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Adrian College Student Code of Conduct

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Preamble

Adrian College promotes learning and the development of integrated, whole persons. Students may expect that the College and all its members will treat them as adults and as full participants in the educational process.

Adrian College strives to be a community characterized as thinking, caring, inclusive and active. Such a community requires that its members—having made a choice to join the community—strive to improve themselves, affirm others, and actively involve themselves in enhancing the community. These ideals require that we have explicit, clear and high expectations for one another. These expectations are that:

- We take responsibility for our own learning and personal development,
- We challenge each other to develop intellectually and ethically,
- We practice personal and academic integrity,
- We consider and seek to understand different ideas and viewpoints,
- We conduct ourselves with dignity and civility in our interactions with one another,
- We care about others' welfare and seek to be responsive to their needs,
- We strive to keep one another safe from physical and emotional harm,
- We respect the dignity and worth of all persons,
- We celebrate human differences in their many forms,
- We confront bigotry with caring and without compromise,
- We respect the rights and property of others,
- We take responsibility for our actions, bear the consequences of those actions, and learn from them,
- We challenge others to take responsibility for their actions, to bear the consequences, and to learn from them.

Article I: Purposes of the Judicial Process [top](#)

When students do not meet the expectations stated above, they may be charged with one or more violations of the Student Code of Conduct. Adrian College provides a judicial process for handling such occasions. The purposes of the judicial process are to hold students accountable for misconduct, to help students learn from the process, to encourage students to develop self-discipline, to assist students in living up to the expectations above and to allow the College community to function effectively.

Article II: Judicial Authority [top](#)

- A. The Judicial Advisor shall determine the composition of judicial bodies and Appellate Boards and determine which judicial body, Judicial Advisor and Appellate Board shall be authorized to hear each case. (See Article IV, Section F.2.)
- B. The Judicial Advisor shall develop policies for the administration of the judicial program and procedural rules for the conduct of hearings that are not inconsistent with provisions of the Student Code of Conduct.
- C. Decisions made by a judicial body and/or Judicial Advisor shall be final, pending the

normal appeal process.

- D. A judicial body may be designated as arbiter of disputes within the student community in cases which do not involve a violation of the Student Code of Conduct. All parties must agree to arbitration, and to be bound by the decision with no right of appeal.

Article III: Proscribed Conduct [top](#)

A. Jurisdiction of the College

Generally, College jurisdiction and student discipline shall be limited to student conduct which occurs on College premises or which adversely affects the College community and/or the pursuit of its objectives. In matters where a student's guest violates College policies, the College will hold the student responsible for the guest's behavior and may impose sanctions as if the student had committed the behavior.

B. Conduct – Rules and Regulations

Any student found to have committed, attempted, or aided/incited another to commit the following misconduct is subject to the disciplinary sanctions outlined in Article IV,

1. Acts of dishonesty, including but not limited to the following:
 - a. Violation of the College Academic Integrity Policy. (The full text of this policy can be found in the Student Handbook)
 - b. Furnishing false information to any College official, faculty member or office.
 - c. Forgery, alteration, misuse, or unauthorized transfer of any College document, record, or instrument of identification.
 - d. Tampering with the election of any College recognized student organization.
2. Disruption or obstruction of teaching, research, administration, judicial proceedings, other College activities (including official off-campus functions), or other authorized non-College activities, when the act occurs on College premises.
3. Failure to comply with directions of College officials or law enforcement officers acting in performance of their duties, failure to identify oneself and/or to produce the College identification card to these persons when requested to do so.
4. Physical assault/abuse or threat of physical assault/abuse which endangers the health or safety of any person.
5. Verbal or written abuse, threats, intimidation, harassment of a sexual, racial, or other nature, coercion and/or other conduct which threatens or endangers the health or safety of any person. This prohibition includes communication by direct or indirect means such as telephone, mail, email, etc. (This prohibition includes the Policy on Discrimination and Discriminatory Harassment which can be found in the Student Handbook.)
6. Sexual contact (including but not limited to sexual assault) with another member of the College community or his/her guest, when that contact is:
 - physically forced; or done without someone's consent; or where someone says "no" or acts to show they do not want the contact; or where alcohol, drugs, or mental deficiency prevents resistance.
7. Disrespecting another member of the College community in a manner that interferes with learning or administrative processes.
8. Hazing, defined as an act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, and is related to initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization. The complete Adrian College hazing policy is contained in the Student Organization and Advisors Guide published by the Office of Student Activities.

Adrian College – Student Life
OFFICE OF STUDENT ACTIVITIES.

9. Conduct which is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on College premises or at functions sponsored by, or participated in by, the College.
10. Attempted or actual theft of College property or the property of a member of the College community or other personal or public property.
11. Attempted or actual damage to or vandalism of College property or the property of a member of the College community or other personal or public property.
12. Tampering with security, fire, or safety system devices.
13. Unauthorized possession, duplication or use of keys to any College premises or unauthorized entry to or use of College premises.
14. Violation of Residence Life policies as described in the Residence Hall Room and Board Agreement, campus publications, or as posted in individual housing units.
15. Violation of the College Alcohol Policy. (The full text of this policy can be found in the Student Handbook.)
16. Violation of federal, state or local law on College premises or at College sponsored or supervised activities. This prohibition also includes acts that could be construed as violations of federal, state or local laws.
17. Use, possession, production or distribution of narcotic or other controlled sub-stances except as expressly permitted by law. Possession of paraphernalia associated with the use, possession, or manufacture of a controlled or illegal substance is prohibited on the campus of Adrian College or as part of any of its activities.
18. Illegal or unauthorized possession of firearms, explosives, other weapons, dangerous chemicals or other hazardous materials on College premises.
19. Participation in an activity which disrupts the normal operations of the College (e.g., classes, routine educational and administrative processes, etc.) or infringes on the rights of other members of the College community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area.
20. Violation of College motor vehicle regulations.
21. Obstruction which unreasonably interferes with freedom of movement, either pedestrian or vehicular, on College premises or at College sponsored or supervised functions.
22. Abuse of the Judicial System, including but not limited to:
 - a) Failure to comply with the summons of a judicial body or College official.
 - b) Falsification, distortion, or misrepresentation of information before a judicial body.
 - c) Disruption or interference with a judicial proceeding.
 - d) Accusing a student of a conduct code violation knowingly without cause.
 - e) Attempting to discourage an individual's proper participation in, or use of, the judicial system.
 - f) Attempting to influence a member of a judicial body regarding a judicial proceeding (includes harassment or intimidation)
 - g) Failure to comply with the sanction(s) imposed under the Student Code.
 - h) Influencing or attempting to influence another person to commit an abuse of the judicial system.
23. Violation of the Adrian College Computer Use Policy. (The full text of this policy can be found in the Student Handbook.)
24. Violation of other published College policies, rules or regulations not addressed above.

C. Violation of Law and College Discipline

¹ If a student is charged only with an off-campus violation of federal

1. If a student is charged only with an off-campus violation of federal, state or local laws, but not with any other violation of this code, disciplinary action may be taken and sanctions imposed for grave misconduct which demonstrates flagrant disregard for the College community. In such cases, no sanction may be imposed unless the student has been found guilty in a court of law or has declined to contest such charges, although not actually admitting guilt (e.g., “no contest”).
2. College disciplinary proceedings may be instituted against a student charged with violation of a law which is also a violation of this Student Code of Conduct, for example, if both violations result from the same factual situation, without regard to the pendency of civil litigation in court or criminal arrest and prosecution. Proceedings under this Student Code of Conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus.
3. When a student is charged by federal, state or local authorities with a violation of law, the College will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also the subject of a proceeding before a judicial body under the Student Code of Conduct, however, the College may advise off-campus authorities of the existence of the Student Code of Conduct and how such matters will be handled internally within the College community. The College will cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators. Individual students and faculty members, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

Article IV: Judicial Policies [top](#)

A. Charges and Hearings

1. Any member of the College community may file a complaint against any student for misconduct. Complaints shall be prepared in writing and directed to the Judicial Advisor responsible for the administration of the College judicial system. Any complaint should be submitted as soon as possible after the event takes place, preferably within 48 hours of the misconduct.
2. The Judicial Advisor may conduct an investigation to determine if the complaints have merit and/or if they can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the Judicial Advisor. Such disposition shall be final and there shall be no subsequent proceedings. If the complaints cannot be disposed of by mutual consent, the Judicial Advisor may later serve in the same matter as the judicial body or a member thereof.
3. All endorsed complaints shall be presented to the accused student in written form. A time shall be set for a hearing, not less than three nor more than ten calendar days after the student has been notified of the charges. If the student fails to schedule, attend, or participate in a hearing, the hearing may proceed in the absence of the accused student. Such cases may not be considered grounds for an appeal. Maximum time limits for scheduling of hearings may be reduced or extended at the discretion of the Judicial Advisor.
4. Hearings shall be conducted by a judicial body according to the following guide-lines:
 - a. Hearings will be confidential and closed to the general public (i.e., those who are not primary participants, authorized witnesses and advisors, the Judicial Advisor, and members of the judicial body).
 - b. Admission of any person to the hearing shall be at the discretion of the judicial body and/or its Judicial Advisor.
 - c. In hearings involving more than one accused student, the

- c. In hearings involving more than one accused student, the chairperson of the judicial body, in his or her discretion, may permit the hearings concerning each student to be conducted separately.
- d. The complainant, the accused and the judicial body shall have the privilege of presenting witnesses, subject to the right of cross-examination by the judicial body.
- e. Pertinent records, exhibits and written statements may be accepted as evidence for consideration by the judicial body at the discretion of the chairperson. All College records will be kept confidential unless otherwise determined by the Judicial Advisor.
- f. All procedural questions are subject to the final decision of the chairperson of the judicial body.
- g. The judicial body's determination shall be made on the basis of whether it is more likely than not that the accused student violated the Student Code of Conduct.
- h. The alleged violation will be clearly explained to the student. Tenets of the Student Code of Conduct will be cited.
- i. The student will be informed in writing of the reasons for the disciplinary action in sufficient detail and in ample time that they may have an opportunity to prepare a defense for the disciplinary hearing. Notification will be provided in person or to the address on file with the College. Students are responsible for ensuring that the College has an accurate address on file and for checking mail in a regular and timely manner.
- j. The student will be given an opportunity to testify and to present evidence and witnesses. Witnesses are required to be members of the Adrian College community. Individuals outside the Adrian College community may submit written statements; they will not be permitted to participate in campus judicial hearings other than by submitting written statements.
- k. Primary participants in the hearing shall submit a typed list of witnesses they expect to present at the hearing. The witness list must be submitted two business days prior to the hearing; the Judicial Advisor may shorten this requirement if necessary. The list will consist of the witnesses' names and the relevant facts to which they will testify. The Judicial Advisor or the chairperson of the judicial body may limit the number of witnesses offering similar testimony. Character witnesses will not be allowed.
- l. All matters upon which a decision might be based must be introduced into evidence during the proceedings. The decision should be based upon such evidence.
- m. Cases heard at the level of the All-Campus Judicial Board or the Dean of Student Life will be tape recorded. This record shall be the property of the College.
- n. The principal participants in a hearing may be assisted by an advisor of their choice from within the Adrian College community at the time of their appearance. The name of the advisor must be submitted in writing to the Judicial Advisor two business days prior to the hearing. The role of such an advisor will be of a counseling nature only. The advisor may not directly participate in the hearing. Official legal representation is not permitted.
- o. If for lack of a sufficient reason, as judged by the disciplinary board chair or the administrative hearing officer, the student whose alleged violation is being reviewed fails to appear at the agreed time of the hearing, the chair or the administrative hearing officer reserves the right to conduct the full hearing in the student's absence and render a decision.
- p. If a situation arises that is not addressed above, the Residence Life Office reserves the right to exercise professional judgment to make a determination.

B. Sanctions

1. The following sanctions may be imposed upon any student found to have violated the Student Code.
 - a. Admonition — An oral statement to the student offender confirming violation of the Student Code of Conduct.
 - b. Official Warning – A notice in writing that the student is violating or has violated College regulations.
 - c. Educational Sanctions – Work assignments, community service to the College or other related discretionary assignments (such assignments must have the prior approval of the Judicial Advisor).
 - d. Loss of Campus Privileges – Denial of specified privileges for a designated period of time.
 - e. Fines – Previously established and published fines may be imposed.
 - f. Restitution – Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
 - g. Disciplinary Probation – A temporary suspension of a person's good standing in the College. Disciplinary probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any College regulation(s) during the probationary period. The student remains enrolled in the College but under the stated conditions of the probation.
 - h. Directed Move – A change in on-campus living assignment.
 - i. Counseling – An assessment with the College Counseling Services or off-campus personnel may be required, in addition to following a prescribed treatment program.
 - j. Campus Housing Suspension – Separation of the student from campus housing for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified. No fees paid for room and board will be returned to the student. The student must leave campus housing within 24 hours of housing suspension unless granted permission by the Dean of Student life to stay longer.
 - k. Campus Housing Dismissal – Permanent separation of the student from campus housing. No fees paid for room and board will be returned to the student. The student must leave campus housing within 24 hours of housing dismissal unless granted permission by the Dean of Student life to stay longer.
 - l. Deferred Suspension – Action on a suspension is deferred when it is deemed to be in the best interests of the student and the College, thereby allowing the student to continue study in the normal manner. Failure to complete any of the additional expectations by the stated deadlines will lead to the immediate implementation of suspension without further hearing.
 - m. College Suspension – Suspension establishes a fixed period of time during which the student may not participate in any academic or other activity of the College. Suspension means that the student is physically separated from the College, must leave the campus and remain off-campus during the period of suspension. The student must leave campus within 24 hours of the suspension unless granted permission by the Dean of Student life to stay longer. During the

suspension period, the student may return to campus only for official business if given prior written approval by the Dean of Student Life. See Policy Concerning Co-Curricular Participation During Suspension. At the end of the suspension period, the student may apply for readmission to the College; the application must be approved by the Dean of Student Life. In cases where the suspension prevents completion of the semester's academic work, the student will receive a "W," in the semester's classes. Parents or guardians of a dependent student may be informed of the disciplinary suspension of a student.

- n. College Dismissal – Permanent termination of student status. As with College Suspension (see above), dismissed students are required to leave campus within 24 hours of dismissal (unless granted permission by the Dean of Student life to stay longer) and may return to campus only with prior written approval from the Dean of Student Life. Parents or guardians of a dependent student may be informed of all actions of dismissal. The student will receive a grade of "W" in the semester's classes.
2. Other than College dismissal, disciplinary sanctions shall not be made part of the student's permanent academic record, but shall become part of the student's confidential record. This record will be maintained in accordance with the College's policy pertaining to the Family Educational Rights and Privacy Act of 1974. The student's confidential record will be retained for a period of six (6) years from the time a student graduates, or after the student's last date of attendance. After such time all disciplinary records in the student's confidential record are destroyed.
 3. More than one of the sanctions listed above may be imposed for any single violation. Judicial bodies and hearing officers are not limited to the sanctions listed above, but may impose other sanctions of a less severe nature which bear a reasonable relation to the violation for which the sanction is imposed.
 4. Other than College dismissal, disciplinary sanctions shall not be made part of the student's permanent academic record, but shall become part of the student's confidential record. This record will be maintained in accordance with the College's policy pertaining to the Family Educational Rights and Privacy Act of 1974. The student's confidential record will be retained for a period of six (6) years, from the time a student graduates, or after the student's last date of attendance. After such time all disciplinary records in the student's confidential record are destroyed.
 5. The following sanctions may be imposed upon groups or organizations:
 - a. Those sanctions listed above in Section B 1, a through k.
 - b. Deactivation – Loss of all privileges, including College recognition, for a specified period of time.
 6. In each case in which a judicial body determines that a student has violated the Student Code, the sanction(s) shall be determined by the judicial body in conjunction with the Judicial Advisor. The Judicial Advisor will be responsible for ensuring that the sanction has been carried out. In cases in which persons other than or in addition to the Judicial Advisor have been authorized to serve as the judicial body, the recommendation of all members of the judicial body shall be considered in determining and imposing sanctions.
 7. Following the hearing, the judicial body or the Judicial Advisor shall notify the accused in writing of its determination and of the sanction(s) imposed, if any. This notification will normally occur within five working

days after the hearing. Those persons involved with bringing charges and filing the College Incident Report may be notified of the outcome of the hearing. Such notifications are considered confidential and part of a student's educational record and shall not be shared with anyone other than the case's principal participants and necessary College officials.

C. Interim Suspension

In certain circumstances, the Dean of Student Life or a designee may impose a College or residence-hall suspension prior to the hearing before a judicial body.

1. Interim suspension may be imposed only: a) to ensure the safety and well-being of members of the College community or preservation of College property; b) to ensure the student's own physical or emotional safety and well-being; or c) if the student poses a definite threat of disruption of or interference with the normal operations of the College.
2. During the interim suspension, students shall be denied access to campus housing and/or to the campus (including classes) and/or all other College activities or privileges for which the student might otherwise be eligible, as the Dean of Student Life or the Judicial Advisor may determine to be appropriate.

D. Administrative Withdrawal

A student accused of violating Adrian College policies and procedures may be diverted from the student judicial process and withdrawn in accordance to Administrative Withdrawal standards for reasons of emotional/mental disorder or noncompliance with a medical treatment plan. (Refer to the Student Handbook section on Administrative Withdrawal.)

E. Appeals

1. A decision reached by the judicial body or a sanction imposed by the judicial body or Judicial Advisor may be appealed by accused students or complainants to the Associate Dean of Student Life within five (5) working days of the decision. Such appeals shall be in writing and shall be delivered to the Associate Dean of Student Life or his/her designee.

The written appeal must state the grounds and rationale for claiming that an appeal is warranted.

2. Except as required to explain the basis of new evidence, an appeal shall be limited to review of the verbatim record of the initial hearing and supporting documents for one or more of the following purposes:
 - a. To determine whether the original hearing was conducted fairly in light of the charges and evidence presented, and in conformity with prescribed procedures giving the complaining party a reasonable opportunity to prepare and present evidence that the Student Code of Conduct was violated, and giving the accused student a reasonable opportunity to prepare and to present a rebuttal of those allegations.
 - b. To determine whether the decision reached regarding the accused student was based on substantial evidence, that is, whether the facts in the case were sufficient to establish that a violation of the Student Code of Conduct occurred.
 - c. To determine whether the sanction(s) imposed were appropriate for the violation of the Student Code of Conduct which the student was found to have committed.
 - d. To consider new evidence, sufficient to alter a decision, or other relevant facts not brought out in the original hearing, because such evidence and/or facts were not

hearing, because such evidence and/or facts were not known to the person appealing at the time of the original hearing.

3. If an appeal is upheld the matter may be remanded to the original judicial body and Judicial Advisor with specific instructions for reconsidering the original de-termination or sanction(s) or both.
4. In cases involving appeals by students accused of violating the Student Code of Conduct, a review of the sanctions may not result in more severe sanction(s) for the accused student. Instead, following an appeal, the Dean of Student Life may, upon review of the case, reduce, but not increase, the sanctions imposed by the judicial body or Judicial Advisor.
5. In cases involving appeals by persons other than students accused of violating the Student Code of Conduct, the Dean of Student Life may, upon review of the case, reduce or increase the sanctions imposed by the original judicial body or Judicial Advisor or remand the case to the original judicial body and Judicial Advisor.

F. Composition of Judicial Bodies

1. All-Campus Judicial Board — A hearing with the All-Campus Judicial Board may be used as an alternative to an administrative hearing with the Dean of Student Life (or the Dean's designee) for those cases involving alleged serious violations of the Student Code of Conduct (e.g. violations which could result in suspension or dismissal). All members of the All Campus Judicial Board are appointed for a term of one year. When appropriate, the Student Government Association Executive Board will appoint at least three (3) student representatives and two (2) alternates. At least two (2) faculty members and one (1) alternate faculty members will be elected by the faculty. At least two (2) board members and one (1) alternate will be appointed from the administrative staff by the Associate Dean for Student Life. The Dean of Student Life and the Associate Dean for Student Life are not eligible for membership on the All Campus Judicial Board. The Chair of the All-Campus Judicial Board shall be selected from within and among the faculty and administrative staff members. A quorum of the All Campus Judicial Board [five (5) members] and representation from the three constituencies must be present in order for a hearing to occur. Decisions of the All Campus Judicial Board or any other judicial body are based on a majority vote of the members present; all board members present are expected to vote yes or no on all motions.
2. Other Judicial Boards — Other judicial boards may be established by the Associate Dean of Student Life or appropriate organizational units (e.g., Jarvis Hall, Interfraternity Council, Panhellenic Council) for adjudication of constitutional matters, violation of organizational rules, residence life policy violations or any cases of alleged Student Code of Conduct violations referred by the Dean of Student Life (or designee).

Article V: Interpretation and Revision [top](#)

- A. Any questions of interpretation regarding the Student Code of Conduct shall be referred to the Dean of Student Life or his/her designee for final determination.
- B. The Student Code of Conduct shall be reviewed no less than every two years under the direction of the Judicial Advisor. Last reviewed: Spring 2008.
- C. Approved changes in the College Student Code of Conduct or in the College's disciplinary policies may occur and may be applied to matriculated students.

Reviewed and revised December, 2008.

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ADRIAN COLLEGE | 110 S. Madison St. | Adrian, MI 49221
ADMISSIONS: 1-800-877-2246 | Switchboard: 517-265-5161

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