STUDENT CODE OF CONDUCT

POLICY

Sherman College of Chiropractic takes all allegations requiring investigation seriously and such investigations are conducted in a fair, thorough and objective manner.

The following protocols are established to protect the confidentiality of all materials obtained during an investigation, including but not limited to documentation, written statements and interview notes:

- Confidentiality will be maintained by all individuals involved in the investigative process, including complainants, respondents and witnesses.
- Executive team members will not interfere with, influence or direct any aspect of the investigation.
- Information and materials collected during an investigation will be disclosed only when required by law or regulatory obligations.

Student Code of Conduct Violations
All members of the College community, including employees, students, and administration, have an obligation and responsibility to report any violation of the *Student Code of Conduct*.

A. Report Of Violation

Students or employees who wish to report a violation should meet directly with the appropriate employee supervising the event where the violation occurred. The employee should request the complaint be submitted in writing. Once the written complaint has been submitted, the employee should report the violation to the appropriate dean listed below.

Employees reporting a violation should meet with the appropriate dean.

The appropriate director or dean to handle the complaint investigation is determined by the type of incident as follows: Director of Student Affairs – Incidents of general misconduct (improper behavior) Dean of Basic Sciences – Incidents of academic misconduct in a basic science course Dean of Clinical Sciences – Incidents of academic misconduct in a clinical science course Dean of Clinics – Incidents involving the Chiropractic Center or patient care misconduct

B. Investigation and Reading of the Allegation(s)

1. The director or dean meets with the complainant(s). The director or dean will request written documentation of the complainant's personal account of the violation. All

documentation must be dated and signed by the person reporting the violation or submitting their account of the incident.

2. The complainant will be required to sign a consent form stating they understand the investigation process and that it may be necessary to divulge their identity to the accused.
3. After reviewing the written accounts of the violation, the director or dean will send a written notice to the accused student, informing them that a complaint has been filed and requesting a meeting at a scheduled appointment. The accused student must schedule an appointment within forty-eight (48) hours to appear before the investigating director or dean. During this meeting, the accused will receive a procedures packet outlining the steps necessary to fully inform them of their rights. The packet shall include:
    i. A copy of Policy 8004 (Student Code of Conduct)
    ii. A procedural flow chart
    iii. A consent form to be signed which states the accused understands the investigation process
4. The director or dean will share the allegations with the accused at the scheduled meeting. This includes presenting a copy of the written statement from the complainant.
5. In the presence of an objective witness (faculty or staff member), the director or dean will interview the complainant(s), the accused, and any other involved college personnel or students to collect data concerning the allegation. The director or dean must document the interviews. All individuals interviewed must provide a written statement of their verbal account.
6. Following the reading of the allegation(s) to the accused, the student has forty-eight (48) hours from the time of the meeting to submit in writing to the investigating director or dean the following:
    i. An acceptance of responsibility for the complaint(s). The investigating director or dean will provide a written decision regarding the disciplinary sanction to the student within five business days. A copy of the decision must also be forwarded to the registrar's office and any respective office or employee who needs notification of the sanction that is to be enforced.
    ii. A denial of responsibility for the complaint(s). The investigating director or dean will notify the director of student affairs, who will inform the Student Conduct Review Board chair to convene the board.
7. The investigating director or dean must exercise due diligence through the investigative process and complete a thorough investigation. Upon conclusion, the director or dean must submit a comprehensive report to the director of student affairs. This report must include:
    i. A detailed description of the investigatory process, demonstrating that due diligence was applied in gathering and evaluating all relevant information.

ii. A conclusion regarding responsibility (guilt or innocence) based on the preponderance of the evidence.
iii. Recommended disciplinary sanctions.

In addition, the investigating director or dean must forward all supporting documentation, including but not limited to:

i. Names of the complainant, respondent and all witnesses.
ii. The complainant's statement.
iii. The respondent's statement.
iv. Interview minutes.
v. Witness statements.
vi. Any other related or supporting documentation.

8. Following a review of the information collected, the college may determine, in limited circumstances, that a voluntary formal resolution in the form of mediation is an appropriate method for addressing a complaint and does not require convening of the Student Conduct Review Board.
9. During the mediation process, the Complainant and Respondent will be separated to ensure a safe and neutral environment. The chair of the Student Conduct Review Board will oversee the mediation process and facilitate communication between the parties.
10. Any agreement reached through mediation must be reviewed and approved by the chair of the Student Conduct Review Board. By electing to participate in mediation, both the Complainant and Respondent must agree to terms of the agreement, including any sanctions or corrective actions. Non-compliance will result in additional disciplinary action in accordance with college policy.

C. Convening the Student Conduct Review Board (SCRB)

Documentation
The director of student affairs will assemble all documentation collected during the investigation process.

Convening the SCRB

1. The director of student affairs will contact the chair of the SCRB who will schedule a date, time and location for the hearing.
2. The chair will notify the board members of the date, time and location of the hearing.
3. The chair will notify the accused, complainant(s), named witnesses and any other potential witnesses.

SCRB Composition

1. During the final quarter of each academic year, the provost will appoint three faculty members and Staff Council will appoint three staff members to serve for a period of one-year. Only three members will be selected to participate in each individual hearing.
2. The compliance officer will serve as SCRB chair.
3. During the final quarter of each academic year, the vice president for enrollment and student success will coordinate the nomination process for student members. Three student members will be selected by the chair of the SCRB from a pool of nominees meeting the criteria listed below:

a. Be selected from a list of twelve nominated individuals (six from employees and six from the student body)
b. Possess a GPA of 3.0 or higher
c. Be free from any academic or behavioral disciplinary actions, warnings or probation before and/or during the time of committee service (see Policy 8012)
d. Serve on only one standing committee at a time unless otherwise approved by the director of student affairs (see Policy 8012)

Hearing Rules

1. A SCRB hearing is not legal proceeding. Therefore, legal rules of evidence and civil or criminal procedural rules need not be followed. Legal counsel may not be present.
2. Hearings are closed to the public.
3. All proceedings of the SCRB are confidential.
4. The SCRB chair may exclude any person from attending the hearing who interferes with hearing proceedings. Any disruption of a hearing may result in immediate suspension of the disruptive student. The SCRB chair makes the determination as to whether disruptive individuals/students will be dismissed from the hearing. If the disruptive individual/student does not leave voluntarily, security officers will escort them off college property.
5. If the accused fails to appear for the hearing, the SCRB will determine the matter in their absence.
6. Any SCRB member with a conflict of interest must recuse themselves from serving during the hearing. Conflicts of interest include and are not limited to:
    a. A current or former relationship with the accused or complainants
    b. Oral, written or electronic discussion about the incident with the accused and/or complainants prior to the hearing
    c. A current or former doctor-patient or doctor-intern relationship with the accused or complainants
    d. Expressed or known bias toward the accused or the complainants
7. Any SCRB member who discloses confidential information before, during, and/or after a hearing will be permanently removed from the SCRB and is subject to disciplinary action.
8. The director of student affairs serves as the procedural advisor to the SCRB and ensures that all evidence is reviewed. If the director of student affairs is bringing the charges, they

will serve as ex-officio member of the SCRB, and the director of academic affairs will serve as advisor.

9. If the director of student affairs is personally involved in the case, then the director of academic affairs will assume the duties related to the director for student affairs position within the structure of the board.
10. The college's executive vice president will serve as legal advisor.
11. The SCRB is charged with:
    a. Determining the facts
    b. Determining whether the accused is responsible for the charges
    c. Recommending appropriate discipline in cases where the accused is found guilty
12. The board will hear only that information pertinent to the charge(s).
13. SCRB deliberations are closed to all but the members of the board.
14. Board deliberations concerning appropriate sanction(s) may draw upon representatives of the Office of Student Affairs for guidance.
15. To ensure an accurate record, the hearing will be audio recorded. The board may review the recorded hearing during deliberations. All recordings are maintained for a period of ten (10) days, after which time they are erased, and a transcript of the hearing is maintained until the student graduates.
16. Board deliberations are not recorded.

The Rights of the Accused

The accused has the right to:

1. Be present at the hearing unless the SCRB determines that the accused may not be present during all or part of the hearing due to their disruption or possible disruption during the hearing proceedings.
2. Remain silent and have no inference of responsibility drawn from one's silence.
3. Present testimony on their behalf during the hearing.
4. Present evidence in support of their version of the incident. All evidence that will be reviewed by the hearing board must be submitted in advance of the day of the hearing.
5. See and/or hear all evidence presented against them. Complainants and/or witnesses are not required to present testimony in person. In this case, the chair reads the complainant's and/or witnesses written testimony to board and the accused.
6. Present witnesses or written statements on their behalf
7. Question the validity of the testimony presented by witnesses as evidence against them. The accused may direct questions to witnesses through the SCRB chair. They may submit questions in writing to the chair. The chair will pose the questions for the accused.
8. Be informed in writing of the findings of the SCRB. The chair will include the SCRB findings in their notice of discipline to the accused.

Hearing Procedure

1. Upon receipt of all investigation materials, the director of student affairs will review all documents for completion and establish a meeting with the SCRB chair to review all materials.
2. The director of student affairs provides copies of all documentation for the SCRB members and provides a recording device to record the hearing.
3. The chair selects a member to be responsible for electronic recording throughout the hearing.
4. The chair orally presents the alleged charge(s).
5. Prospective witnesses will testify one at a time and may be excluded from the hearing during the testimony of other witnesses. Complaintive and/or witnesses to the allegation(s) shall testify first; then the accused may call witnesses and/or testify themself. Both the complainant and the accused have the right to be present during the testimony of all witnesses, to question all witnesses, and to argue their case to the board.
6. Examination and questioning by SCRB members will follow each witness' testimony and/or the disclosure of information supporting the alleged violations.
7. Witnesses involved in the proceedings will be placed in a separate room during the hearing and will not be allowed to discuss the proceedings with other witnesses in the room or contact any other person via phone or text messaging until the SCRB chair has officially dismissed them.
8. Once the chair has dismissed witnesses, they are not allowed to discuss the proceedings or their involvement with anyone. Failure to maintain confidentiality will result in disciplinary actions.
9. The accused may direct questions to witnesses through the chair. They may submit questions in writing to the chair. The chair will pose the questions for the accused.
10. Additional comments from the accused may be given if so desired. The accused will then leave during deliberations but will remain in a holding room until dismissed by the chair.
11. The SCRB holds closed deliberations.
12. A finding of "in violation" requires a majority vote of the board. The chair votes only in the case of a tie.
13. Sanctions will be determined by a majority vote of the SCRB except in the case of expulsion, which requires a unanimous vote of the panel. All sanctions will be forwarded to the Office of Student Affairs for review and action.

Post-Hearing Procedure

1. The SCRB chair will provide a written decision and recommendations for discipline to the director for student affairs within 24 hours of the conclusion of deliberations.
2. The chair will notify the student(s) when a decision notice is finalized. At that time, the accused may request to pick up the notice from the chair or have it sent certified mail. Either request will require a signed receipt from the student.
3. The decision and sanctions of the hearing board may not be appealed. Their decision is final. A copy of the documentation relating to the hearing will be filed in the Office of Student Affairs. Excess copies will be destroyed.

Appeals
When an individual(s) accepts responsibility for the conduct violation that is under investigation they are subject to disciplinary sanctions determined by the investigating dean or director. In situations where the individual believes the disciplinary sanction is not equal to the conduct violation, an appeal may be filed to the college appeals board (CAB).

The individual will follow the process outlined in Policy 8028 (College Appeals Board).

An individual may only file an appeal with the executive vice president (EVP) based upon evidence that due process was denied.

When a case is being reviewed for due process, the EVP has five (5) business days to review the appeal and determine if due process was denied. If the EVP determines that due process was not denied, the individual(s) will receive a letter of notification that the decision of the committee or administrator stands. If the EVP determines that due process was denied, they will meet with the individual(s) and the respective committee chair/administrator.

The EVP will provide a decision to the individual(s) and the respective committee chair / administrator within five (5) class days.

Note: The college reserves the right to extend the time limits in the process should pertinent individuals not be available due to scheduling conflicts.

Guidance of Violations and Sanctions

The sanctions outlined below are subject to oversight by the Compliance Office and are classified as procedural processes rather than institutional policy. Accordingly, modifications or revisions to these guidelines may be made only by representatives from the Offices of Academic Affairs, Student Affairs, the Chiropractic Center and the Compliance Office through collective review and approval prior to implementation.

Level One Defined
Level One (1) violations are initial or minor violations that reflect lapses in professionalism, responsibility, or adherence to expectations. These are often first-time, accidental, or simple miscommunication violations and correctable through education and awareness. Examples of violations include:

- General Professionalism
    - Dress code or grooming issues
    - Not cleaning or preparing workspace
    - Loitering or socializing in unauthorized areas

  - Minor disruptions or unprofessional behavior in class or clinic
- Academic Misconduct
  - Eating/drinking in class against policy
  - Unauthorized or inappropriate use of phones or devices
  - Improper handling of personal items during exams
  - Wandering eyes or exposing test materials
  - Wearing hats/hoodies during exams
  - Unauthorized exits or disruptive behavior during testing
  - Failure to follow proctor instructions
  - Inappropriate use of iPads during testing
  - Disruptive involuntary behaviors without proper accommodations
- Other
  - Disrupting educational activities (classes, labs, meetings, etc.)
  - Use of tobacco or tobacco like simulated products on campus grounds regardless of whether it is smoked, vaped, chewed, or held in the mouth. on campus or at college events

Level Two Defined
Level Two (2) violations involve more serious violations or repeated Level 1 behavior that compromise integrity, professionalism, or ethical standards. These violations may negatively impact the learning environment, patient care, or institutional operations. Examples of violations include:

- Professionalism and Conduct
  - Incomplete or inaccurate documentation
  - Ignoring official communications (e.g., emails, announcements)
  - Unprofessional interactions with peers, faculty, staff, or patients
  - Unauthorized access to restricted areas or improper use of facilities/equipment
  - Unapproved advertising or solicitation
  - Missing or being late to patient appointments, shifts, or meetings without proper notice
  - Damage to or theft of college or personal property
  - Indecent, disorderly, lewd, or obscene conduct
  - Misrepresentation of the college to external parties
  - Participation in disruptive campus demonstrations
  - Failure to comply with college policies, directions, or legal statutes
  - Improper use of the college's computer network (e.g., accessing offensive or obscene material)
  - Repeated violations of appearance, hygiene, supervision, or academic regulations
- Academic Misconduct
  - Misuse of electronic devices during exams
  - Unauthorized collaboration or assistance on assignments

- Buying, selling, or distributing exam materials
- Plagiarism (even minimal or inadvertent)
- Possession or use of "crib" notes at any time
- Possession or use of study sheets during exams
- Unauthorized use of headphones during class or exams
- Any type of signaling or communication during exams
- Unauthorized exchange of information during testing

Level Three Defined

Level Three (3) violations are the most serious infractions, involving ethical breaches, safety risks, or repeated Level 2 misconduct. These actions may compromise the safety, integrity, reputation of the institution, or public trust. They can have long-term consequences on a student's ability to practice as a chiropractic professional due to concerns about judgment, ethics, and responsibility. Examples of violations include:

- Professional and Ethical Misconduct
  - Harassment (mental, psychological, racial, sexual, verbal, written, or physical)
  - Conviction of a felony while enrolled
  - Use, possession, or sale of illegal drugs or alcohol on campus or at college events
  - Possession of firearms, explosives, or dangerous chemicals on campus
  - Hostile, threatening, or dangerous behavior (e.g., bomb threats)
  - Breach of confidentiality (e.g., HIPAA/FERPA violations)
  - Forgery or falsification of documentation or records
  - Unauthorized chiropractic adjusting or clinical procedures
  - Intimate relationships between students and faculty/staff (unless pre-disclosed)
  - Misconduct that undermines the college's judicial system (e.g., falsifying testimony, intimidating judicial members, failing to comply with sanctions)
  - Unprofessional conduct on or off campus, which includes the following but not limited to misconduct involving violence, weapons, drugs, hate crimes, hazing, or law enforcement involvement. Please refer to Policy 8004a for more information.
- Academic Misconduct
  - Substantial plagiarism or dishonesty
  - Changing graded exams or answer sheets
  - Attempting to alter academic records without merit
  - Acting as or using a substitute during exams
  - Buying, selling, or possessing exams before or after administration
  - Copying from another student's exam
  - Sharing assignments for unauthorized use
  - Any form of cheating or misrepresentation of your academic work

Sanctions

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When a violation occurs, all related sanction documentation is forwarded to the registrar for reporting purposes. All Level 2 and Level 3 sanctions will be placed in the student's permanent academic record.

- Level 1 Sanctions
  - Verbal or written warning administered by the appropriate dean
  - Reflective assignment on professionalism
  - Documentation placed in student file
  - Corrective actions as deemed appropriate
  - Disciplinary warning letter from college leadership
  - Restriction of privileges, such as assigned seating or modified testing conditions
- Level 2 Sanctions
  - Remediation plan that may include but are not limited to reflective or educational assignments (e.g., ethics modules)
  - Meeting with supervising faculty or administration
  - Temporary suspension from clinic, lab, or class
  - Restriction of privileges (e.g., seating, testing conditions)
  - Disciplinary Probation: Student is not in good standing; continued enrollment depends on improved conduct
  - Short-Term Suspension: Student is barred from classes and clinical privileges for a set time; missed work cannot be made up
- Level 3 Sanctions
  - Restriction of Privileges: Temporary suspension of specific privileges (e.g., assigned seating, modified testing conditions), as long as academic progress is not hindered
  - Disciplinary Probation: Student is not in good standing; continued enrollment depends on improved conduct during a defined period
  - Formal Remediation Plan: May include reflective assignments, counseling, or required training modules
  - Suspension
    - Short-Term (*5 weeks or less): Temporary removal from classes and clinical privileges; missed work cannot be made up.
    - Long-Term (*6 weeks or more): Extended removal from coursework or clinic participation.
    - Disciplinary Suspension: Complete denial of enrollment and college privileges for a set period; reapplication may be allowed with or without conditions.
  - Expulsion: Permanent dismissal from the college with no option to return.

- Other sanctions that may be applicable to all levels include:
  - Service work hours benefiting the college.
  - Fines or reimbursement for damages.

- Rehabilitative educational experiences (e.g., counseling, essays).
- Mandated training (e.g., workshops or seminars on relevant topics).

(*) – Break weeks do not apply toward suspension time.

The Office of Student Affairs will place a hold flag on the record of a student suspended or expelled for disciplinary reasons. Such hold will prohibit the enrollment of the named student for the appropriate length of time.