



Procedure 3.6.1 Student Conduct

Part 1. Student Code of Conduct

The Student Code of Conduct applies to all locations and activities of the college or university. During orientation, students must be informed of the student code of conduct and where an available copy is located. Student organizations are subject to the college or university student code of conduct and to the process in Part 4 of this procedure.

Part 2. Definitions

For purposes of Board Policy 3.6 and System Procedure 3.6.1 the following definitions apply:

Administrator

The college or university employee responsible for administering the student code of conduct.

Advocate

An individual who advises a student during the process.

Expulsion

Permanent denial of the privilege of enrollment at that college or university.

Hazing

An act which endangers the mental or physical health or safety of a person, subjects a person to humiliation or ridicule, or which 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 student group, organization, or athletic team.

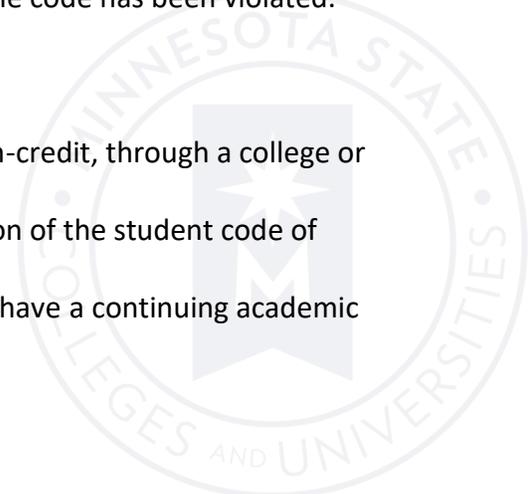
Preponderance of evidence

A standard of responsibility that it is more likely than not that the code has been violated.

Student

The term “student” includes all persons who:

- a. Are enrolled in one or more courses, either credit or non-credit, through a college or university.
- b. Withdraw, transfer, or graduate, after an alleged violation of the student code of conduct.
- c. Are not officially enrolled for a particular term, but who have a continuing academic relationship with the college or university.



- d. Have been notified of their acceptance for admission or have initiated the process of application for admission or financial aid.
- e. Are living in a college or university residence hall although not enrolled at the college or university.

Summary suspension

A temporary suspension imposed without a formal hearing to ensure the safety and well-being of members of the college or university community.

Suspension

Denial of the privilege of enrollment for a specified period of time after which the student is eligible to return. Conditions for re-enrollment may be specified.

Part 3. Contents of Student Code of Conduct-

A student code of conduct must include the following:

- a. A statement of student responsibilities as members of the college or university community.
- b. A statement of proscribed behavior for which a student may be held accountable, including violations of local, state, and federal laws. Hazing, whether occurring on or off campus, must be included in each college's and university's list of proscribed behavior. If a college or university wishes to exercise authority over certain violations that may occur off campus, that must be explicitly stated.
- c. A listing of sanctions that may be imposed as a result of disciplinary proceedings, including a statement that notations of suspensions and expulsions must be posted on transcripts in accordance with System Procedure 3.29.1.
- d. The process for resolving alleged violations of the student code of conduct must include provisions for the following:
 - proceedings consistent with System Procedure 3.6.1, and
 - a student appeal process for any finding of responsibility for a student code of conduct violation.

Part 4. Process

Subpart A. Investigation and process

Any member of the college or university community may file a written complaint alleging that a student or organization has violated student conduct proscriptions. College or university processes may provide for the filing of complaints by others under certain conditions. Persons filing complaints must be informed of their rights under the Minnesota Statute 13.04, subdivision 2 and be provided with information about the process and the anticipated timeline of the investigation. Following the filing of a complaint against a student, the administrator shall conduct an investigation of the allegations.

The college or university process must include the following:

1. If the complaint seems unwarranted, the administrator may discontinue proceedings.
2. If there is sufficient evidence to support the complaint, the administrator shall offer the student whose conduct is in question an opportunity to address the alleged violation at an informal meeting. Prior to this meeting, the student must be given written notice of the specific complaint, the nature of the evidence available to support the complaint, information on advocates, and a copy of the student code of conduct. During the meeting the administrator shall review the complaint and the evidence with the student and allow the student to present a response to the complaint.
3. If the meeting occurs, then within a reasonable time period afterwards the administrator shall inform the student in writing of the college's or university's decision, including;
 - whether a violation of the student code of conduct was established by a preponderance of evidence, and
 - if any applicable sanction(s) as well as options are available for an appeal and/or a student conduct hearing.

The complainant must receive notification consistent with state and federal privacy laws.

4. If the meeting does not occur, then the administrator may proceed to review and act upon the complaint in the student's absence and shall notify the student in writing of the college's or university's decision, including;
 - whether a violation of the student code of conduct was established by a preponderance of evidence and
 - if any applicable sanction(s) as well as options available for an appeal and/or a hearing before a student conduct panel.

The complainant must receive notification consistent with state and federal privacy laws.

5. A student who is subject to a sanction of expulsion or suspension, for more than nine days may agree to accept the sanction, or may request a student conduct hearing prior to implementation of the sanction. Other sanctions must be accepted unless appealed in accordance with the college or university appeal process.

Subpart B. Student conduct hearing and due process rights

The student conduct hearing procedure, including composition of the student conduct panel, must be developed by each college and university in accordance with Board Policy 2.3 Student Involvement in Decision Making. Students serving on the student conduct panel must be elected by the student body or appointed by the campus student association.

1. Students referred for a formal hearing must be given adequate advance notice in writing of the date, time, and location of the hearing.

2. Within a reasonable time prior to the hearing, the student must be informed in writing of: (a) the complaint, (b) the evidence to be presented against the student, (c) a list of witnesses, and (d) the nature of their testimony.
3. The student must be given the opportunity to speak and present a response to the complaint, to present witnesses, to question any witnesses, and to have an advocate present. The advocate may provide advice to the student, but may not participate in any questioning or the presentation of information.
4. A student's failure to appear at the hearing will not prevent the hearing from proceeding as scheduled.
5. A written notice of findings and conclusions must be provided to the student within a reasonable time after the hearing. The notice must inform the student of any sanction(s) to be imposed and contain information regarding any applicable appeal process.
6. The complainant must receive notification of process outcomes consistent with state and federal privacy laws.

Part 5. Summary Suspensions

In certain circumstances, a summary suspension may be imposed prior to student conduct proceedings. A summary suspension may be imposed only when the student's presence on the college or university campus would constitute a threat to the safety and well-being of members of the campus community. To the greatest extent possible before implementing the summary suspension, the student must be given oral or written notice of the intent to impose summary suspension and must be given an opportunity to present oral or written arguments against the imposition of the suspension. However, the refusal of a student to accept or acknowledge this notice must not prevent the implementation of a summary suspension. Notice of the summary suspension must be provided in writing to the student. After the student has been summarily suspended, the student must be provided an opportunity for a meeting with the administrator or a student conduct hearing within the shortest reasonable time period, not to exceed nine (9) school or business days. During the summary suspension, the student may not enter the campus or participate in any college or university activities without obtaining prior permission from the administrator.

Date of Adoption: 01/19/2006
Date of Implementation: 01/19/2006
Date of Last Review: 01/19/2021

Date and Subject of Amendment:

01/19/21 – Removed the words “formal” and “informal to avoid confusion, deleted or replaced “accused student” with “student” or “the student whose conduct is in question”, updated the complaint investigation process language in Part 4, Subpart A to be more consistent and accurate, and made technical edits throughout the document.

Additional History