

Procedural Guidelines

While each campus is responsible for establishing the actual procedures to be followed within the context of their administrative hierarchy, it is expected that these guidelines will be followed and that any established procedure will protect the rights of students and individuals involved in a case. It is intended that is part of the code will provide students throughout the IU system with a fair and equitable process when they have been accused of violating this code. In any case, the first attempt at a resolution should be an informal meeting of the parties involved.

A. Student Grievances

Students who believe that their rights as outlined in Part I of this code have been violated may file a grievance with the appropriate university official. It is important to realize that the person with whom the complaint is filed may vary depending upon which member of the university community, faculty, staff, or other university employee, graduate or undergraduate student, or student organization the grievance is being filed against. Accordingly, the filing student can expect:

1. to have an outline of the process to be followed in filing the grievance, including the name and title of the appropriate university official to whom the complaint should be addressed.
2. to be informed of any procedure that might be followed which would allow for an informal way to resolve the issue. If a student feels that their rights have been violated, it is recommended that they seek guidance from the Office of the Dean of Students or the Office of the Ombudsman.
3. to be informed of any supplemental procedures which may need to be followed and the appropriate offices to be contacted when a student's complaint involves a specific category of offense such as sexual or racial harassment or cases of discrimination.
4. to be informed of any time line involved with filing and responding to a complaint.
5. to be informed of and to receive an outline of any appeals process.
6. to be informed of any disciplinary sanctions which may be imposed on the offending member of university community.

B. Accusations Involving Cases of Academic or Personal Misconduct.

Students accused of violating the sections of this code related to academic or personal misconduct can expect that a fair and equitable process will be followed during the resolution of the case including a consideration of the individual circumstances relative to the specific case and, if it exists, any record of the student's prior conduct. Thus, a student can expect:

1. to be informed of which office will be responsible for following and recording the resolution the case, such as the Dean of Students or the appropriate academic officer of the school in which the offense occurred.

2. to be informed of procedural aspects of the case including
 - a. the role of the individual filing the accusation such as the faculty member or lead instructor for the course in which the violation occurred;
 - b. an outline of the process to be followed by the faculty member or lead instructor when filing and sending a case forward for resolution including the guidelines and time for hearing a case;
 - c. procedures for record keeping and a time line for resolving the case;
 - d. a list of any sanctions that might be imposed by the faculty member or lead instructor for academic misconduct;
 - e. the role of the Dean of Students and any sanctions which may be imposed by that office.

3. A student has the right to appeal a decision upholding an accusation of misconduct and its sanction. However, the student has the burden of proving that the decision is not supported by the evidence contained in the record or that a procedural irregularity prevented the student of a fair and equitable process. If a student wishes to file an appeal they can expect:
 - a. to be informed of the appropriate university official with whom the appeal should be filed;
 - b. an outline of the appeals process including the procedure for filing an appeal, hearings, notifications and a time line.

C. Complaint against Student Organizations

1. A complaint that a student organization has committed an act of academic or personal misconduct may be filed against the student organization, against individual members of the organization, or against the organization and individual members of the organization.
2. A student or individual who believes that their rights have been violated by a student by a student organization should ordinarily attempt to resolve the issue informally by discussing the matter with the person involved and with the organization's advisor.
3. If the student is unable to resolve the matter informally, the accuser, in consultation with the Dean of Students, file a formal complaint with that office.

D. Complaint by a Student Organization

1. A student organization that believes its rights have been violated should file a complaint for mediation with the Dean of Students.

2. Before filing a complaint, the organization must pass a resolution authorizing its highest elected officer to file a formal complaint. The resolution should state the efforts that the organization has taken to resolve their grievance informally.

E. Academic Misconduct Unrelated to a Particular Course

1. Disciplinary proceedings for an act of academic misconduct that is unrelated to a particular course in which the student is enrolled are governed by the same procedures that apply to acts of personal misconduct.
2. When the Dean of Students initiates separate disciplinary proceedings in cases involving simultaneous acts of academic misconduct unrelated to a particular course or simultaneous acts of personal misconduct, the proceedings are governed by the same procedures that apply to acts of personal misconduct.

F. Personal misconduct on or off of University Property

1. The University of the Dean of Students may discipline a student or group of students for personal misconduct either on or off of university property as describe in Part II sections H and I.
2. When disciplinary action is initiated, the procedures will follow those in section B above.

Individual campus procedures should be reviewed and approved periodically by the local faculty council and any changes should be reviewed by University Council prior to implementation. To assist students who might transfer within the IU system, it is recommended that campus procedures remain as similar as possible