

Editorial change to the Procedures for the Student Code

[The full name of the Student Code is the Code of Student Rights, Responsibilities, and Conduct. It was suggested that this document use the full name. Revisions are indicated with strikethroughs and boldface type in square brackets. Ellipses [. . .] indicate omitted passages.]

Indiana University East

Procedures for the ~~Student Code of Conduct~~ [Code of Student Rights, Responsibilities, and Conduct]

Preamble

Indiana University East is neither required nor inclined to prescribe a code of conduct to cover each specific situation; however, the University expects all students, as well as faculty and staff, to observe national, state, and local laws and to respect the rights and privileges of other individuals. The basic expectations for such behavior are outlined in the ~~*Student Code of Conduct*~~. [Code of Student Rights, Responsibilities, and Conduct.]

The University expects each individual within the academic community to refrain from behavior that would disrupt the University's function of education, cause injury to persons, cause damage or loss of property on the campus, or interfere with the freedom of movement of students, school officials, employees, or guests at the facilities of the University. Interference in any manner with the public or private rights of other individuals or conduct which threatens or endangers the health and safety of any person will not be tolerated by the University. The Chancellor or designee may summarily suspend any students in violation of these standards, pending a hearing of the case before the Review Board for Misconduct and Grievances. Students should also be aware that such misconduct may subject them to any penalties which may be prescribed by municipal, state, or federal laws. The imposition of such additional penalties does not constitute double jeopardy, inasmuch as University punishment is not based on criminal laws.

Attendance at an educational institution of higher learning is not compulsory. The federal constitution protects the equality of opportunity for all qualified persons to attend. Whether this protected opportunity is called a qualified "right" or a "privilege" is unimportant. It is optional and voluntary.

The voluntary attendance of a student at such institutions is a voluntary entrance into the academic community. By such voluntary entrance, the student voluntarily assumes obligations of performance and behavior reasonably imposed by the institution of choice relevant to its lawful missions, processes, and functions. These obligations are generally much higher than those imposed on all citizens by the civil and criminal law. So long as there is no invidious discrimination, no deprivation of due process, no abridgment of a right protected in the circumstances, and no capricious, clearly unreasonable or unlawful action employed, the institution may discipline students to secure compliance with these higher obligations as a teaching method or may sever the student from the academic community.

The University has a duty and the corollary disciplinary powers to protect its educational purposes through the regulations of the use of facilities and through the establishment of standards of scholarship and conduct for the students who attend the institution. Disciplinary proceedings should play a role substantially secondary to example, counseling, guidance, and admonition. When the preferred means fail to resolve problems regarding student conduct, proper procedural safeguards should be observed to protect the student from the unfair imposition of serious penalties for violation of the University policies. Students violating rules of conduct, as set forth by the University in the ~~*Student Code of Conduct*~~, [Code of Student Rights, Responsibilities, and Conduct,] will be subject to disciplinary action. The discipline of students in the educational community is, in all but the case of expulsion for misconduct, a part of the teaching process. In the case of expulsion for misconduct, the process is not punitive or deterrent in the criminal law sense, but the process is rather the determination that the student is unqualified to continue as a member of the educational community. Even then, the disciplinary process is not equivalent to the criminal law processes of federal and state criminal law.

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