

# DISCIPLINE & SUSPENSION

The major focus in this section is on the procedures of the Institute Rules and Discipline Committee, since rules governing general student conduct are discussed in the appropriate student handbooks.

## Areas of Jurisdiction

The Dean of Students and the Dean's staff handle cases of Non-Academic Misconduct. Whenever a student is charged with Non-Academic Misconduct, a disciplinary conference will be scheduled with the Dean of Students.

Individual faculty members and the Institute Rules and Discipline Committee handle cases of Academic Misconduct.

All cases of misconduct must be reported to the Dean of Students. Any student charged with misconduct is urged to consult with the Dean of Students or the Chairperson of the Institute Rules and Discipline Committee to be informed of the procedures that will be followed and to receive assistance in preparing a defense.

## General Policy

Rose-Hulman Institute of Technology values its reputation for moral leadership as much as its reputation for academic excellence and expects all persons associated with it to maintain this reputation. The Institute's Code of Ethics is simple and direct: #Rose-Hulman expects its students to be responsible adults and to behave at all times with honor and integrity. All students are expected to abide by this Code and to aid in its enforcement by reporting violations of it.

All Institute administrative officials, faculty, and staff are authorized to enforce the rules and policies of the Institute, are expected to report any violations thereof to the appropriate disciplinary agencies, and will be given full legal support for Institute-related disciplinary actions they may take, on or off campus. All Institute personnel are urged to be both firm and fair in taking disciplinary action and to do so in consultation with other Institute personnel to avoid illegal actions.

## Authority

The Board of Trustees has granted authority to the President of the Institute, in an instance of major disturbance or civil disobedience involving physical violence or adamant insubordination, to exercise civil authority to maintain decorum and discipline on the campus, to immediately dismiss any student or employee who refuses to leave the scene of the disturbance.

The Board has granted authority to the Faculty responsibility for all matters involving student discipline including the ability to admit and dismiss (suspend) students. The Faculty has delegated to the Dean of Students and to the Institute Rules and Discipline Committee the authority to dismiss a student, i.e., to impose temporary or permanent suspension.

## Procedures and Appeals in Cases of Non-academic Misconduct

1. Non-Academic Misconduct includes action such as theft, damage, or unauthorized use of Institute property; the disruption of Institute activities on or off campus; disorderly conduct on Institute property

or in off-campus fraternity or sorority houses, or violations of Institute regulations as set forth in the Student Handbook.

2. Jurisdiction in such cases lies with the Dean of Students and instances of such misconduct witnessed by Institute students, faculty, or staff should be reported to the Dean.
3. Routine problems in the residence halls are handled by the Resident Assistants with the help of professional members of the Student Affairs staff (the Associate Dean or the Director of Residence Life). #A student may appeal their rulings to the Dean of Students.
4. Whenever a student is charged with Non-Academic Misconduct, a disciplinary conference will be scheduled with the Dean of Students. If the facts of the case and the penalties to be imposed can be agreed upon, the Dean of Students and the student will sign a Statement of Agreement. #This Statement of Agreement, when signed, will constitute a waiver of the right to a hearing or any appeal and an acceptance of the findings and penalties imposed.
5. If an agreement cannot be reached regarding both the facts of the case and the penalty to be imposed (i.e., a Statement of Agreement has not been signed) and the Dean of Students has determined that suspension from Rose-Hulman may be warranted, then the Dean of Students has the authority to suspend the student or refer the case to the Rules and Discipline Committee. #If the Dean of Students determines that suspension is not an appropriate penalty, and a Statement of Agreement has not been signed, the student must select one of the following three committees to hear the case. The chair of the chosen committee must be contacted within five business days. If none of the chairs are contacted within five business days, then the Dean of Students will issue a ruling which is final.
  - A hearing by the Student Judicial Council. The Student Judicial Council is a committee of students appointed by the Student Government Association to handle cases of non-academic misconduct. The student may have counsel with him or her (a current student, faculty, or staff member). #Appeal of any sanctions assigned by the Student Judicial Council may be made to the Institute Rules and Discipline Committee if initiated within five business days. If the chair of the Rules and Discipline Committee is not contacted within five business days, then the decision of the Student Judicial Council will be final. The appeal to the Rules and Discipline Committee will be final.
  - A hearing by the Student Affairs Judicial Board. #The Board consists of three members of the professional Student Affairs staff and cannot include the Dean of Students. #In all cases the student may have counsel (a current student, faculty, or staff member) with him or her. Appeals of sanctions assigned by the Student Affairs Judicial Board may be made to the Institute Rules and Discipline Committee if initiated within five business days. If the chair of the Rules and Discipline Committee is not contacted within five business days, then the decision of the Student Affairs Judicial Board will be final. The appeal to the Rules and Discipline Committee will be final.
  - A hearing by the Rules and Discipline Committee. #This is a committee consisting of faculty, staff, and student(s) that hears cases of academic and non-academic misconduct. Any Committee decision to suspend, or to uphold a suspension or summary dismissal imposed by the Dean of Students, the President, or another officer of the Institute, may be appealed to the Faculty (see below, "V: Appealing a Suspension to the Faculty"). In all other cases the decision of the Committee is final. An appeal of suspension by the Institute Rules and Discipline Committee decisions must be initiated within five business days

by contacting the chair of the Rules and Discipline Committee. If the chair of the Rules and Discipline Committee is not contacted within five business days, then the decision of the Rules and Discipline Committee will be final.

## Suspension by the Dean of Students

1. The Dean is specifically delegated by the Faculty the authority to suspend a student, temporarily or permanently. #The student may appeal such a decision to the Institute Rules and Discipline Committee within five business days and should be informed of the right to do so by the Dean.
2. The Dean may, in consultation with the President of the Institute, invoke summary suspension, barring a student from the Institute immediately. #This may be done when required for the well-being of the student, of other persons, or of the Institute. #The student must comply with this ruling, but may appeal to the Institute Rules and Discipline Committee within five business days.
3. A suspension ruling will be recorded on the student's academic record, unless the case is successfully appealed. #In the case of temporary suspension, this record will be removed at the end of the suspension period. #In the case of permanent suspension it will remain permanently.
4. The Dean of Students shall report all instances of suspension of a student by the Dean of Students at the next regular Institute Meeting.

## Summary Dismissal by the President

Students dismissed by the president in case of major disturbance or civil disobedience have the same right of appeal as students suspended by the dean of students.

## Procedures and Appeals in Cases of Academic Misconduct

1. Academic Misconduct includes actions such as cheating, plagiarizing, or interfering with the academic progress of other students.
2. In such cases, the instructor may choose to give reduced credit or no credit for work dishonestly done. This may result in a lowering of the student's course grade.
3. In addition, the instructor may appropriately levy some further penalty, since the student has violated the Institute Code. Penalties include but are not limited to a warning, (further) lowering the course grade, failure in the course, or turning the case over to the Institute Rules and Discipline Committee. If the penalty levied by the instructor is "failure in the course", a student forfeits the right to withdraw from the course with a grade of "W".
4. The student has the right to appeal the instructor's decision to the Institute Rules and Discipline Committee. The instructor should inform the student of this right of appeal at the time the decision is discussed with the student.
5. In all instances, the instructor shall submit a brief written report of the case and any action taken to the Dean of Students, the Head of department, and the student. In case a penalty course grade (F, D, or D+) has been assigned, a copy of the report shall also be submitted to the Registrar. These reports will be kept on file until the student graduates, at which time the records will be destroyed. If the case is successfully appealed, the records will be expunged unless the student requests that they be retained. For example, they may be retained in an instance where the course grade has been

lowered by the instructor but the Committee subsequently exonerated the student. (See Below: "Hearings Before the Institute Rules and Discipline Committee: Committee Actions.")

## Bringing a Case to the Institute Rules and Discipline Committee

1. If a student accused of Academic Misconduct feels that an instructor has been unfair or has imposed a penalty too severe the student may appeal to the Institute Rules and Discipline Committee.
2. An instructor, who would like a recommendation of what further penalty should be assessed or would like a penalty that carries the weight of faculty action, may bring the case to the Institute Rules and Discipline Committee. This should be done particularly if the instructor feels that the case is serious enough to warrant suspension from the Institute. In turning the case over to the Committee, the instructor should indicate what actions have already taken in the case to aid them in judging what further penalty, if any, is appropriate. The instructor should also be prepared to abide by the recommendation of the Committee, whatever it might be.
3. If the Dean of Students finds a student involved in more than one instance of Academic Misconduct, the Dean may bring the case to the Institute Rules and Discipline Committee.
4. If a Board of Inquiry finds evidence of Academic Misconduct, it will bring the case to the Institute Rules and Discipline Committee. (See Below: "Hearings Before the Institute Rules and Discipline Committee: Committee Actions.")

## Board of Inquiry

1. A student or any other person connected with the Institute who witnesses Academic Misconduct or who has reason to believe that it has occurred should discuss this with the instructor, the Department Head, or the Dean of Students. They may bring the case directly to the Institute Rules and Discipline Committee or, if more investigation is required, they will bring the matter to the Dean of the Faculty who, in consultation with the Dean of Students, will appoint a Board of Inquiry.
2. This Board will consist of two faculty members who are not members of the Institute Rules and Discipline Committee.
3. If the Board finds sufficient evidence of misconduct it will bring the case to the Institute Rules and Discipline Committee.

## Types of Cases Heard by the Committee

1. A student may appeal a disciplinary action of an individual instructor.
2. A student may appeal a suspension ruling by the Dean of Students.
3. A faculty member, the Dean of Students or other Institute official, or a Board of Inquiry may bring a case against a student.

The party requesting a hearing shall submit a complete written statement to the Chairperson of the Committee, who will distribute copies to all persons involved and to the Dean of Students. The Chairperson shall invite the other parties involved to submit written rebuttal statements. The Chairperson shall schedule a hearing date and notify all parties, calling the procedures herein described to their attention so that they will be aware of their rights and of the conduct of the hearing. All this shall be accomplished as expeditiously as possible, preferably within a few days.

At the hearing, the student may be accompanied by a faculty member or other person affiliated with the Institute to serve as counsel. The

Chairperson shall contact the student prior to the hearing to ascertain whether counsel is required and, if necessary, shall assist in the selection.

The accused has the right to hear all testimony, to examine all evidence, to question all witnesses, to present evidence, and to ask that witnesses be called on the accused's behalf. The student also has the right to remain silent and a decision to do so will not be taken as an admission of guilt.

Witnesses may be requested to appear before the Committee by the Chairperson if desired by the accused, by the person bringing charges, or by the Committee itself.

Any member of the Committee directly involved in the case under consideration or who, for any reason, would be biased in the case, will be excused from the hearing by the Chairperson. The accused and the accused's counsel may petition the Chairperson to excuse a Committee member whom they believe holds a serious bias in the case.

Guilt or innocence in a case shall be determined solely on the merits of that case. The Committee shall not review the previous disciplinary record of the accused before the hearing, or permit such information to be introduced in the hearing, or allow such knowledge as they may have to bias their judgment.

Any finding requires concurrence by a majority of Committee members taking part in the hearing.

A recording of the hearing will be made.

After the close of the hearing, the Committee will privately consider the case, call additional meetings if necessary, reach a decision, notify all parties of the decision, and prepare a brief written statement. Copies of this statement will be sent to all parties and to the Dean of Students to be made a part of the student's personal (not academic) record.

The intent of the foregoing procedures is to make clear to all parties what will occur during the hearing and to safeguard the rights of the accused. It is also their intent to make the hearings as relaxed as possible and to permit free interchange of information between the accused and the Committee in an effort to ascertain the relevant facts of the case.

## Committee Actions

1. In the case of a student appealing the disciplinary action of an instructor, the Committee may uphold the action of the instructor, may decide that the student is innocent, or may decide that the student has been too severely penalized. Accordingly, it may recommend that the instructor reconsider actions (such as lowering a grade) that have been taken. However, because of the limitations of academic freedom, the Committee is not empowered to change any grade. If the instructor chooses not to follow the Committee's recommendation the Committee will prepare a written statement of its findings for inclusion in the student's personal records. It is hereby specifically noted that, in cases of student appeal, the Committee may not recommend penalties in addition to those which the instructor has already imposed.
2. In the case of a student appealing a suspension by the Dean of Students, the Committee may affirm the suspension, may mitigate the suspension (changing permanent suspension to temporary suspension or reducing the terms of suspension), or may remove the suspension and recommend that the Dean substitute other penalties or that no penalties be assessed. The Committee may not levy additional penalties. The Committee is not empowered to review other disciplinary actions of the Dean, such as removing a student from the Residence Halls, which may be appealed to the President of the Institute.
3. In the case of a hearing initiated against a student, if the Committee finds the student innocent it may recommend, but cannot require, that any penalties previously assessed be removed. Its report shall include its determination of innocence and shall direct that all written reports of the case be expunged from the student's personal record unless the student requests that they be retained. For example, they may be retained in an instance where a course grade has been lowered by the instructor but the Committee subsequently exonerated the student.
4. In the case of a hearing initiated against a student, if the Committee renders a finding of guilty, the Dean of Students will then review the student's previous disciplinary record, if any, to aid the Committee in its decision as to the penalty. Penalty options include, but are not limited to, a reprimand, a recommendation to the instructor that the student's grade be lowered or that the student be failed in the course, suspension of the student from extra-curricular activities, a referral of the case to civil authorities, or suspension of the student from the Institute. The Committee will not seek to devise 'novel' penalties or forms of restitution unless they seem clearly appropriate and do not constitute 'cruel and unusual punishment'.
5. Any decision to suspend or to uphold a suspension or summary dismissal imposed by the Dean of Students, the President, or another officer of the Institute, may be appealed to the Faculty. (See below.) In all other cases, the decision of the Committee is final; that is, no further appeal is permitted by the student and no penalties beyond those recommended by the Committee should be assessed by the instructor.

## Suspension by the Institute Rules and Discipline Committee

1. Should the Committee decide to suspend the student from the Institute, it will notify the Dean of Students, the Registrar, and the Chairperson of the Admissions and Standing Committee of the suspension. A student choosing to appeal the decision to the Faculty, may remain enrolled and in attendance at the Institute until the appeal has been heard, unless the Committee shall decide on immediate dismissal for reasons relating to the well-being of the student, of other persons, or of the Institute.
2. The Committee may stipulate suspension for one, two, or three terms. After the suspension period the student will normally be permitted to submit a written petition to the Dean of Students who will review it. After the review, the Dean of Students will submit a recommendation to the Admissions and Standing Committee for final action. For more information see Probation & Dismissal (<https://catalog.rose-hulman.edu/rules-procedures/probation-dismissal/>) and Re-Admission (<https://catalog.rose-hulman.edu/rules-procedures/readmission/>).
3. In unusual cases, such as repeated misconduct, personal injury, or serious violations of law, the Committee may impose permanent suspension, thus ruling out readmission.
4. A suspension ruling will be recorded on the student's academic record, unless the case is successfully appealed. In the case of temporary suspension, this record will be removed at the end of the suspension period. In the case of permanent suspension it will remain permanently.
5. A student who is suspended forfeits all rights to a refund of any portion of fees paid and will remain liable for all monies owed.

For more information see Tuition & Fees (<https://catalog.rose-hulman.edu/rules-procedures/tuition-fees/>).

6. The Committee may stipulate that the Institute will not accept Transfer Credit (<https://catalog.rose-hulman.edu/rules-procedures/transfer-credits/>) earned at another school by a student during the period of suspension from the Institute.
7. The Chairperson shall report all instances in which the Committee has suspended a student at the next regular Institute Meeting.

## Appealing a Suspension to the Faculty

The grounds for appeal will generally be (but are not limited to):

1. That the hearing was not fair (because of biases of members of the Rules and Discipline Committee, etc.)
2. That the findings of the hearing were not accurate (because evidence was overlooked or improper evidence taken into account.)
3. That the findings were accurate but the penalty too severe (because mitigating circumstances were not taken into account.)
4. That the student accepts the findings and the penalty as just but wishes to plead for special consideration.

## General Procedures

1. A student who is suspended and wishes to appeal this ruling to the Faculty must submit a written appeal to the Chairperson of the Institute Rules and Discipline Committee within five business days of the Committee's ruling.
2. The Chairperson will provide the student with a copy of the minutes or a recording of the hearing.
3. Within five business days of receiving the minutes or recording, the student must make a written appeal to the President of the Institute, who will distribute copies to the Dean of Students, the Chairperson of the Institute Rules and Discipline Committee and other persons involved.
4. The case will be heard at either a regular or special Institute Meeting at the discretion of the President, who will preside at the appeal.
5. All parties in the case will be permitted to appear at the hearing to make statements and answer questions. The student may be accompanied by a faculty member or other person affiliated with the Institute whom the student selects to serve as counsel.
6. The proceedings will begin with a report by the Chairperson of the Institute Rules and Discipline Committee, summarizing the previous hearing(s). Then the parties involved shall make their statements of appeal and answer questions from the Faculty. Since this is an appeal and not a re-hearing, witnesses will not be re-heard nor evidence reviewed. The focus will be on errors in the previous hearing, unfairness, or mitigating circumstances.
7. With all parties dismissed, the Faculty shall discuss its decision. Any faculty member directly involved in the case will be excused from this final deliberation. The decision shall be arrived at by simple majority vote. At the request of any faculty member, the vote will be by secret ballot.
8. The decision will be announced to all parties and a written report will be prepared by the Institute Secretary, with copies to all parties and a copy to the student's personal record in the Office of the Dean of Students.
9. Since the Board of Trustees has granted authority to the Faculty to dismiss students, the Faculty's decision shall be final.

## Faculty Action Options

1. The Faculty may affirm the action to suspend.
2. The Faculty may mitigate the penalty, changing permanent suspension to temporary suspension or reducing the terms of suspension.
3. The Faculty may substitute another penalty for suspension.
4. The Faculty may remand the case to the Institute Rules and Discipline Committee for re-sentencing (i.e., specifying that a penalty other than suspension be assigned).
5. The Faculty may remand the case to the Institute Rules and Discipline Committee for re-hearing (in cases where there seem to have been serious improprieties in the hearing).
6. The Faculty may remove all penalties.
7. The Faculty may not levy penalties in addition to those already imposed.

## For More Information:

See also #Involuntary Medical Withdrawal.

## Exceptions and Questions:

Please contact the Chair of the Rules and Discipline Committee ([hill2@rose-hulman.edu](mailto:hill2@rose-hulman.edu)).