



Methodist College
UnityPoint Health

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Section: S

Policy #: S-03

Approval:

Dr. K. Johnston

Date: 08/15

Review by: 08/18

Date Revised: 07/08, 07/09, 03/12, 08/15

Policy/Revision Submitted by: K. Johnston

Effective Date: 08/15

SUBJECT: Student Code of Conduct

I. POLICY:

To provide Methodist College students with a code of conduct.

II. GENERAL INFORMATION:

Introduction

The values of MC: human dignity, integrity, inquiry and social justice are expected to guide the behavior of the MC students and become an integrated part of their value system as they begin their professional careers. As such, human dignity, integrity and social justice are directly related to the Code of Conduct for all students. Integrity defined as, "Displaying strong moral character and acting in accordance with accepted standards of behavior and an appropriate code of ethics" clearly identifies the expectation of honesty, truthfulness and exemplary behavior. Social justice defined as "Acting in accordance with fair treatment regardless of gender, economic status, race, religion, ethnicity, age, citizenship, disability, or sexual orientation," and Human Dignity defined as "Unconditional respect for the inherent worth, uniqueness, and autonomy of individuals," speak to the responsibility for fair and equal treatment that the student has for his fellow students, as well as the College to the student. These College values form the foundation for the Student Code of Conduct.

I. Definitions

When used in this code:

- A. The term "MC" means Methodist College.
- B. The term "MMCI" means Methodist Medical Center of Illinois.
- C. The term "aggravated violation" means a violation that resulted, or foreseeably could have resulted, in significant damage to persons or property that otherwise posed a substantial threat to the stability and continuance of normal MC sponsored activities.
- D. The term "cheating" means using or attempting to use unauthorized materials, information, or study aids in any academic exercise including electronically accessed information or devices.
- E. The term "distribution" means sale or exchange for personal profit.
- F. The term "fabrication" means falsification or invention of any information or citation in an academic exercise.
- G. The term "plagiarism" means the presentation of another person's idea or product as one's own. Plagiarism includes but is not limited to the following: copying verbatim all or part of another's written work; using phrases, charts, figures, illustrations, or mathematical or scientific solutions without citing the source; paraphrasing ideas, conclusions or research without citing the source; or using all or part of a literary plot, poem, video, musical score, or other artistic product without attributing the work to its creator.



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- H. The term “reckless conduct” means conduct that one should reasonably be expected to know would create a substantial risk of harm to persons or property or that would otherwise be likely to result in interference with normal MC sponsored activities.
- I. The term “student” means a person who has been admitted to MC and is eligible to register for courses.
- J. The term “MC premises” means buildings, grounds, Websites, or computer networks owned, leased, operated, controlled, or supervised by MC/MMCI.
- K. The term “official” means an employee/representative of MC acting in the capacity of his/her position.
- L. The term “weapon” means any object or substance designed or used to inflict a wound, cause injury, or incapacitate, including, but not limited to all firearms, pellet guns, switchblade knives, knives, chemicals, electronic devices, drugs or alcohol, chemicals such as mace products, pepper spray, or tear gas.
- M. The term “MC sponsored activity” means any activity on or off MC premises that is initiated, aided, authorized, or supervised by MC/MMCI.
- N. The term “conference” refers to a communication between two or more individuals by telephone, in writing (including but not limited to electronic communications), through videoconferencing, or in person.

II. Prohibited Conduct

The following misconduct is subject to disciplinary action:

- A. All forms of academic dishonesty, including, but not limited to: cheating; fabricating; bribery offered for grades, transcripts, or diplomas; obtaining or giving aid on an examination; having unauthorized prior knowledge of an examination; doing work for another student, presenting another student’s work as one’s own; and plagiarism.
- B. The written or spoken use of words, epithets, or phrases that are widely recognized to be derogatory references to personal characteristics including, but not limited to: race, ethnicity, religion, gender, sexual orientation, and disability, when such words are used to create a hostile or intimidating environment for any person on MC premises, or at MC/MMCI sponsored activities.
- C. *Participation in any form of discrimination or harassment (including sexual harassment) against MC faculty, staff, and/or students on MC premises, or at MC/MMCI sponsored activities.*
- D. Intentional and substantial interference with the freedom of expression of others on MC premises or at MC/MMCI sponsored activities.
- E. Intentional or reckless assault or harm caused to any person on MC premises or at MC/MMCI sponsored activities, or intentional or reckless cause of reasonable apprehension of such harm.



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- F. Intentional or reckless interference with normal MC activities, or MC/MMCI sponsored activities, including, but not limited to, studying, teaching, research, administration, or fire, police, or emergency services.
- G. Non-compliance with emergency protocols including but not limited to fire, tornado, evacuation, and disaster.
- H. Intentional use of the MC/MMCI computing resources to upload any content that contains a software virus, time bomb, Trojan horse, or any other computer code, files, or programs that may alter, damage or interrupt the functionality of the MC/MMCI computing resources or the hardware or software of any other person.
- I. Intentional or reckless destruction of, or damage to, property of other on MC premises, or at MC/MMCI sponsored activities.
- J. Intentional initiation or instigation of initiation of any false report, warning, or threat of fire, explosion, or other emergency on MC/MMCI premises or at MC/MMCI sponsored activities.
- K. Intentional or reckless misuse of or damage to fire-safety equipment.
- L. Theft of property or of services on MC premises, or at MC/MMCI sponsored activities; knowing possession of stolen property on MC premises, or at MC/MMCI sponsored activities.
- M. Unlawful use, distribution, or possession of any controlled substance, illegal drug or alcohol on MC premises, or at MC/MMCI sponsored activities.
- N. Unauthorized use, possession, or storage of any weapon on MC premises, or at MC/MMCI sponsored activities.
- O. Intentional submission of false information to MC/MMCI.
- P. Failure to comply with the directions of MC/MMCI officials, including MMCI security officers, or local police, acting in performance of their duties.
- Q. Forgery, unauthorized alteration, or unauthorized use of any MC document or instrument of identification.
- R. Unauthorized use or possession of fireworks on MC premises or at MC/MMCI sponsored activities.
- S. Knowing violation of the terms of any disciplinary sanction imposed in accordance with this Code of Conduct.
- T. Violation of published MC regulations or policies.
- U. Conviction of any crime, other than a traffic violation.
- V. Attempts to commit acts prohibited will be punished to the same extent as completed violations.



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III. Reporting Alleged Violations

- A. Any person may report a violation to the President of the College or designee within a reasonable period of time of knowing of the alleged violation. All allegations will be treated as confidential. The President or designee may refer the case to another official of MC or administrator according to the standards of due process described in Section VI. Persons making such allegations are required to provide information pertinent to the case and will normally be expected to provide information as requested and appear before an Investigation Committee (referenced in Section VI.B.). In select cases, the President may allow the complainant to remain anonymous.
- B. Any alleged violation, other than a traffic violation, that also may violate a United States, Illinois, or local law, should be immediately reported to the proper authorities.

IV. Interim Suspension

- A. The President may suspend a student for an interim period pending a preliminary inquiry and an investigation, such interim suspension to become immediately effective without prior notice, whenever there is evidence that the continued presence of the student on MC premises poses a substantial threat to himself or herself, to others, or to the stability and continuance of normal MC/MMCI sponsored activity.
- B. A student suspended on an interim basis shall be given an opportunity to appear personally before or communicate in writing to the President within five (5) business/school days from the effective date of the interim suspension to discuss the following issues only:
 - 1. The reliability of the information concerning the student's conduct.
 - 2. Whether the conduct and surrounding circumstances reasonably indicate that the continued presence of the student at MC premises poses a substantial threat to himself or herself, to others, or to the stability and continuance of normal MC sponsored activity.

V. Standard of Due Process

A. Initial Inquiry

- 1. The President may refer the case to one of the following administrators to handle the initial inquiry: the Dean of Academic Affairs or the Dean of Enrollment Management (known hereafter as the "administrator"). If alleged conduct is sexual in nature the case will be referred to the Title IX Coordinator.
- 2. Upon receipt of the referral, the administrator will immediately inform the person accused, in writing, of the alleged Code of Conduct violation. Within five (5) business/school days of receipt of the referral, the administrator will conduct a preliminary administrative inquiry. The administrator or administrator's designee must consult the central records file in the Office of the President to determine if the student has a previous record of violations of this Code. All materials reviewed will be considered confidential and shared only with those with a need to know. The administrator or designee(s) may communicate with the person accused and give him



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or her the opportunity to present any relevant evidence. Upon request, the person accused may see the information submitted against him or her relating to the alleged violation of this Code. However, the person accused will not have the right to see any information that violates the privacy rights of other students.

3. The administrator will dismiss the referral if the following conditions are met:
 - The complainant has failed to comply with procedure;
 - The allegations, even if true, do not constitute violation of this Code; or
 - There is no evidence of violation of this Code based upon the inquiry conducted by the administrator or designee(s).
4. If not dismissed as above, the referral advances to the Investigation Committee.
5. The person accused will be notified of the decision in writing.

B. Investigation Committee

1. If the referral is not dismissed, the administrator will appoint a three-member ad hoc Investigation Committee within five (5) business/school days. This committee will consist of exempt staff or faculty members, with one member appointed chair of the committee. The Investigation Committee may be advised by legal counsel during this process. The administrator or designee(s) will instruct the Investigation Committee to review the materials obtained during the inquiry conducted by the administrator or designee(s).
2. The Investigation Committee will hold a fact-finding conference or conduct an investigation in conjunction with the administrator or designee(s) to obtain additional information. Witnesses and the complainant (if not anonymous) may be requested to submit to questioning, either in person, via video-link, or in writing, by the Investigation Committee. The administrator or designee(s) will communicate with the person accused and the complainant and give him/her the opportunity to present any relevant evidence. The person accused may submit questions in writing for the complainant regarding how the Code of Conduct was violated.
3. If a fact-finding conference is held, the person accused and the complainant will be entitled to be present. The person accused or complainant may be accompanied by a representative, who may be an attorney, at his or her own expense. Representatives may advise during the course of a fact-finding conference, but shall not personally participate. Parties who wish to be accompanied by an attorney must inform the administrator in writing at least five (5) calendar days before the scheduled date of the proceeding. Representatives may not appear in lieu of persons accused.
4. After the review is complete, the Investigation Committee will deliberate and render a decision to the administrator. The final decision of the Investigation Committee will be accompanied by a brief written opinion prepared by the chair. If the Investigation Committee finds the allegation to be supported, the Investigation Committee will determine an appropriate sanction and notify the administrator of the findings as described in Section VII.A. Any previous record of violations of this Code may increase the sanction.



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5. Within fifteen (15) business/school days of the appointment of the Investigation Committee, the administrator will notify the student accused of the decision and sanction, in writing via certified mail. A copy of the written notification will be submitted to the President, and MC Registrar's office for filing in the student's file.
6. All materials collected from the preliminary administrative inquiry, the Investigation Committee inquiry, and the final decision briefing shall be kept in the administrative office.
7. If the conduct being investigated is a crime of violence or non-forcible sex offense, the alleged victim, or his/her next of kin if the action resulted in his/her death, may request in writing from the President the final results of the investigation.

C. Appeals

1. Within fifteen (15) business/school days of receipt of the written notification of the Investigation Committee's action, an appeal may be sent to the President in writing. The President shall review the information collected for the original preliminary administrative inquiry, the Investigation Committee investigation, and the final decision briefing. The President will render a decision and sanction, as appropriate, based on this evidence. The President may render one of the following decisions:
 - a) Affirm the finding and the sanction imposed by the administrator.
 - b) Affirm the finding and reduce, but not eliminate, the sanction, if found to be grossly disproportionate to the offense.
 - c) Remand the case to the Investigations Committee, if procedural errors or errors in interpretation of College regulations were substantial, or if new and significant evidence became available which could not have been discovered by a properly diligent person accused before or during the original investigation.
 - d) Dismiss the case.
2. The decision of the President is final and cannot be appealed.
3. The President will respond in writing, within fifteen (15) business/school days of the appeal. Copies of this letter and all administrative inquiry materials will be kept in the records file in the Office of the President.

VI. Sanctions

- A. Sanctions for violations of disciplinary regulations include, but are not limited to:
1. Dismissal: The student is permanently separated from MC. Permanent notification will appear on the student's transcript. The student will also be barred from MC premises. (Dismissal requires approval by the President.)



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2. Suspension: The student is separated from MC for a specified period of time. Permanent notification will appear on the student's transcript. The student shall not participate in any MC sponsored activity and may be barred from MC premises. Suspended time will not count against any time limits of the college for completion of a degree. Credit earned elsewhere during the period of suspension may not subsequently be transferred to MC. (Suspension requires approval by the President.)
3. Disciplinary probation: The student shall not represent MC in any extracurricular activity or run for or hold office in any student group or organization for a specified period of time. Additional restrictions or conditions may also be imposed.
4. Disciplinary reprimand: The student is warned that further misconduct may result in more severe disciplinary action.
5. Restitution: The student is required to make payment to MC or to other persons, groups, or organizations for damages incurred as a result of a violation of this Code.
6. Other sanctions: Other sanctions may be imposed instead of, or in addition to, those specified in Sections VII.A.1. through VII.A.5.

VII. Disciplinary Files and Records

- A. The reporting of any violation of this Code will result in the development of a student's disciplinary file, which shall be nullified if the student is found innocent of the charges. The records of students found guilty of any of the charges against them will be retained as permanent disciplinary records.
- B. Disciplinary records may be expunged from the student's disciplinary file by the President or designee for good cause, upon written petition of the accused student, three years from the date of final written decision. Disciplinary records shall not be expunged without unusual and compelling justification. Factors to be considered in review of such petitions shall include:
 1. The present demeanor of the person accused.
 2. The conduct of the person accused subsequent to the violation.
 3. The nature of the violation, and the severity of any resulting damage, injury, or harm.
- C. The President will respond, in writing, within 10 business/school days of the receipt of the petition. If the President denies the petition, copies of this letter will be kept in the central records file in the Office of the President.
- D. The decision of the President is final and cannot be appealed.