

# PROFESSIONAL CONDUCT VIOLATION PROCEDURES

1. Any member of the Chamberlain University community (complainant) may file complaints against any student (respondent) for misconduct. Complaints shall be prepared in writing and directed to the conduct administrator or designee. Any complaint should be submitted as soon as possible after the event takes place. While anonymous complaints are permitted, this may limit the ability to thoroughly investigate the incident.
2. Upon receipt of the written complaint, the conduct administrator or designee may conduct an investigation to determine if the complaints can be resolved by mutual consent of parties involved. Mutual consent is not appropriate for every situation, such as allegations of sexual misconduct. If complaints cannot be resolved by mutual consent, the conduct administrator or designee may dismiss the case, issue a warning letter or refer the case through the administrative review or hearing process, as appropriate.

## Administrative Review or Hearing

Once a case is referred through the administrative review or hearing process, a student will be informed of the charges brought forth against them and given the opportunity to deny or admit the charges. If the student denies the charges, a hearing will be held before the program-specific Professional Review Committee. If a student admits to the charges and waives their right to a hearing, the conduct administrator or designee will issue the sanction(s). If the conduct administrator or designee finds that a hearing is necessary for the purpose of determining the sanction(s) to be issued, a hearing will be held before the Professional Review Committee who will recommend sanction(s) to the conduct administrator or designee. Admitting to the charges does not preclude a student from appealing the sanction (s). Generally, students who admit to the charges will not have a hearing before the Professional Review Committee unless deemed necessary by the conduct administrator or designee.

Students who do not admit to the charges in part or full will be given the opportunity to attend a hearing before the Professional Review Committee. The Professional Review Committee is comprised of program-specific faculty representatives and approved corresponding program specific staff representatives. No students serve on the committee. If a student does not attend the hearing, the decision will be made by the committee based on the information available at that time. The committee will make a determination whether it is more likely than not that a violation occurred and will issue sanctions as deemed appropriate.

Students who have allegations filed against them (respondents) have a right to:

- Bring an advisor or support person of their choice and at their own expense to the hearing. The advisor may be an attorney. The advisor or support person may not speak on behalf of the student or answer any questions on behalf of the student during the hearing. The name of the advisor/support person and their relationship to the student must be provided to the conduct administrator or designee at least one business day prior to the hearing. At the discretion of the conduct administrator or designee, the hearing may proceed without the advisor if the attendance of the advisor delays the hearing.
- Be notified of the names of the committee members in advance of the hearing. If a conflict of interest is present, a request for a replacement committee member can be made prior to the hearing.
- Submit questions for the committee to ask any party who will be interviewed as part of the hearing. The conduct manager or designee has the authority to determine whether the questions are relevant and appropriate. The parties involved are not permitted to question one another directly.
- Present information and witnesses to the Professional Review Committee. The complainant is permitted to present information and witnesses regardless of their level of participation in the resolution. The conduct manager or designee should be made aware of any witnesses at least two (2) business days prior to the hearing. Only witnesses who have relevant information pertinent to the case will be interviewed or allowed to provide written statement for the committee's consideration.
- Review any written information prior to the hearing which will be presented to the Professional Review Committee. The conduct manager or designee may redact information as required by state or federal law or to protect confidential or private information of the complainant, respondent and/or witnesses.
- Have the right to privacy in that only individuals who must know the facts of the case to assist in the resolution will be made aware of information pertaining to the case. Information may be shared with other parties, such as law enforcement as required by local, state or federal laws.

## Student Responsibilities

Students have the following responsibilities:

- Represent themselves in a truthful, professional and ethical manner when responding to allegations. Providing false or misleading information may result in a violation of the professional conduct policy.
- Respond in a timely manner to request for information, including but not limited to:
  - Presenting witnesses
  - Providing a statement or additional information to the panel
  - Accepting or denying charges
- To not engage in retaliatory behavior. Engaging in such behavior is a violation of the professional conduct policy.

## Interim Suspension

In certain circumstances, the University may impose an interim suspension prior to the hearing or administrative review.

1. Interim suspension may be imposed:
  - a. To ensure the safety and well-being of members of the Chamberlain University community or preservation of Chamberlain University's property; or
  - b. If the University deems that the respondent poses a threat of disruption of or interference with the normal operation of the University
2. During the interim suspension, the respondent may be denied access to Chamberlain University premises (including online and on-site classes) and/or all other Chamberlain University activities or privileges for which the respondent might otherwise be eligible, as the University may determine to be appropriate. In appropriate cases,

the University may notify the complainant of a respondent's interim suspension status.