

# THE EEG - PART 11

## THE STUDENT CODE OF BEHAVIOUR



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## THE STUDENT CODE OF BEHAVIOUR

### INTRODUCTION

Wittenborg Student Code of Behaviour policy has been written to help guide the behaviour of students as members of the Wittenborg University of Applied Sciences (Wittenborg) community. Wittenborg strives to promote international excellence. We make every effort to ensure:

1. The opportunity for students to learn and inquire freely
2. The protection of intellectual freedom and the rights of professors to teach
3. The advancement of knowledge through scholarly pursuits and relevant dialogue

The Wittenborg community is by nature pluralistic and diverse. Those who elect to participate in the Wittenborg community accept the responsibility of sharing in the effort to achieve the Wittenborg 's mission as an institution of higher learning. Each person is expected to respect the objectives of the Wittenborg and the views expressed within the community. In so doing, all members of the Wittenborg community, and their guests, are expected to conduct themselves in an appropriate and civil manner at all times. These behavioural expectations include behaviour both on and off campus as defined herein. Additional policies and practices or changes may evolve and the Student Charter and other policy may be amended, modified, or suspended at any time. Written notice of such changes will be distributed as soon as possible. Participants in this shared enterprise strive to be governed by what ought to be rather than what is. To accomplish its goals, members of the Wittenborg community aspire to a standard that is higher than mere compliance with formalised Wittenborg requirements and local, state, and European law. We endeavour to fulfil the following expectations:

- Statement of Ethics
- Student Rights
- Student Responsibilities
- Disciplinary Procedures
- Disciplinary Actions

### STATEMENT OF ETHICS

1. To preserve academic honour and integrity by repudiating all forms of academic and intellectual dishonesty
2. To treat others with respect and dignity
3. To respect the rights and property of others
4. To act with concern for the safety and well-being of all our associates

Inquiry, discourse, and dissent, within the framework of an orderly academic environment, are essential elements of a Wittenborg community. Members of the Wittenborg community recognise this and are consequently supportive of democratic and lawful procedures, and dedicated to rational approaches to solving problems. This assumes openness to change as well as commitment to historical values.

## **STUDENT RIGHTS**

Wittenborg students are accorded the following rights to ensure positive educational results for each individual:

1. **Educational Environment:** Students have the right to an environment conducive to their educational pursuits. This environment should be free from harassment and discrimination and free from any other unreasonable interference with their educational experiences. Wittenborg University of Applied Sciences offers protection from discrimination or disturbance to students in their educational programmes, activities, and employment on the basis of race, sex, sexual orientation, colour, creed, age, ethnic or national origin, or non-disqualifying handicap, as required by Dutch laws and legislation.
2. **Assembly and Expression:** Students have the right to assemble and express themselves freely in a lawful and orderly manner.
3. **Information:** Students have the right to information pertaining to academic standing, course requirements, and graduation requirements.
4. **Participation in Wittenborg Governance:** Students have the right to participate in University governance through the Student Union / Representatives as set forth in Wittenborg policy.
5. **Access to Disciplinary Procedures:** Students have the right to utilise disciplinary procedures, as set forth in Wittenborg policies described in the Education and Examination Guide (EEG).
6. **Search and Seizure:** Students have the right to be secure from unreasonable search and seizure.
7. **Grievances:** Students have the right to make their concerns or grievances known through the appropriate administrative channels as prescribed under the policies of the Wittenborg. The Board of Director or the Academic Dean serves in an advisory capacity for students seeking information about processes governing alleged violations of students' rights by others or by the Wittenborg itself.

Wittenborg recognises the rights of students to direct their own behaviour off campus, consistent with their responsibilities as individuals. It is the Wittenborg's aim to assist students in achieving healthy developmental outcomes.

## **STUDENT RESPONSIBILITIES**

When enrolling at Wittenborg, a student assumes responsibilities to fellow students, to the Wittenborg, and to themselves. Students are responsible for conducting themselves in a lawful, civil, and responsible manner and for observing all Wittenborg rules, regulations, and policies. This policy is intended to address concerns regarding the behaviour of students who are members of the Wittenborg community. These procedures are not intended to replace civil and/or criminal procedures. When necessary, the Wittenborg will work with appropriate law enforcement officials to redress accusations of criminal activity.

For the purposes of the Student Code of Behaviour, a student is defined as someone who has accepted an offer of admission to the Wittenborg with a monetary deposit and is in the process of enrolling (i.e., summer registration program), is enrolled, or was recently enrolled as a full-time, part-time or Dual-Study student. Student status remains in effect during any block in which a person is or has been enrolled (regardless of whether they dropped or withdrew from that block); during the periods between blocks of enrolment; and during the block/term immediately preceding and immediately following enrolment until a diploma is conferred, or official deregistration procedure is completed.

If the University becomes aware that a student or applicant is a convicted felon, or is required to register as a sex offender, the Wittenborg reserves the right to immediately dismiss that student and/or prohibit that applicant from enrolling in future classes, or limit the access of that student to specific campus facilities, based upon a review of the crime committed by the student/applicant.

The following actions are defined by Wittenborg as unacceptable forms of behaviour and are subject to disciplinary response:

### **1. Dishonesty**

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

- i. Cheating, plagiarism, or other forms of academic misconduct
- ii. Furnishing false information to any Wittenborg official, faculty member, or office
- iii. Forgery, alteration, or misuse of any Wittenborg document, record, or instrument of identification
- iv. Tampering with the election of any recognised Wittenborg student organisation
- v. Misappropriation of student activity and/or Wittenborg funds
- vi. Falsification of work hours on a payroll timesheet
- vii. Providing false information on the admissions application and/or housing application (this always leads to immediate suspension or expulsion, see 'Disciplinary Actions', below)

**2. Academic misconduct includes the following:**

- i. Plagiarism
- ii. Self-plagiarism
- iii. Using unauthorised material
- iv. Collusion ('Group work' submitted as individually written)
- v. Fabricated, manipulated and/or dishonest data
- vi. Misrepresentation and ghost-writing
- vii. Any other forms of academic misconduct

For a detailed explanation of plagiarism, see Part 5 of the EEG.

**3. Threatening, Abusive, or Harassing Behaviour**

Physical abuse, verbal abuse, threats, intimidation, coercion, and/or other conduct that threatens or endangers the health or safety of any person.

Threatening or causing physical harm to another person. Physical abuse includes, but is not limited to: personal injury, physical restraint against a person's will, and holding or transporting an individual against their will.

**4. Disruption or Obstruction**

- i. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other Wittenborg activities, including its public service functions on or off campus, or other authorised non-Wittenborg activities, when the act occurs on Wittenborg premises
- ii. Participation in campus demonstrations that disrupt the normal operations of the University and/or infringe on the rights of other members of the Wittenborg community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area; intentional obstruction that unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus, whether inside or outside

Students are free to assemble and express themselves publicly in a peaceful, orderly manner. Public rallies, demonstrations (either by individuals or groups), and assemblies held on campus should be registered 24 hours in advance with the Director or Dean's office indicating the desired date, time, place, expected attendance, and type of demonstration planned. Public demonstrations not registered may violate the disruption/obstruction policy.

### **5. Theft, Damage, or Unauthorised Use**

Attempted or actual theft of unauthorised use of and/or damage to property of Wittenborg or property of a member of Wittenborg community or other personal or public property. This includes the intent to destroy or vandalise property.

### **6. Unauthorised Entry or Use of Wittenborg Premises**

Unauthorised possession, duplication, or use of keys and/or access codes to any Wittenborg premises or unauthorised entry to or use of Wittenborg premises. Trespassing upon, forcibly entering, or otherwise proceeding into unauthorised areas of Wittenborg owned or leased facilities, their roofs, or the residential space of another without permission.

### **7. Compliance**

Failure to comply with directions of Wittenborg officials or law enforcement officers acting in performance of their duties and/or failure to provide proof of identity to these persons when requested to do so.

### **8. Drugs, Alcohol, Firearms, Gambling**

Abuse of prescription and over-the-counter drugs.

Violation of any Dutch or European law including but not limited to:

- i. Use, possession, or distribution of narcotics or other controlled substances, except as expressly permitted by law
- ii. Use, possession, or distribution of alcoholic beverages, except as expressly permitted by the law and Wittenborg policies, or public intoxication
- iii. Use or possession of drug-related paraphernalia in campus housing
- iv. Use or possession of firearms, fireworks, other explosives, other weapons, or dangerous chemicals on Wittenborg premises not specifically authorised by the Wittenborg
- v. Misuse of legal objects in a dangerous manner (e.g., laser pointing in someone's eyes)
- vi. Illegal gambling or wagering

### **9. Disorderly, Indecent Conduct**

Conduct that is deemed disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on Wittenborg premises or at functions sponsored by, or participated in by Wittenborg.

### **10. Theft or Other Abuse of Computer Time**

Theft or other abuse of computing resources and network access, including but not limited to:

- i. Unauthorised entry into a file, to use, read, or change the contents, or for any other purpose
- ii. Unauthorised transfer of a file
- iii. Unauthorised use of another individual's identification and password
- iv. Use of computing facilities to interfere with the work of another student, faculty member, or Wittenborg official
- v. Use of computing facilities to send, display, or print obscene or abusive messages
- vi. Use of computing facilities to interfere with normal operation of Wittenborg computing system
- vii. Knowingly causing a computer virus to become installed in a computer system or file
- viii. Knowingly using the campus computer network to disseminate "spam" messages (i.e., unsolicited bulk e-mail messages that are unrelated to the mission of Wittenborg)
- ix. Knowingly using the campus network to send any threatening, or otherwise inappropriate message
- x. Illegal download of copyrighted software or other works (e.g., music files)

### **11. Hazing**

Hazing, defined as an act that endangers the mental or physical health or safety of a student, or that destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organisation.

### **12. Abuse of Fire Safety Standards**

Any activity involving tampering with fire alarms or firefighting equipment, unauthorised use of such equipment, failure to evacuate during a fire alarm, hindering the evacuation of other occupants, or hindering authorised emergency personnel.

### **13. Abuse of the Judicial System**

Abuse of the judicial system, including but not limited to:

- i. Failure to obey the summons of a judicial body or Wittenborg official
- ii. Falsification, distortion, or misrepresentation of information before a judicial body



- iii. Disruption or interference with the orderly conduct of a judicial body prior to, and/or during the course of, the judicial proceeding
- iv. Initiating a judicial proceeding without justification
- v. Attempting to discourage an individual's proper participation in, or use of, the judicial system
- vi. Attempting to influence the impartiality of a member of a judicial body prior to, and/or during the course of, the judicial proceeding
- vii. Harassment (verbal or physical) and/or intimidation of a member of a judicial body, participant, and/or witness prior to, during, and/or after a judicial proceeding
- viii. Failure to comply with the sanction(s) imposed under the Students' Rights and Responsibilities policy
- ix. Influencing or attempting to influence another person to commit an abuse of the judicial system

#### **14. Other Offenses Against Wittenborg Community**

- i. Violations of other published Wittenborg policies, rules, or regulations. Such policies, rule, or regulations may include the Wittenborg Student Housing Rules Regulations specific departmental policies, and the contracts and leases for campus housing
- ii. Selling, or solicitation, on campus without the written authorisation from the Director or his/her designee
- iii. Creating a fire, safety, or health hazard

#### **15. Criminal Conduct and/or Civil Offenses**

A violation of any Dutch or European criminal law, or engaging in behaviour that is a civil offense may be considered a violation of the Wittenborg Student Code of Behaviour even if the specific criminal conduct/civil offense is not specifically listed in this Student Responsibility section. The criminal conduct/civil offense may be considered as a violation of the Wittenborg Student Code of Behaviour irrespective of whether the criminal violation/civil offense is prosecuted in a court of law. Wittenborg may inform law enforcement agencies of perceived criminal violations and may elect to defer internal action until prosecution of the criminal violation has been completed. Exoneration from criminal charges will not result in immunity from civil action or Wittenborg proceedings.

#### **Off-Campus Behaviour**

Off-campus behaviour that is detrimental to Wittenborg or its students, faculty, or staff in their roles as members of the campus community is governed by this code. Wittenborg reserves the right to take actions that address the violations through educational intervention or sanctions.

## **Admissions Applications**

Wittenborg reserves the right to deny admission based on non-academic reasons when it is believed to be in the best interests of Wittenborg. A disciplinary violation or criminal conviction may affect admission, enrolment, or course of study, whether occurring prior to the time of application, while the application is under review, or after the admission decision has been made.

## **DISCIPLINARY AND JUDICIAL PROCEDURES**

Because Wittenborg is an educational institution, judicial procedures and disciplinary responses to student behaviour are designed as much for guidance and correction of behaviour as for invoking fair and appropriate sanction. This code and these procedures are designed to determine whether students' alleged behaviours violate the standards and expectations of Wittenborg educational community. These expectations and procedures should, in no way, be construed to replace civil or criminal expectations or proceedings. Where necessary and appropriate, Wittenborg will work in concert with legal enforcement officers to address alleged illegal behaviour. These procedures are used to address the seriousness of the offense and the record of conduct of a given student; however, specific responses are not rigidly predetermined. Wittenborg recognises that inappropriate behaviour may be the result of the student's inability to solve a problem or manage a situation appropriately. Ultimately, the student must accept responsibility for their behaviour and the consequences that result. However, Wittenborg also recognises that judicial responses may include providing students with educational alternatives that assist the student in learning how to handle certain situations. The fundamental hope is that the student can learn and grow from the incident and sanctions imposed in response to that behaviour, and that they can make the necessary changes in their behaviour to become a constructive member of the educational community.

### **1. Wittenborg Rights and Responsibilities**

**Regarding Campus Disruption or Obstruction:** In cases of alleged campus and/or classroom disruption or obstruction of the academic mission of the institution, immediate action may be initiated by a faculty member and/or administrator to restore order and/or to prevent further disruption. Behaviour occurring within the academic arena, including but not limited to classroom disruption or obstruction of teaching, is within the jurisdiction of Academic Affairs. Faculty members have the right to address the immediacy of a situation as they deem appropriate (e.g., temporary removal of a student from a class when inappropriate, disruptive behaviour occurs). Faculty response is forwarded to the academic dean for review (see Academic Dean's Review below), and if necessary, further action. Further action might include permanent removal from the course. When necessary and appropriate, Public Safety and/or the Security services may be contacted to assist with restoring peace and order.

**Search and Seizure:** In cases of alleged behaviour that violates campus policy, or when there is confirmed suspicion that students may represent harm to themselves or others students, their campus residences may be subject to an administrative search. In such cases, students will be provided with notification of areas to be searched and nature of items sought prior to the search for and seizure of personal items that may be in violation of campus policies.

## **2. The Rights of the Student Charged**

The student being charged has the right to testify on their own behalf, and the right to bring witnesses on their own behalf. Accused students may submit questions in advance to the hearing officer that they wish to have asked of those bearing witness against them. During the hearing, questions should be directed to the hearing officer, not to the witness. The use of these questions is at the discretion of the hearing officer. In cases of alleged sexual assault, special measures may be invoked to protect the rights of the victim as well as the accused. In the event accused students choose not to testify, decisions may still be rendered in the absence of their testimony.

## **3. Reporting a Violation**

Reports of alleged violations of Wittenborg rules or regulations are made to the Director (or the Academic Dean in cases of academic misconduct), or their designee, herein referred to as the Director.

- i. The Director informs the student in writing that an alleged violation of the Code of behaviour has been reported about him or her. The Director commences an investigation of the incident by reviewing the incident with the student. The student may be asked to provide a written statement to the Director within 48 hours of this preliminary discussion. The Director also may request written testimony from the person(s) who brought forward the information or charges and any other persons the Director believes may provide pertinent information.
- ii. The Director may appoint a designee from the Student Affairs staff to act in their place for any disciplinary procedure. For cases involving more than one student or a student group, the Director decides whether separate or group meetings are appropriate and proceeds to gather pertinent information regarding the case.

## **4. Confidentiality**

All disciplinary and judicial procedures are closed and confidential. Final disciplinary decisions are communicated to the student charged and relevant school officials. If the student charged signs a release, the final disciplinary decisions are also communicated to the charging party. In cases alleging violent behaviour, the final disciplinary decisions are automatically communicated to the charging party. A copy of the written description of the sanction is placed in the Director's disciplinary file in the Legal Department.

## **Types of Proceedings**

### **1. Mediation:**

This procedure is implemented by the Director or their delegate and is generally reserved for first and less serious violators. It is employed when a violation arises out of a dispute between a charged student and another party or parties. The goal is to design a mechanism to resolve the dispute and to prevent it from recurring. A signed record of the mediation efforts, and the agreed-upon resolution, will be

retained by the Administration Office. If the participants in mediation fail to live up to the agreed-upon settlement, a charge(s) may be processed under the appropriate procedures cited below.

## **2. Administrative Proceeding:**

Wittenborg recognises that not every dispute or violation of individual rights or Wittenborg rules and regulations should be handled by a Wittenborg Management Board. Many disputes or infractions can be handled within the context of an administrative hearing. The administrative proceedings are conducted by the Director (or their designee), the Programme Coordinator or Operations Manager (when the offense occurs in on-campus residences), or the Academic Dean (when the offense occurs within an academic setting).

Such hearings are appropriate under any of the following conditions:

- I. When there is no record of disciplinary action in the recent past or a record of only minor violation
- II. When sanctions called for are less severe than suspension or expulsion from Wittenborg
- III. When both the student charged and the party making the charge (e.g., a Wittenborg official or another student) agree to the facts in an incident and the charged party admits fault. In this case both parties agree to implementation of a disciplinary decision by the Director, or their designate, or, in the case of an infraction in an on-campus residential property, the Operations Manager. This agreement is made in the form of a written joint memorandum. The student's right of appeal remains unchanged
- IV. When the student charged does not admit their fault but chooses an administrative hearing as an alternative to a hearing before Wittenborg Board. In such a case, the student signs a memorandum of consent for such a hearing
- V. When a student has been temporarily suspended due to violence or the threat of violence

If the student is found in violation of a stated policy by the Director, sanctions are assigned. The decision is written as soon as is reasonably practicable after the hearing and forwarded to the student and, if a release is signed, to the person who made the charge. In cases with multiple students involved, written decisions may be delayed until all hearings have taken place.

## **3. Academic Dean's / Head of School's Review**

This procedure is implemented by the Academic Dean (or their designee) and is intended to review the status of the student in a faculty member's course. This review may include a mediation between the student and the faculty member or it may be an administrative proceeding to determine whether a student should be allowed to remain in the given course. Because of the necessity for swiftness, this review should take place as soon as possible following the incident and is not subject to the requirement of three days advanced, written notice to the student. After consulting with the student

and the faculty member, together and/or separately (and any necessary witnesses), the Director shall render a decision. The student's right of appeal is to the University Board. In cases of academic dishonesty, a faculty member or university designee may request an Academic Dean's review for possible referral to the Examination & Graduation Board for a hearing on potential suspension or dismissal.

#### **4. Procedural Guidelines for Administrative and Judicial Hearings**

Hearing Officer shall conduct hearings so as to assure the basic concept of procedural fairness. The following procedures shall be adhered to:

- i. The Director or their designate is responsible for setting the hearing time, notifying all parties who are to testify, and forwarding all pertinent data to the appropriate board.
- ii. The Director shall give appropriate advance notice, in writing, of the charges against the student and copies of available evidence, to ensure that they may adequately prepare for such a hearing. The notice clearly indicates the date, time, and place of the hearing. The notification should be received by the student at least three calendar days prior to the hearing.
- iii. The hearing shall not be considered to be a legalistic trial. Rather, the Hearing Officer shall examine all relevant facts and circumstances at the hearing, shall ensure the relevancy of witnesses' statements, and shall, using a standard of "more likely than not," determine whether the charged student should be held responsible for a violation of the Code of behaviour.
- iv. Hearings are confidential and closed to all but the principals of the case. At the discretion of the Hearing Officer, a transcript may be kept in audio taped or written form. The tape and transcript are the property of the Director's Office. Students are not permitted to tape or otherwise record the proceedings. Transcripts will be kept by the Director's Office and may be reviewed but not copied or removed from the Director's Office
- v. All parties have the right to be assisted in their presentation by an advisor of their choice. The advisor may be, but is not limited to, a friend, a fellow student, or faculty member. The advisor may speak privately to the student charged during the proceedings with permission of the presiding Hearing Officer. At no time during the hearing, however, will such advisor be permitted to speak for the advisee. Each party may request a brief recess to consult with their advisor. The presiding officer rules on questions of procedure and is responsible for moving the proceedings along in a timely and orderly manner. Students are responsible for providing copies of all documents to their advisors.
- vi. Prior to the hearing (at least 24 hours), the student being charged should submit to the Director a list of any witnesses they wish to present and the nature of the testimony they may offer. This student should also submit a list of questions they wish to have asked of the charging party.
- vii. At the hearing, the student being charged and the charging party shall have ample opportunity to explain the circumstances surrounding the incident and are encouraged to present pertinent

evidence and the testimony of witnesses in person. In addition, both parties shall be afforded the opportunity to comment on any written statements and other evidence presented, and to respond to questions.

- viii. The Hearing Officer should not be either a witness for or against the student or a person previously engaged in formulating the charge or in presenting the material relating to the case. Alternate member/(s) will be appointed in cases in which Board members have a perceived conflict of interest with the principals of the case.
- ix. The presiding officer rules on all objections, questions, and procedural points, subject to being overruled by majority vote of the Board. They also determine the sequence of testimony, including the option of having all principal parties meet together in the hearing. All those who participate in the hearing are obligated to conduct themselves in an orderly manner and to obey and abide by the presiding officer's rulings. The Director attends all hearings to serve as an advisor in the process.
- x. Once all testimony is heard or read, the student being charged and the charging party are asked to make a final statement and the Hearing Officer or Board members are given a final opportunity to ask questions. All persons other than Board members and the Director are then excused and the Board meets to render a decision. The Director does not vote.
- xi. The Hearing Officer or Board decides whether there was a violation of policy using a standard of "more likely than not." They also determine whether the charged student should be held responsible for that violation. If so, sanctions are also imposed on the student responsible. Each decision must have been reached by a majority of the Board. Once a decision is reached, the student being charged is informed orally of the decision by the Director. Both parties receive the decision in writing from the Director as soon thereafter as is practicable (the charging party is informed only if the student charged signs a release form or if the case involves a violent act).

## Appeals

### **i. Grounds for appeals:**

- Procedural error
- New evidence
- Excessive sanction

### **ii. Limits of appeal and sequence of appeal:**

A student found in violation of a stated policy may appeal a disciplinary decision only once, based on one or more of the criteria cited above. The appeal may take place in one of the following stages:

### **iii. Appeal of a decision by / Appeal to:**

- Programme Coordinator or Operations Manager or an Associate of Director
- Director, Academic Dean (or designee)
- Any member of the Wittenborg Management board

**iv. Appeal procedure:**

- i. The act of filing an appeal usually postpones the action required by the initial decision until the appeal process is completed, unless the Director (in consultation with any Director) determines that postponement of the sanction may result in a serious threat to the Wittenborg community.
- ii. The student must file the appeal through the Front Desk/tutor within 10 calendar days of receiving written notification of the decision. (An extension of this deadline may be requested in writing to the Director to accommodate periods of University recess or for other extenuating circumstances.) The Director then forwards the request to the appropriate Hearing Officer.
- iii. The individual seeking the appeal must indicate, in writing, the specific bases or reasons for their appeal. The appeal statement should include the following: Student's name, ID#, local address, phone number, reason for appeal (see 7 a. above), and appropriate information regarding why the appeal should be granted. The letter should be of sufficient detail to stand on its own without accompanying testimony to permit the evaluation of the merit of the grounds for appeal. For example, if there were procedural errors, the errors should be identified and it should be noted what effect those errors had on the outcome of the case. If there is new evidence, the nature of that evidence and the potential effect on the outcome of the case should be noted. If the student believes the sanction was excessive, the student should take great care to note why they believe the sanction was excessive and should suggest a more reasonable sanction.
- iv. The appropriate Hearing Officer or an appeals committee of the University Board will consider the written statement of appeal and recommend action to be taken: denial of appeal or a new hearing. The individuals involved will receive written notification of the decision from the Director.

If the result of the appeal is an order for a rehearing, the hearing procedures described above shall apply. A new panel of Board members would rehear the case.

## **DISCIPLINARY ACTIONS**

Disciplinary actions are proscribed by the Hearing Officer. Students are obligated to carry out all directives of the Hearing Officer or body. Failure to do so may result in further sanctions. It is the prerogative of the Management Board to assign sanctions it deems fitting in response to the actions of the student found in violation. Wittenborg' Legal Office has responsibility for monitoring compliance with all sanctions.

### **Temporary Suspension**

Students may be placed on temporary suspension by the Wittenborg' Legal Office (in consultation with a Director) in the following circumstances: If the student is reasonably likely to present a threat to themselves, to the Wittenborg community, or to any of its members; or if the student poses a definite threat of disruption of, or interference with, the normal operations of the Wittenborg, the alleged violator may be placed on temporary suspension. The student will be afforded an Administrative Hearing as soon as is practically possible to determine if, when, and which Wittenborg privileges may be reinstated; however, the student will remain on suspension until the proceedings are complete. The opportunity for appeal to the University Board remains intact. During the temporary suspension, the student shall be denied access to Wittenborg facilities and/or all other Wittenborg activities or privileges for which the student might otherwise be eligible as deemed appropriate by the Director.

### **Disciplinary Sanctions Levels**

The primary functions of any hearing body or officer are to determine whether or not there was a violation of policy and, if so, to recommend an appropriate sanction. The following are guidelines for sanctions, though ultimate determination of appropriate sanction lies with the Hearing Officer or hearing body.

Typically, for a first-time offender, a Level-1 sanction will be recommended. A Level-2 sanction may be recommended if the violation was a serious first offense or if the referred party was a repeat offender. Level-3 sanctions are usually reserved for serious first-time offender(s) or for repeat offenders. The following are examples of disciplinary sanctions. These may be used in combination at the discretion of the ruling party.

#### Level 1

- Letter of Warning
- University Disciplinary Warning
- Educational Sanction
- Financial Restitution
- Parental Notification of Violation and Imposed Sanctions
- Administrative Withdrawal from a Course
- Administrative Hold on University Account

#### Level 2

- Letter of Warning
- University Disciplinary Warning



- Educational Sanction
- Financial Restitution
- Parental Notification of Violation and Imposed Sanctions
- Administrative Withdrawal from a Course
- Administrative Hold on University Account

### Level 3

- Disciplinary Suspension
- Disciplinary Dismissal

### **Descriptions of Disciplinary Sanctions**

**Letter of Warning:** A warning letter issued by a hearing body or officer. The letter is placed in the Dean's Judicial File and will be made available to any hearing body or officer should the student become a repeat offender.

**Administrative Withdrawal:** The withdrawal of a student from a specific course, major, or academic department may be invoked in cases where the student violates the expectations of the academic arena (e.g., classroom incivility, disruption, harassment of faculty members).

**Parental Notification of Violation and Imposed Sanctions:** Under most circumstances, Wittenborg administrators will not release information to parents without the consent of the student regarding the charges, proceedings, or sanctions imposed in a hearing. Exceptions include violations of the alcohol and drug policy (for students under the age of 18) and sanctions that include probation.

**Administrative Hold on University Account:** This action is most frequently taken when students do not complete assigned sanctions within the required timeframe, when students fail to answer charges, and when students must complete specific actions prior to being readmitted following suspension. This action prevents students from registering for classes, obtaining transcripts, diplomas, etc. Wittenborg University of Applied Sciences reserves the right to withhold transcripts or a diploma pending the resolution of all outstanding charges and the successful completion of any sanctions issued as a result of those charges.

**Disciplinary Probation:** A more stringent warning used in response to a more serious violation or frequent violations of Wittenborg regulations. Further violations would require consideration of Disciplinary Suspension. This action prevents students from being able to study abroad during the probationary period. This status may also be communicated to other schools to which a student may transfer (or has transferred).

**University Housing Probation:** A status that places the student on probation for a stated period of time. This is in response to violations of Wittenborg regulations in the residence halls, Wittenborg - owned houses, or other campus residences. This sanction may be given in addition to a Letter of Warning or Disciplinary Probation. This status is meant to notify a student that their housing privileges may be revoked.

**Removal from University Housing:** The removal of the student from on-campus housing on either a permanent basis or for a stated period of time. This is a more stringent action taken in response to serious or repeated violations of Wittenborg regulations.

**Disciplinary Suspension:** Action that separates the student from Wittenborg for a stated minimum period of time. At the end of the period, the student must apply to the Director for reinstatement.

**Disciplinary Dismissal:** This status permanently separates the student from Wittenborg.

### **Other Disciplinary Actions**

**Restitution, Fines, and Refunds:** In cases that involve damage to personal, Wittenborg, or private property, full restitution is typically required. Fines may result when the Hearing Officer believes they are appropriate. Restitution and/or fines should be paid by bank transfer only. In cases of suspension or expulsion, there is no refund of Wittenborg fees. Tuition and room and board charges may be refunded consistent with Wittenborg refund policies.

**Educational Sanction:** An activity designed to assist the student in understanding how their actions affect the community and/or to contribute to the betterment of the community. Such action is available at any level to supplement or replace any other action.

**Behavioural Contract:** These contracts are written to provide very clear expectations regarding a student's behaviour within given circumstances. Probation is typically part of the contract.

**Residential or Campus Restriction:** Students may be restricted from access to residential facilities or other campus facilities, activities, or services. A student may also be barred from the entire campus if past behaviour threatens the health, safety, or well-being of any member (including self) of Wittenborg community.