

LUNEX Student Code of Conduct

A Code of Conduct for Students and the Rules and Processes around Student Misconduct

Valid as of 12.03.2025

Sign-off Page

Name	Date
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I. Introduction:

This Student Code of Conduct is intended as a guide for the behaviour of students as members of the LUNEX community. We strive to ensure that students have the opportunity to learn and inquire freely, that academic staff have protection of their academic freedom and right to teach students, and to facilitate the pursuit and advancement of knowledge through scholarly dialog and activities.

All members of LUNEX community, and their guests, are expected to conduct themselves in an appropriate and civil manner at all times including behaviour both on- and off-campus as defined later in this document. This document will change and be improved over time and be published in the staff general SharePoint and student portal.

As a healthy environment is one with academic inquiry, discourse and disagreement, it is important that members of the community be mindful of this, supportive of democratic and lawful procedures, open to change, and committed to the values espoused by LUNEX.

II. Rights of Students:

1. Educational Environment:

- 1.1. Students have the right to an environment conducive to their educational pursuits. This environment should be free from harassment and discrimination and free from any other unreasonable interference with their educational experiences. LUNEX offers protection from discrimination to students in their educational programs, activities, and employment on the basis of race, sex, sexual orientation, colour, creed, age, ethnic or national origin, or non-disqualifying handicap, as required by the laws and legislation of Luxembourg.

2. Privacy:

- 2.1. Students have the right to privacy as protected by the Luxembourg Law. Students have the right to find out what personal information about them is held by LUNEX as per the EU GDPR.

3. Information:

- 3.1. Students have the right to information pertaining to academic standing, course requirements, and graduation requirements.

4. Joining Campus Organisations:

- 4.1. Students have the right to join campus organisations, as set forth by respective organisations' constitutions and by LUNEX policy.

5. Access to Disciplinary Procedures:

Students have the right to utilize disciplinary procedures, as set forth in LUNEX policies available on the Student Portal and notably in the LUNEX Grievance Policy as applicable from time to time, should such policy apply, depending on the circumstances.

6. Complaints or Grievances:

- 6.1. Students have the right to make their concerns or grievances known through the appropriate administrative channels as prescribed under the policies of LUNEX and notably the LUNEX Grievance Policy, as applicable from time to time, should such policy apply, depending on the circumstances. The LUNEX department that provides administrative and academic support to students, including course registration, exams, and academic records management (hereinafter the “**Student Experience**”) serves in an advisory capacity for students seeking information about processes governing alleged violations of students' rights by others or by LUNEX itself.
- 6.2. Students have the right to direct their own behaviour off-campus, consistent with their responsibilities as individuals. LUNEX aims to assist students in achieving healthy developmental outcomes.

III. Student Responsibilities:

1. When enrolling, a student assumes responsibilities to fellow students, to LUNEX, and to himself or herself. Students are responsible for conducting themselves in a lawful, civil, and responsible manner and for observing all institutional rules, regulations, and policies. This Student Code of Conduct is intended to address concerns regarding the behaviour of students who are members of LUNEX community. These procedures are not intended to replace civil and/or criminal procedures. When necessary, LUNEX will work with appropriate law enforcement officials to redress accusations of criminal activity.
2. For the purposes of the Student Code of Conduct, a student is defined as someone who has accepted an offer of admission to LUNEX by way of the return of a signed contract, is enrolled, or was recently enrolled as a student. Student status remains in effect during any semester in which a person is or has been enrolled.
3. If LUNEX becomes aware that a student or applicant is a convicted felon, or is required to register as a sex offender, the institution reserves the right to immediately dismiss that student and/or prohibit that applicant from enrolling in future classes, or limit the access of that student to specific campus facilities, based upon a review of the crime committed by the student/applicant.

Actions defined by LUNEX as unacceptable forms of behaviour and subject to disciplinary response:

1. Dishonesty

Acts of dishonesty, including but not limited to the following:

- 1.1. Cheating, plagiarism, or other forms of academic dishonesty
- 1.2. Furnishing false information to any LUNEX official, faculty member, or office
- 1.3. Forgery, alteration, or misuse of any LUNEX document, record, or instrument of identification
- 1.4. Tampering with the election of any recognized LUNEX student organisation
- 1.5. Misappropriation of student activity and/or LUNEX funds
- 1.6. Falsification of work hours on e.g. a placement timesheet
- 1.7. Violating a student's right to privacy.
- 1.8. Providing false information on the admissions application.

Academic dishonesty includes but is not limited to the following and any other forms of academic dishonesty:

- 1.9. Cheating: Using or attempting to use crib sheets, electronic sources, stolen exams, unauthorised study aids in an academic assignment, or copying or colluding with a fellow student to improve one's grade.
- 1.10. Fabrication: Falsifying, inventing, or misstating any data, information, or citation in an academic assignment, field experience, academic credentials, job application or placement file.
- 1.11. Plagiarism: Using the works (i.e. ideas, words, images, other materials) of another person as one's own academic property without proper citation in any academic assignment. This includes submission (in whole or in part) of any work purchased or downloaded from a web site or an internet paper clearing house as well as work submitted by the student for another course or assignment.
- 1.12. Facilitating Academic Dishonesty: Assisting or attempting to assist any person to commit any act of academic misconduct, such as allowing someone to copy a paper or test answers.

2. Verbal Assault, Harassment, Intimidation, Bullying, Defamation, and Threatening or Abusive Behaviour

- 2.1. Physical abuse, verbal abuse, threats, intimidation, coercion, sexual harassment and sexual misconduct, and/or other conduct that threatens or endangers the health or safety of any person.
- 2.2. Threatening or causing physical harm to another person. Physical abuse includes, but is not limited to: personal injury, physical restraint against a person's will, and holding or transporting an individual against his or her will.
- 2.3. **"Moral harassment"** or **"Bullying"** is defined as any conduct which, by its repetition or systematization, undermines the dignity or psychological or physical integrity of a person.

Examples of facts potentially constitutive of Moral Harassment / Bullying include, but are not limited to the following examples:

- verbal abuse, such as the use of derogatory remarks, insults, and epithets; slandering, ridiculing, or

maligning a person or his/her family; persistent name calling; picking on a person or group as the butt of jokes, uncomplimentary remarks, or other behavior likely to cause offense; using songs, laughter, or mimicry as a means of ridiculing a person or group;

- verbal, physical or electronic conduct of a threatening, intimidating or humiliating nature, including the use of electronic mail, text messaging, voice mail, pagers, social media, website, and/or online chat rooms in such a manner;
- inappropriate physical contact, such as pushing; shoving, kicking, poking, tripping, assault, or the threat of such conduct, deliberate and continued staring at a person, or damage to a person's work area or property;
- sabotaging or undermining an individual or group's work performance or education experience, including setting unachievable tasks or targets designed to ensure failure; unfair selection of a person for difficult or unpleasant tasks;
- spreading false rumours to damage a person's reputation;
- showing hostility to the person through sustained unfriendly contact or exclusion or isolation;
- aggressive behaviour.

2.4. "Sexual Harassment" consists in any behaviour with a sexual connotation, or any other behaviour based on sex, that the perpetrator knows, or should know, will affect another person's dignity, when:

- the behavior is unwanted, untimely, improper and wounding for the recipient;
- the fact that the recipient refuses or accepts such behaviour is used explicitly or implicitly as the basis for a decision affecting the recipient's educational experience; and/or
- the behaviour creates an intimidating, hostile, or humiliating environment for the recipient.

The behaviour may be physical, verbal or non-verbal.

Examples of facts potentially constitutive of Sexual Harassment include, but are not limited to:

- jokes,
- physical behaviour including unwelcome sexual advances, touching,
- threats or demands for sexual favours,
- repeated requests for dates,
- displaying pictures, photos, art or drawings of a sexual nature,
- sending emails with a sexual content.

A unique behaviour can be considered as Sexual Harassment if it is of sufficient gravity.

2.5. "Discrimination" consists of any distinction made between individuals based on their origin, skin color, sex, sexual orientation, gender transition, gender identity, family situation, age, health status, disability, morals, political or philosophical opinions, trade union activities, or their actual or perceived membership or non-membership in a particular ethnic group, nation, race, or religion.

2.6. "Defamation" is defined as the oral, written, or electronic publication of a false statement of fact that exposes the person about whom it is made to hatred, contempt, or ridicule, or subjects that person to loss of the good will and confidence of others, or so harms that person's reputation as to deter others from associating with her or him.

3. Disruption or Obstruction

3.1. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other activities, including its public service functions on or off campus, or other authorised non- academic activities, when the act occurs on LUNEX premises.

3.2. Participation in campus demonstrations that disrupt the normal operations of LUNEX and/or infringe on the rights of other members of LUNEX community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area; intentional obstruction that unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus, whether inside or outside.

3.3. Students are free to assemble and express themselves publicly in a peaceful, orderly manner. Public rallies, demonstrations (either by individuals or groups), and assemblies held on campus should be registered 48 hours in advance with Student Experience indicating the desired date, time, place, expected attendance, and type of demonstration planned. Student Experience will inform all students that the assembly will be taking place. Student Experience will also inform Human Resources, who will, in turn, inform all staff of LUNEX.

Public demonstrations not registered may violate the disruption/obstruction policy.

4. Theft, Damage, or Unauthorised Use

- 4.1. Attempted or actual theft of, unauthorised use of, and/or damage to property of LUNEX or property of a member of LUNEX community or other personal or public property. This includes the intent to destroy or vandalize property.

5. Unauthorised Entry or Use of LUNEX Premises

- 5.1. Unauthorised possession, duplication, or use of keys and/or access codes to any LUNEX premises or unauthorised entry to or use of LUNEX premises. Trespassing upon, forcibly entering, or otherwise proceeding into unauthorised areas of LUNEX owned or leased facilities, their roofs, or the residential space of another without permission.

6. Compliance

- 6.1. Failure to comply with directions of LUNEX officials or law enforcement officers acting in performance of their duties and/or failure to provide proof of identity to these persons when requested to do so.

7. Drugs, Alcohol, Firearms, Gambling

- 7.1. Abuse of prescription and over-the-counter drugs.
- 7.2. Violation of any state law including but not limited to:
 - 7.2.1. Use, possession, or distribution of narcotics or other controlled substances, except as expressly permitted by law
 - 7.2.2. Use, possession, or distribution of alcoholic beverages, except as expressly permitted by the law and LUNEX policies, or public intoxication.
 - 7.2.3. Use or possession of firearms, fireworks, other explosives, other weapons, or dangerous chemicals on LUNEX premises not specifically authorised by LUNEX
 - 7.2.4. Misuse of legal objects in a dangerous manner (e.g., laser pointing in someone's eyes)
 - 7.2.5. Illegal gambling or wagering

8. Disorderly, Indecent Conduct

- 8.1. Conduct that is deemed disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on LUNEX premises or at functions sponsored by, or participated in by, LUNEX.

9. Theft or Other Abuse of Computer Time

- 9.1. Theft or other abuse of computing resources and network access, including but not limited to:
 - 9.1.1. Unauthorised entry into a file, to use, read, or change the contents, or for any other purpose
 - 9.1.2. Unauthorised transfer of a file
 - 9.1.3. Unauthorised use of another individual's identification and password
 - 9.1.4. Use of computing facilities to interfere with the work of another student, faculty member, or LUNEX official
 - 9.1.5. Use of computing facilities to send, display, or print obscene or abusive messages
 - 9.1.6. Use of computing facilities to interfere with normal operation of LUNEX computing system
 - 9.1.7. Knowingly causing a computer virus to become installed in a computer system or file
 - 9.1.8. Knowingly using the campus computer network to disseminate "spam" messages (i.e., unsolicited bulk e-mail messages that are unrelated to the mission of LUNEX).
 - 9.1.9. Knowingly using the campus network to send any threatening, or otherwise inappropriate message.
 - 9.1.10. Illegal download of copyrighted software or other works (e.g., music files).

10. Improper Use of Cell Phone Cameras

- 10.1. Misuse of mobile phone cameras, electronic capture devices, or unauthorised audio or video recording, in an area where the expectation of privacy exists, or to facilitate plagiarism, compromise academic work, including but not limited to tests, or otherwise improperly compromise the intellectual property rights of others.

11. Hazing

- 11.1. Hazing, defined as an act that endangers the mental or physical health or safety of a student, or that 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 group or organisation.

12. Abuse of Fire Safety Standards

- 12.1. Any activity involving tampering with fire alarms or firefighting equipment, unauthorised use of such equipment, failure to evacuate during a fire alarm, hindering the evacuation of other occupants, or hindering authorised emergency personnel.

13. Abuse of the Student Conduct System

- 13.1. Abuse of the student conduct system, including but not limited to:
 - 13.1.1. Failure to obey the summons of a student conduct body or LUNEX official
 - 13.1.2. Falsification, distortion, or misrepresentation of information before a student conduct body
 - 13.1.3. Disruption or interference with the orderly conduct of a student conduct body prior to, and/or during the course of, the student conduct proceeding
 - 13.1.4. Initiating a student conduct proceeding without justification
 - 13.1.5. Attempting to discourage an individual's proper participation in, or use of, the student conduct system
 - 13.1.6. Attempting to influence the impartiality of a member of a student conduct body prior to, and/or during the course of, the student conduct proceeding
 - 13.1.7. Moral Harassment (verbal or physical) and/or Sexual Harassment and/or Discrimination and/or Defamation and/or intimidation of a member of a student conduct body, participant, and/or witness prior to, during, and/or after a student conduct proceeding
 - 13.1.8. Failure to comply with the sanction(s) imposed under the Students' Rights and Responsibilities policy
 - 13.1.9. Influencing or attempting to influence another person to commit an abuse of the student conduct system

14. Other Offenses Against LUNEX Community

- 14.1. Violations of other published LUNEX policies, rules, or regulations.
- 14.2. Selling, or solicitation, on campus without the written authorization from the CEO or his/her designee.
- 14.3. Creating a fire, safety, or health hazard.

15. Criminal Conduct and/or Civil Offenses

- 15.1. A violation of any state criminal law, or engaging in behavior that is a civil offense may be considered a violation of the LUNEX Student Code of Conduct, even if the specific criminal conduct/civil offense is not specifically listed in this Student Responsibility section. The criminal conduct/civil offense may be considered as a violation of the Code of Conduct irrespective of whether the criminal violation/civil offense is prosecuted in a court of law. LUNEX may inform law enforcement agencies of perceived criminal violations and may elect to defer internal student conduct action until prosecution of the criminal violation has been completed. Exoneration from criminal charges will not result in immunity from civil action or LUNEX proceedings.

16. Off-Campus Behaviour

- 16.1. Off-campus behaviour that is detrimental to LUNEX or its students, department, or staff in their roles as members of the campus community is governed by this code. LUNEX reserves the right to take actions that address the violations through educational intervention or sanctions.

17. Social Media and Other Electronic Platforms

- 17.1. Behaviour conducted through social media and/or other electronic platforms that is detrimental to LUNEX, its students, faculty, or staff in their roles as members of the campus community is governed by this Student Code of Conduct. LUNEX reserves the right to take actions that address the policy

violations through educational intervention or sanctions. Students are to maintain a professional tone when contacting staff via email, addressing them formally and courteously.

18. Admissions Applications

- 18.1. LUNEX reserves the right to deny admission based on non-academic reasons when it is believed to be in the best interests of the institution. A disciplinary violation or criminal conviction may affect admission, enrolment, or course of study, whether occurring prior to the time of application, while the application is under review, or after the admission decision has been made.

IV. Disciplinary and Student Conduct Procedures

Because LUNEX is an educational institution, student conduct procedures and disciplinary responses to student behaviour are designed as much for guidance and correction of behaviour as for invoking fair and appropriate sanction. This Student Code of Conduct and the procedures described therein are designed to determine whether students' alleged behaviours violate the standards and expectations of LUNEX educational community. These expectations and procedures should, in no way, be construed to replace civil or criminal expectations or proceedings.

Where necessary and appropriate, LUNEX will work in concert with legal enforcement officers to address alleged illegal behaviour. These procedures are used to address the seriousness of the offense and the record of conduct of a given student; however, specific responses are not rigidly predetermined. LUNEX recognizes that inappropriate behaviour may be the result of the student's inability to solve a problem or manage a situation appropriately. Ultimately, the student must accept responsibility for his or her behaviour and the consequences that result. However, LUNEX also recognizes that student conduct responses may include providing students with educational alternatives that assist the student in learning how to handle certain situations. The fundamental hope is that the student can learn and grow from the incident and sanctions imposed in response to that behaviour, and that he or she can make the necessary changes in his or her behaviour to become a constructive member of the educational community.

1. LUNEX Rights and Responsibilities

1.1. Regarding Campus Disruption or Obstruction:

In cases of alleged campus and/or classroom disruption or obstruction of the academic mission of the institution, immediate action may be initiated by a faculty member and/or administrator to restore order and/or to prevent further disruption. Behaviour occurring within the academic arena, including but not limited to classroom disruption or obstruction of teaching, is within the jurisdiction of Academic Affairs. Faculty members have the right to address the immediacy of a situation as they deem appropriate (e.g., temporary removal of a student from a class when inappropriate, disruptive behaviour occurs). Faculty response is forwarded to the senior academic responsible for overseeing curriculum development, teaching quality, and academic policies within LUNEX, as appointed from time to time (hereinafter the "**Academic Director**") for review and if necessary, further action. Further action might include permanent removal from the course. When necessary and appropriate the Luxembourg Police may be contacted to assist with restoring peace and order.

1.2. Search and Seizure:

In cases of alleged behaviour that violates campus policy, or when there is confirmed suspicion that students may represent a harm to themselves or other students, their property brought to campus may be subject to an administrative search. In such cases, students will be provided with notification of intention to search and nature of items sought prior to the search for and seizure of personal items that may be in violation of campus policies.

2. The Rights of the Student Charged

The student being charged has the right to testify on his or her own behalf, and the right to bring witnesses on his or her own behalf. Accused students may submit questions in advance to the investigating officer that they wish to have asked of those bearing witness against them. During the hearing, questions should be directed to the hearing officer, not to the witness. The use of these questions is at the discretion of the hearing officer. In cases of alleged sexual assault, special measures may be invoked to protect the rights of the victim as well as the accused. In the event accused students choose not to testify, decisions may still be rendered in the absence of their testimony.

3. Reporting a Violation

Reports of alleged violations of LUNEX rules or regulations are made to the institution management in the case of non-academic misconduct. LUNEX management appoints an investigator who is not implicated in the incident or complaint and who has no conflict of interest in conducting the investigation.

The investigator informs the student in writing that an alleged violation of the Student Code of Conduct has been reported about him or her. The investigator commences an investigation of the incident by reviewing the incident with the student. The student may be asked to provide a written statement to the investigator within 48 hours of this preliminary discussion. The investigator also may request written testimony from the person(s) who brought forward the information or charges and any other persons the investigator believes may provide pertinent information.

LUNEX management may appoint further staff to act in their place for any disciplinary procedure. For cases involving more than one student or a student group, the investigator decides whether separate or group meetings are appropriate and proceeds to gather pertinent information regarding the case.

4. Confidentiality

All disciplinary and student conduct procedures are closed and confidential. Final disciplinary decisions are communicated to the student charged and relevant school officials. If the student charged signs a release, the final disciplinary decisions are also communicated to the charging party. In cases alleging violent behaviour, the final disciplinary decisions are automatically communicated to the charging party. A copy of the written description of the sanction is placed in the student file in Student Experience.

5. Types of Proceedings

5.1. Mediation:

This procedure is implemented by the investigator and is generally reserved for first and less serious violators. It is employed when a violation arises out of a dispute between a charged student and another party or parties. The goal is to design a mechanism to resolve the dispute and to prevent it from recurring. A signed record of the mediation efforts, and the agreed-upon resolution, will be retained by the Student Experience. If the participants in mediation fail to live up to the agreed-upon settlement, a charge(s) may be processed under the appropriate procedures cited below.

5.2. Administrative Proceeding:

LUNEX recognizes that not every dispute or violation of individual rights or institution rules and regulations should be handled by the LUNEX management. Many disputes or infractions can be handled within the context of an administrative hearing. The administrative proceedings are conducted by the investigator (or his or her designee), or the chair of the academic group responsible for overseeing the examination process, ensuring fair assessment procedures, and upholding academic standards within LUNEX, as appointed from time to time (hereafter the “**Chair of the Exam Board**”) (when the offense occurs within an academic setting).

Such hearings are appropriate under any of the following conditions:

- 5.2.1.** When there is no record of disciplinary action in the recent past or a record of only minor violation
- 5.2.2.** When sanctions called for are less severe than suspension or expulsion from LUNEX
- 5.2.3.** When both the student charged and the party making the charge (e.g., a LUNEX official or another student) agree to the facts in an incident and the charged party admits fault. In this case both parties agree to implementation of a disciplinary decision by the institution management. This agreement is made in the form of a written joint memorandum. The student's right of appeal remains unchanged.
- 5.2.4.** When the student charged does not admit fault but chooses an administrative hearing as an alternative to a hearing before the LUNEX student committee responsible for reviewing and addressing violations of student conduct policies, ensuring fair disciplinary procedures, composed of [...], as appointed from time to time (hereinafter the “**Student Conduct Board**”). In such a case, the student signs a memorandum of consent for such a hearing.
- 5.2.5.** When a student has been temporarily suspended due to violence or the threat of violence.

If the student is found in violation of a stated policy by LUNEX management, sanctions are assigned. The decision is written as soon as is reasonably practicable after the hearing and forwarded to the student and, if a release is signed, to the person who made the charge. In cases with multiple students involved, written decisions may be delayed until all hearings have taken place.

5.3. Academic Status Review

This procedure is implemented by the Chair of the Exam Board (or his or her designee) and is intended to review the status of the student in a faculty member's course. This review may include a mediation between the student and the faculty member, or it may be an administrative proceeding to determine whether a student should be allowed to remain in the given course. Because of the necessity for swiftness, this review should take place as soon as possible following the incident and is not subject to the requirement of three days advanced, written notice to the student. After consulting with the student and the faculty member, together and/or separately (and any necessary witnesses), the Chair of the Exam Board shall render a decision. The student's right of appeal is to the Academic Director. In cases of academic dishonesty, a faculty member or institution designee may request Chair of the Exam Board's review for a possible hearing on potential suspension or dismissal.

5.4. The Student Conduct Hearing

The student conduct hearing is the highest level of deliberation designed to deliberate over the most serious allegations of student misconduct.

The members of the board must be present in order to hold a hearing. The purpose of the LUNEX student conduct hearing is to hear charges of student violations of LUNEX rules and regulations in cases that might involve suspension or expulsion, to decide whether the charged student is responsible for the alleged violation(s), and if responsible, to assign sanctions. The persons presiding over the hearing, including the management board, form a Student Conduct Board.

5.5. Expedited Process for Suspension or Dismissal

In the most serious, "high risk" cases, in which the accused student may pose a serious threat to the health and safety of students, faculty, and staff of LUNEX, the following process may be enacted, with the approval of the CEO of LUNEX and the first three steps can take place within a single day.

- 5.5.1.** The accused student is informed of the charges against him/her via email, letter, or phone call.
- 5.5.2.** The accused student has the opportunity to respond to these charges via email, letter, or phone call.
- 5.5.3.** The accused student will have the opportunity to submit questions to be answered by his/her accuser(s).
- 5.5.4.** The investigator (or his/her designee) decides if the accused student is responsible for a violation of LUNEX policies, and if appropriate, determines sanctions, which could include suspension or dismissal. This is communicated to the accused student.

The accused student has ten days in which to forward a written appeal to the management office. Any such appeal must set out the specific reasons supporting the appeal, including any contested finding of facts which are set out in the investigator's determination of sanctions. The written appeal will be reviewed by the appropriate body, the LUNEX Student Conduct Board. Due to the seriousness of this kind of case, all requirements for advance notification are hereby waived.

Examples of "high risk" cases include but are not limited to:

- violent crimes against a person,
- behavior resulting in felony charges or convictions,
- threats or harassment of such an egregious nature that campus safety is affected,
- any behavior that strongly suggests the accused may be a serious threat to the health and safety of students, faculty, or staff of LUNEX.

6. Procedural Guidelines for Administrative and Student Conduct Hearings

The Student Conduct Board shall conduct hearings to assure the basic concept of procedural fairness. The following procedures shall be adhered to:

- 6.1.** The investigating officer or his or her designate is responsible for setting the hearing time, notifying all parties who are to testify, and forwarding all pertinent data to the appropriate board.

- 6.2. The investigating officer shall give appropriate advance notice, in writing, of the charges against the student and copies of available evidence, to ensure that he or she may adequately prepare for such a hearing. The notice clearly indicates the date, time, and place of the hearing. The notification should be received by the student at least three calendar days prior to the hearing.
- 6.3. The Student Conduct Board or investigating officer shall examine all relevant facts and circumstances at the hearing, shall ensure the relevancy of witnesses' statements, and shall, using a standard of "more likely than not," determine whether the charged student should be held responsible for a violation of the Student Code of Conduct.
- 6.4. Hearings are confidential and closed to all but the principals of the case. At the discretion of the investigating officer, a transcript may be kept in audio taped or written form. The tape and transcript are the property of LUNEX. Students are not permitted to tape or otherwise record the proceedings. Transcripts will be kept by the management office and may be reviewed but not copied or removed from the management office.
- 6.5. All parties have the right to be assisted in their presentation by an advisor of their choice. The advisor may be, but is not limited to, a friend, a fellow student, or faculty member. The advisor may speak privately to the student charged during the proceedings with permission of the presiding investigating officer. At no time during the hearing, however, will such advisor be permitted to speak for the advisee. Each party may request a brief recess to consult with his or her advisor. The presiding officer rules on questions of procedure and is responsible for moving the proceedings along in a timely and orderly manner. Students are responsible for providing copies of all documents to their advisors.
- 6.6. Prior to the hearing (at least 24 hours), the student being charged should submit to the investigating officer a list of any witnesses he or she wishes to present and the nature of the testimony they may offer. This student should also submit a list of questions he or she wishes to have asked of the charging party.
- 6.7. At the hearing, the student being charged, and the charging party shall have ample opportunity to explain the circumstances surrounding the incident and are encouraged to present pertinent evidence and the testimony of witnesses in person. In addition, both parties shall be afforded the opportunity to comment on any written statements or other evidence presented, and to respond to questions.
- 6.8. No member of the Student Conduct Board or the investigating officer should be either a witness for or against the student or a person previously engaged in formulating the charge or in presenting the material relating to the case. Alternate members will be appointed in cases in which Board members have a perceived conflict of interest with the principals of the case.
- 6.9. The investigating officer rules on all objections, questions, and procedural points, subject to being overruled by majority vote of the Student Conduct Board. He or she also determines the sequence of testimony, including the option of having all principal parties meet together in the hearing. All those who participate in the hearing are obligated to conduct themselves in an orderly manner and to obey and abide by the presiding officer's rulings.
- 6.10. Once all testimony is heard or read, the student being charged, and the charging party are asked to make a final statement and the investigating officer or Student Conduct Board members are given a final opportunity to ask questions. All persons other than Board members are then excused and the Student Conduct Board meets to render a decision. The investigating officer does not vote.
- 6.11. The Student Conduct Board decides whether there was a violation of policy using a standard of "more likely than not." They also determine whether the charged student should be held responsible for that violation. If so, sanctions are also imposed on the responsible student. Each decision must have been reached by a majority of the Student Conduct Board. Once a decision is reached, the student being charged is informed orally of the decision by the management office. Both parties receive the decision in writing from the management office as soon thereafter as is practicable (the charging party is informed only if the student charged signs a release form or if the case involves a violent act).

7. Appeals

7.1. Grounds for appeals:

- 7.1.1. Procedural error
- 7.1.2. New evidence
- 7.1.3. Excessive sanction

7.2. Limits of appeal and sequence of appeal:

A student found in violation of a stated policy applicable to the latter may appeal a disciplinary decision only

once, based on one or more of the criteria cited above. The appeal may take place in one of the following stages:

7.3. Appeal of a decision by / Appeal to:

7.3.1. The Board of Directors (non-academic misconduct) or Academic Director (academic misconduct)

7.3.2. LUNEX Student Conduct Board

8. Appeal procedure:

- 8.1.** The act of filing an appeal usually postpones the action required by the initial decision until the appeal process is completed, unless the investigating officer (in consultation with the Management Board) determines that postponement of the sanction may result in a serious threat to LUNEX community.
- 8.2.** The student must file the appeal through the management office within 10 calendar days of receiving written notification of the decision. (An extension of this deadline may be requested in writing to the investigating officer to accommodate periods of LUNEX recess or for other extenuating circumstances.). The dean of students then forwards the request to the Student Conduct Board.
- 8.3.** The individual seeking the appeal must indicate, in writing, the specific bases or reasons for his or her appeal. The letter should be of sufficient detail to stand on its own without accompanying testimony to permit the evaluation of the merit of the grounds for appeal. For example, if there were procedural errors, the errors should be identified, and it should be noted what effect those errors had on the outcome of the case. If there is new evidence, the nature of that evidence and the potential effect on the outcome of the case should be noted. If the student believes the sanction was excessive, the student should take great care to note why they believe the sanction was excessive and should suggest a more reasonable sanction.
- 8.4.** The appropriate hearing officer or an appeals committee of the LUNEX Student Conduct Board will consider the written statement of appeal and recommend action to be taken: denial of appeal or a new hearing. The individuals involved will receive written notification of the decision from the Dean of Students.
- 8.5.** If the result of the appeal is an order for a rehearing, the hearing procedures described above shall apply. A new panel of Student Conduct Board members would rehear the case.

V. Disciplinary Actions

Disciplinary actions are proscribed by the Student Conduct Board. Students are obligated to carry out all directives of the Student Conduct Board. Failure to do so may result in further sanctions. It is the prerogative of the Student Conduct Board to assign sanctions it deems fitting in response to the actions of the student found in violation. Student Services have responsibility for monitoring compliance with all sanctions.

8.6. Temporary Suspension

Students may be placed on temporary suspension in the following circumstances: If the student is reasonably likely to present a threat to him or herself, to LUNEX community, or to any of its members, staff, customers or partners; or if the student poses a definite threat of disruption of, or interference with, the normal operations of the institution, the alleged violator may be placed on temporary suspension. The student will be afforded an Administrative Proceeding (as described under point 5.2 above) as soon as is practically possible to determine if, when, and which LUNEX privileges may be reinstated; however, the student will remain on suspension until the proceedings are complete. The opportunity for appeal remains intact. During the temporary suspension, the student shall be denied access to LUNEX facilities and/or all other LUNEX activities or privileges for which the student might otherwise be eligible as deemed appropriate by the management.

8.7. Disciplinary Sanctions

8.7.1. Levels

The primary functions of any hearing body or officer are to determine whether or not there was a violation of policy and, if so, to recommend an appropriate sanction. The following are guidelines for sanctions, though ultimate determination of appropriate sanction lies with the hearing officer or hearing body.

Typically, for a first-time offender, a Level 1 sanction will be recommended. A Level 2 sanction may be recommended if the violation was a serious first offense or if the referred party was a repeat offender. Level 3 sanctions are usually reserved for serious first-time offender(s) or for repeat offenders. The following are examples of disciplinary sanctions (the list being not exhaustive). These may be used in combination at the discretion of the ruling party.

8.7.2. Level 1

- 8.7.2.1. Student Conduct Letter of Warning
- 8.7.2.2. LUNEX Disciplinary Warning
- 8.7.2.3. Educational Sanction
- 8.7.2.4. Financial Restitution
- 8.7.2.5. Parental Notification of Violation and Imposed Sanctions
- 8.7.2.6. Administrative Withdrawal from a Course
- 8.7.2.7. Administrative Hold on LUNEX Account

8.7.3. Level 2

- 8.7.3.1. Student Conduct Letter of Warning
- 8.7.3.2. LUNEX Disciplinary Warning
- 8.7.3.3. Educational Sanction
- 8.7.3.4. Financial Restitution
- 8.7.3.5. Parental Notification of Violation and Imposed Sanctions
- 8.7.3.6. Administrative Withdrawal from a Course
- 8.7.3.7. Administrative Hold on LUNEX Account

8.7.4. Level 3

- 8.7.4.1. Disciplinary Suspension
- 8.7.4.2. Disciplinary Dismissal

9. Descriptions of Disciplinary Sanctions

- 9.1. Student Conduct Letter of Warning:** A warning letter issued by a student conduct hearing body or investigating officer. The letter is placed in the student's file and will be made available to any hearing body or officer should the student become a repeat offender.
- 9.2. Administrative Withdrawal:** The withdrawal of a student from a specific course, major, or academic department may be invoked in cases where the student violates the expectations of the academic arena (e.g., classroom incivility, disruption, Moral Harassment, Sexual Harassment of faculty members).
- 9.3. Parental Notification of Violation and Imposed Sanctions:** Under most circumstances, LUNEX administrators will not release information to parents without the consent of the student regarding the charges, proceedings, or sanctions imposed in a student conduct hearing. Exceptions include violations of the alcohol and drug policy (for students under the age of 18) and sanctions that include probation.
- 9.4. Administrative Hold on LUNEX Account:** This action is most frequently taken when students do not complete assigned student conduct sanctions within the required timeframe, when students fail to answer student conduct charges, and when students must complete specific actions prior to being readmitted following suspension. This action prevents students from registering for classes, obtaining transcripts, diplomas, etc. LUNEX reserves the right to withhold transcripts or a degree pending the resolution of all outstanding student conduct charges and the successful completion of any sanctions issued as a result of those charges.
- 9.5. Disciplinary Probation:** A more stringent warning used in response to a more serious violation or frequent violations of LUNEX regulations. Further violations would require consideration of disciplinary suspension. This action prevents students from being able to study abroad during the probationary period. This status may also be communicated to other schools to which a student may transfer (or has transferred).
- 9.6. Disciplinary Suspension:** Action that separates the student from LUNEX for a stated minimum period of time. At the end of the period, the student must apply to LUNEX management for reinstatement.
- 9.7. Disciplinary Dismissal:** This status permanently separates the student from LUNEX.

10. Other Disciplinary Actions

- 10.1. Restitution, Fines, and Refunds:** In cases that involve damage to personal, institution, or private property, full restitution is typically required. Fines may result when the investigating officer believes

they are appropriate. Restitution and/or fines should be paid by check or money order. In cases of suspension or expulsion, there is no refund of LUNEX fees.

10.2. Educational Sanction: A proscribed activity designed to assist the student in understanding how his or her actions affect the community and/or to contribute to the betterment of the community. Such action is available at any level to supplement or replace any other student conduct action.

10.3. Behavioural Contract: These contracts are written to provide very clear expectations regarding a student's behaviour within given circumstances. Probation is typically part of the contract.

VI. Academic Honesty Policy and Procedures

LUNEX is committed to high standards of academic conduct and integrity. Students will be held responsible for violations of academic honesty.

1. Definitions of Academic Dishonesty

Academic dishonesty includes the following and any other forms of academic dishonesty:

1.1. Cheating:

Using or attempting to use crib sheets, electronic sources, stolen exams, unauthorised study aids in an academic assignment, or copying or colluding with a fellow student in an effort to improve one's grade.

1.2. Fabrication:

Falsifying, inventing, or misstating any data, information, or citation in an academic assignment, field experience, academic credentials, job application or placement file.

1.3. Plagiarism:

Using the works (i.e. words, images, other materials) of another person as one's own words without proper citation in any academic assignment. This includes submission (in whole or in part) of any work purchased or downloaded from a website or an Internet paper clearinghouse.

1.4. Facilitating Academic Dishonesty:

Assisting or attempting to assist any person to commit any act of academic misconduct, such as allowing someone to copy a paper or test answers.

2. Disciplinary Actions

- 2.1. In most cases, the instructor will address issues of academic dishonesty within the confines of the student's course. The instructor may decide an appropriate consequence, including the following options: a written warning; the assignment of a written research project about the nature of plagiarism and academic honesty; a reduced grade or partial credit on the assignment; requiring the student to repeat the assignment; or issuing a failing grade to the student of the course.
- 2.2. If a student receives an unsatisfactory grade in a course as a result of academic dishonesty, existing academic policies may lead to probation or dismissal.
- 2.3. In extreme cases, a dishonesty violation may warrant consideration for dismissal, suspension, or other disciplinary action. These disciplinary actions require a formal student conduct process.

3. Chair of the Exam Board

3.1. Purpose:

The Chair of the Exam Board hears cases involving charges of student violations of the LUNEX Academic Honesty Policy, described above.

3.2. Process:

- 3.2.1. In the case of suspected cheating in an exam, if an invigilator suspects irregularity in the conduct of a candidate within, or during a respite break from, the examination room, the invigilator will inform the candidate, remove any possible prohibited material and endorse the candidate's answer book. The candidate will be allowed to complete the examination and at the end of the examination the invigilator will inform the candidate that, in accordance with exam regulations, a report will be made to the department responsible for managing exam schedules, registration, and ensuring the administration of assessments follows academic policies (hereinafter the "**Examination Office**") to include a record of observed usage of prohibited material, and that the student will be called to a meeting at a later date. Personal electronic equipment should be returned to the candidate at the end of the examination. If the student

refuses to hand over the prohibited material, the student will be asked to leave the examination. Invigilators should ensure that there is minimal disruption to other examinees.

- 3.2.2. The Examination Office shall receive a report from the invigilator as soon as possible after the event, and such report will be forwarded to the Chair of the Exam Board for consideration.
- 3.2.3. In all cases of infringement, the student should be invited to attend a meeting with the Chair of the Exam Board and one other member of staff. The student may be accompanied by a person of their choosing. The purpose of the meeting is to confirm the academic misconduct and the classification of the offence, explain the penalty system, counsel the student about all forms of academic misconduct and identify sources of support and information. It is not the business of the meeting to seek to determine motivation. An academic misconduct report form should be completed by the Chair of the Exam Board and submitted to the Examination Office which will record the offence and inform the student about the penalty to be applied.
- 3.2.4. The Chair of the Exam Board is responsible for setting the hearing time, notifying all parties who are to testify, and forwarding all pertinent data to the appropriate board.
- 3.2.5. The Chair of the Exam Board shall give appropriate advance notice, in writing, of the charges against the student and copies of available evidence, to ensure that he or she may adequately prepare and present at the hearing. The notice will clearly indicate the date, time, and place of the hearing. The notification should be received by the student at least three calendar days prior to the hearing.
- 3.2.6. Hearings are confidential and closed to all but the principals of the case. A transcript will be kept of the preceding via audio tape or written form. The tape and transcript are the property of the academic group responsible for overseeing the examination process, ensuring fair assessment procedures, and upholding academic standards within LUNEX, as appointed from time to time (hereinafter the **"Exam Board"**).
- 3.2.7. Students are not permitted to tape or otherwise record the proceedings. Transcripts will be kept by the Exam Board and may be reviewed but not copied or removed from the Exam Board.
- 3.2.8. The failure of the student to attend this meeting does not prevent the Chair of the Exam Board from taking appropriate action in accordance with this Student Code of Conduct. Where a student has documented good cause for being unable to attend the proposed meeting, prior to the meeting being held, but indicates that they wish to attend, a suitable revised meeting date should be arranged.
See section 5 for classification of offences and penalties.
- 3.2.9. The Chair of the Exam Board rules on all objections, questions, and procedural points. He or she also determines the sequence of testimony, including the option of having all principal parties meet together in the hearing. All those who participate in the hearing are obligated to conduct themselves in an orderly manner and to obey and abide by the Chair of the Exam Board's rulings.
- 3.2.10. Once all testimony is heard or read, the student being charged is asked to make a final statement and the Chair of the Exam Board is given a final opportunity to ask questions.
- 3.2.11. The Chair of the Exam Board decides whether there was a violation of policy using a standard of "more likely than not." They also determine whether the charged student should be held responsible for that violation. If so, sanctions are also imposed on the responsible student. Each decision must have been reached by a majority of the Exam Board. Once a decision is reached, the student being charged is informed orally of the decision by the Chair of the Exam Board. Both parties receive the decision in writing from the Exam Board as soon thereafter as is practicable.
- 3.2.12. A copy of the decision will be maintained in the Exam Board.

4. Sanctions:

- 4.1. The general principle is that the penalty should be appropriate to the scale of the offence.
- 4.2. When a first offence occurs for students in their first year of study at LUNEX, and two or more assessments are submitted simultaneously or in close succession, the student must be counselled about the first offence, have time to take this on board and rectify their poor academic practice in subsequent assessments before a second penalty can be applied. For all other simultaneous offences of students in all other years these cases should be reported, and the Chair of the Exam Board will determine the penalty to be applied.
- 4.3. Where it becomes apparent to the Examination Office that a student in their first year of study at LUNEX has been penalised for plagiarism on different modules in the same semester, the Examination Office will inform the Chair of the Exam Board which module the penalty will apply to.

The assignment with the later due date will be counted as a second or subsequent offence. The Examinations Office will inform the student of the decision.

- 4.4. The Examination Office will refer cases that reach the trigger points, set out in the table of penalties, to the Exam Board.
- 4.5. Students on 10 penalty points who subsequently fail the module as a result of the plagiarism, would be permitted to resubmit the plagiarised assessment. The module mark would be capped at 50%.
- 4.6. Normally a student may be permitted to repeat a module which has been failed because of a penalty for plagiarism, if that failure precludes the student from graduating. There will be fee implications.
- 4.7. Normally a student may be permitted to resubmit their dissertation which has been failed because of a penalty for plagiarism (up to a maximum of 15 penalty points). The resubmission would be on the existing topic and the mark would be capped at 50%. There will be fee implications.
- 4.8. In a case where two or more students submit similar or identical work and culpability cannot be established, the penalty shall be applied equally to all involved students.
- 4.9. A current offence does not justify re-consideration of work already graded on the same or any other modules.
- 4.10. All decisions relating to academic misconduct are communicated to the student by the Examination Office via the student's LUNEX e-mail account.

See section 5 for classification of offences and table of penalty points.

5. Academic Misconduct - Classification of Offence and Penalty Points

- 5.1. In all cases, academic judgment will be used in determining the nature of the offence. However, to inform consistency the examples below are given for guidance. They are not intended to be an exhaustive list, but rather are indicative of the nature and impact of the offence;

5.2. Minor: 5 Points

Assignments

where an assignment contains short passages without due acknowledgement, e.g. from an internet source, published material or another student's submission; material referenced but quotation marks not used, poor referencing, etc.

Examinations & Class Tests

found with phone on person (but switched off) in the exam hall; students communicating during an exam, etc.

5.3. Major: 10 Points

Assignments

where an assignment contains significant sections without due acknowledgement e.g. from an internet source, published material or another student's submission; student reused substantial part of a previously submitted assignment; students submitting similar assignments, etc.

Examinations & Class Tests

found in possession of, or accessing, any unauthorised material (irrespective of whether or not any of the material matches any of the questions) containing formulae/notes, calculator instructions, etc; found in possession of unauthorised resources (e.g. calculator or dictionary) in the exam hall; discussing the exam outside exam hall during comfort break; found with or accessing notes or unauthorised material during a comfort break; students completing on-line test as a group, etc; found with phone on person, switched on and being used.

Other

submitting false claim/documentation when seeking a concession from the institution (e.g. deferred exam application, coursework extension, requesting that extenuating circumstances be taken into account); fabricating/falsifying communication from LUNEX or another body, etc.

5.4. Gross: 20 Points

Assignments

using work which is not the student's own, i.e. bought or borrowed; majority of piece of work is taken from other published/grey materials, the internet, or another student's submission without due acknowledgement; fabricating/falsifying research data in assignment/dissertation/thesis, etc.

Examinations & Class Tests

Using technology to source answers during an exam/class test; found in possession of significant

unauthorised material in the exam hall or during a comfort break; found with an additional, completed, exam answer booklet, etc.

5.5. Penalty Points Accumulation Scale

Total Points	Penalty
5	No change to grade but student is strongly advised and encouraged to seek support to ensure they understand what plagiarism/exam/class test regulations are.
10	Downgrade assignment/examination/class test by 10 marks e.g. 66 % to 56%. Where application of this penalty results in the module being failed reassessment is permitted and module mark capped at 50%
15	Downgrade assignment/examination/class test by 25 marks e.g. 66 % to 41%. Where application of this penalty results in the module being failed reassessment is permitted and module mark capped at 50%
20	Fail module, mark of 0, repetition of module required
25	Ex-matriculated from the program and de-registered from LUNEX

6. Exceptional Cases

Any exceptional cases not covered by this Student Code of Conduct should be referred to the Exam Board for consideration.

7. Exam Board Decision Appeal Process:

- 7.1. The Exam Board decision may be appealed by the student. All student appeals will be reviewed and decided by the Academic Director. Students should send their appeal to the attention of the management office.

8. Exam Board Decision Appeal Procedure:

- 8.1. The student must address the appeal to the Academic Director, within 10 calendar days of receiving written notification of the decision.
- 8.2. The individual seeking the appeal must indicate, in writing, the specific bases or reasons for his or her appeal. The appeal statement should include the following: student's name, ID, local address, phone number, grounds for appeal, and appropriate and detailed information regarding why the appeal should be granted.
- 8.3. The Academic Director will consider the statement of appeal and issue a decision. The student will receive written notification of the decision from the Examination Office of the Academic Director. The decision of the Academic Director is final.