members of the University community; to preserve University property; to ensure the student's own physical or emotional safety or the well-being and physical or emotional safety and well-being of others. The affected person will be notified of the interim

suspension through electronic mail sent via Maxient or any other electronic messaging system utilized by the University in addition to the possible verbal notification or printed written notice. During an interim suspension, a student shall be denied access to the residence halls and/or University campuses (including classes) and/or all other University activities, privileges, or team happenings for which the student might be otherwise eligible, as specified by the Executive Director of Campus Life or campus designee. A student may request a meeting regarding an interim suspension within five (5) days of the date of the notice of the interim suspension. The purpose of this meeting will be to determine the duration of the interim suspension. The decision made in this meeting by University officials is final and is not subject to review.

A student's tuition, fees, and residence hall room and board will neither be refunded nor remitted, in whole or in part, due to an interim suspension. At times, in the interest of public safety, it becomes necessary to restrict a student's privileges and prohibit contact with specified individuals by issuing a "ban" or "no contact" order that prohibits entry to a specific location/s or contact with a specific individual/s. Unlike a court order, a University "ban" or "no contact" order is issued by University officials. This order may be issued when the University determines it necessary to protect safety or to preserve a peaceful environment in which all students can work, study, or live on campus. This action may be based upon a complaint or report of dangerous behavior filed with Public Safety or the Center for Campus Life. Violation of a "ban" or "no contact" order is considered misconduct and will result in disciplinary action that could include immediate suspension or expulsion from the University.

Initiation of Proceedings

If the University chooses to file misconduct charges against a student, a hearing shall be conducted to review the alleged misconduct. Formal notice of Student Code of Conduct proceedings will be sent to the student via the student's University email account to inform the student that a hearing date has been set and charges are pending. The notice shall inform the student of the following:

- 1) The misconduct alleged to have been committed.
- 2) The date, time, and place of the alleged misconduct and other relevant circumstances.
- 3) The date, time, and location of hearing, most often three business days after the date of notice, dependent on the timing of the occurrence in light of the University calendar.
- 4) That if the student desires to present one or more witnesses, the student must prepare a list of the persons whom the student may present as witnesses and/or whose statements may be offered as evidence at the hearing and submit the list to applicable University officials prior to the hearing.

Overview of Hearings

The purpose of a hearing is to provide the opportunity for the University official or complainant and the respondent to present all relevant information and evidence with regard to the alleged misconduct. It is the responsibility of the hearing officer to consider impartially all relevant information and evidence, determine the facts, apply University policy, and impose appropriate sanctions if the respondent is found responsible for the alleged violation.

University Student Code of Conduct hearings are administrative hearings that allow flexibility and are not courts of law. The Student Code of Conduct process is separate and independent from any civil or criminal action and may proceed even if a related matter is anticipated or pending in other forums. Rules of evidence and the criminal standard of proof do not apply. A hearing officer is expected to find a student or student organization responsible for violations of University policies only if the preponderance of evidence supports a finding of a violation. Students may have no more than one advocate attend their hearing. The purpose of this individual's presence is to provide support for the student in question. They may be asked to leave should their presence prove an impediment to the hearing. All hearings are closed to the public.

Hearing Conducted Before a Student Conduct Hearing Officer

A hearing conducted before a hearing officer is often called an individual hearing as the respondent meets with one hearing officer or Campus designee. A second University official may be present as deemed appropriate. During a hearing conducted before a hearing officer, the hearing officer will review with the respondent the report that led to the misconduct charges. The respondent will have an opportunity to admit or deny the charges and present any summary information in response to the charges. If appropriate, the respondent may present witnesses or provide witness statements for review. If appropriate, the respondent may have one support person present at the hearing. The hearing officer, after reviewing all information presented, will determine responsibility and, as appropriate, any sanctioning. A written decision will be generated within five business days of the meeting and will be delivered through electronic mail sent via Maxient or any other electronic messaging system utilized by the University. The decision shall be considered received on the date and time that it arrives in the recipient's inbox.

Appeal Process

Decisions of the hearing officer may be appealed to the appropriate director. Appeals must be filed in writing within three business days of receipt of the written decision. The complainant or the respondent may appeal the decision based on one or more of the following:

1. New relevant material evidence or information has been provided that could not have been discovered at the time of the hearing.
2. Procedural error can be shown to have had a detrimental impact on the hearing outcome.
3. Errors in the interpretation of University policy; or the sanction(s) imposed were not appropriate for the violation.

Appropriate University directors will decide whether or not there is a basis for an appeal and, if there is, may alter any determination and/or sanction levied by the hearing officer should the above criteria be proven applicable. This decision is final.

Re-Admittance Process for Suspended Students.

Individuals seeking re-admittance into Davenport University, and/or a specific program, and/or Davenport University Housing after a suspension are required to contact the Director of Student Conduct and Care before re-enrolling in courses or applying to Davenport University Housing. An interview will be conducted by the head of Student Conduct, and an appeals committee of applicable staff or faculty. The appeals committee will conduct a review of the terms of the student's suspension and will evaluate the student's responses in their re-entry interview. The appeals committee will then provide a decision to the individual in writing within five business days, subject to holidays, as to whether or not their request for reinstatement is approved. Re-admittance approval will be subject upon the following criteria: full compliance with the sanctions, conduct process and re-admittance process in addition to a review by the committee of a student's written statement of response to the full incident.

SANCTIONS.

Any combination of the following sanctions or other sanctions may be imposed through the hearing process. Multiple and/or repeated violations typically result in increased sanctions. The sanctions listed are not exclusive, but serve as guidelines:

Primary Sanctions:

1. Formal warning: a written reprimand that expresses disapproval of the student's actions and warns against any potential violations of University policy in the future.
2. Probation: a period of observation and review. Misconduct warranting probation will result in a minimum of one academic semester and maximum of the duration of the student's academic career at the University. If found responsible for violating any University policies or failure to comply with other requirements stipulated during the probationary period, the student may be immediately suspended from the University, housing and/or its events.
3. Suspension: results in a mandatory and immediate dismissal from classes, and/or the residence halls, and/or athletics, and/or activities at the University. A suspension may last for the remainder of the session/semester in progress and/or a specified period of time thereafter. Any additional violations or failure to comply with other requirements stipulated during the period of suspension may result in expulsion. During a full suspension, the student is not permitted to visit the University premises, attend any University functions without prior written permission from the Center for Campus Life, and may not utilize University resources until the time allotted has passed. Any student who is suspended due to misconduct will not be entitled to any refund of tuition or other fees and may incur additional charges and fees after financial aid is adjusted. Readmission conditions may be specified.
4. Expulsion: the most severe sanction for violation of University policy is expulsion, which results in immediate dismissal and permanent separation from the University. Any student who is

expelled due to misconduct will not be entitled to any refund of tuition or other fees and may incur additional charges and fees after financial aid is adjusted.

Additional Sanctions:

1. University property restrictions: restriction from certain University facilities or property, either physical or virtual, for a defined period of time.
2. Residence Hall Suspension: separation of the student from the University housing unit for a defined period of time, after which the student is eligible to return. Conditions for readmission may be specified.
3. Residence Hall Expulsion: permanent separation of the student from University housing.
4. Fine: a monetary penalty for property damage, theft, or other violations that result in inconvenience or cost to others and/ or the University.
5. Parental Notification: as permitted by law, the University reserves the right to disclose to parents or legal guardians information about a student's violation of University regulations and policies and federal, state and/or local laws governing the use of alcohol or a controlled substance. The University may notify parents/legal guardians of alcohol or controlled substance violation if the student is under the age of 21. Appropriate directors will determine the circumstances under which parental notification takes place.
6. Restitution: compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
7. Educational Sanctions: require a student to write a paper, plan and present a program, attend a class or seminar, or complete other educational requirements such as community service.
8. Loss of privileges: denial of specified privileges for a designated period of time.
9. Disqualification from receipt of institutional financial aid while the sanction is imposed or possibly thereafter.

Sanctions for Student Organizations

Any combination of the following sanctions or other sanctions may be imposed through the hearing process. Multiple and/or repeated violations typically result in increased sanctions. The sanctions listed are not inclusive but merely serve as guidelines.

Primary Sanctions:

1. Formal warning: a written reprimand that expresses disapproval of the student organization's actions and warns against any future violations of University policy.
2. Probation: includes the loss of all group and campus wide social privileges, except philanthropy. A probationary period may range from four weeks to one full academic year, with a mandatory review before the student organization can be released from probationary status. Any additional violations or failure to comply with requirements stipulated during this period may result in suspension pending further disciplinary review.
3. Suspension: results in a loss of all meeting and activity privileges for a minimum of one full academic year and a maximum of four full academic years. Any additional violations or failure to comply with other requirements stipulated during this period will result in expulsion.

Any student organization suspended due to misconduct will not be entitled to any refund of member dues or other fees. Readmission conditions may be specified.

4. Expulsion: the most severe violations of the University Student Code of Conduct by a student organization will result in dismissal and permanent separation from the University. Any student organization that is expelled due to misconduct will not be entitled to any refund of member dues or other fees.

Additional Sanctions:

1. University property restrictions: restriction from certain University facilities or property, either physical or virtual, for a definite period of time.

2. Residence Hall suspension: separation of the student organization from the University housing unit for a definite period of time, after which the members are eligible to return. Conditions for readmission may be specified.

3. Residence Hall expulsion: permanent separation of the student organization from University housing.

4. Fine: a monetary penalty for property damage, theft, or other violations that result in inconvenience or cost to others.

5. Restitution: compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.

6. Educational sanctions: require a student organization or individual to write a paper, plan and present a program, attend a class or seminar, or complete other educational requirements.

7. Loss of privileges: denial of specified privileges for a designated period of time.

8. Disqualification of student organization officers and members from receipt of institutional financial aid, including but not limited to the DU Club Scholarship program.