

LEARNER LIFE

PROCESS FOR DISPOSITIONAL ACTION

This section has been updated. Please view the [Errata and Addenda](#) section of the catalog to see what was changed.

This section describes the process for dispositional action when a learner violates the principles, standards, or rules in this Catalog. Conduct that violates any part of the Code of Conduct may constitute a valid reason for College officials to apply corrective actions as outlined in this Catalog. Alleged violations of the Learner Code of Conduct, including dispositional and academic violations, are overseen by College Academic Leadership and monitored by the Ombuds Office.

Filing and Investigation of Learner Code of Conduct Violations

The process for dispositional action is outlined below and applies to all Code of Conduct violations. All alleged violations must be submitted in writing, using the form provided in the Learning Management System, by a learner, strategist, faculty, staff member, experiential learning faculty member, or clinical agency personnel, hereafter referred to as “complainant,” to the Ombuds Office. The Ombuds Office will document the submission and forward the information to the appropriate manager or designee for review, categorization, and level assignment.

The assigned manager will categorize each violation as either a dispositional or academic concern, assign a violation level, and notify the affected learner(s), hereafter referred to as “respondent,” and faculty or staff member (if applicable) of next steps.

Note: The Assistant Vice President of Learner Experience or an appointed designee has the professional discretion to either escalate or de-escalate an incident based on the nature of the incident and the severity and/or frequency of the occurrence.

Learner Code of Conduct Violation Levels

Each of the levels below will be documented by the faculty, staff, or committee designee, as appropriate by level, to ensure effective monitoring and appropriate escalation. Potential [corrective actions](#) may be found in the section of the catalog.

Level 0

A first-time alleged violation of one (1) or more of the standards in the Learner Code of Conduct will be considered from a developmental point of view. A developmental approach means that the College recognizes that learners may lack all the necessary skills or knowledge to perform at the level needed for a formal academic and professional setting. To provide learners an opportunity to gain the skills they need, relevant faculty or staff members will provide correction, training, and resources to the respondent.

Note on Professional Disposition: A violation of the policy that does not infringe on the health and safety, or safe and equitable learning or healthcare environment of clients, faculty, or other learners, will be considered an opportunity for developmental support.

Note on Academic Integrity: Any form of academic integrity violation that involves a final exam, a senior's project, HESI exams, use of a ghostwriter, cheating websites or software, submission of another individual's work, etc. is not eligible for consideration as a Level 0 and will be escalated to a minimum of Level 2.

Level 1

A repeat alleged violation, depending on severity, will result in either corrective action(s) as determined at the discretion of the relevant faculty or staff member or recommendation for escalation to a Level 2 or Level 3 through appropriate documentation and consultation through the Assistant Vice President, Learner Experience or designee.

Note on Professional Disposition: Learners who have been appropriately made aware of a violation of the professional conduct policy during a Level 0 developmental discussion will be further coached for developmental support but also may receive appropriate corrective actions.

Note on Academic Integrity: Learners will be provided with additional resources to increase their skills. Any form of academic integrity violation that involves a final exam, a senior's project, HESI exams, use of a ghostwriter, cheating websites or software, submission of another individual's work, etc. are not eligible for consideration as a Level 1 and will be escalated to a minimum of Level 2.

Level 2

Multiple violations constituting a pattern of repeat violations, or an academic violation escalated as noted above, will result in escalation to a Conduct Committee. The assigned manager will form a Conduct Committee, comprised of staff members specifically trained in learner conduct. The Conduct Committee will review any evidence brought by either the complainants or the respondents.

Note on Professional Conduct and Academic Integrity: Repeated violations in either professional conduct, or academic integrity, or egregious academic violation will be escalated and supported through both corrective action and developmental support.

Level 3

An egregious act, a series of repeated violations that show an ongoing pattern of behavior involving other learners or graduates, or violations that may cause reputational or operational harm to the College or its partners, are Level 3 violations. If the respondent is alleged to have committed one or more egregious violations, involved other learners or graduates, or engaged in unlawful activity, the assigned manager or designee will form a Conduct Committee to examine available information and evidence from involved parties to make a determination of responsibility for the alleged violation and assign corrective action(s) as appropriate. Unlawful activity will be reported to the proper authorities, and any legal consequences resulting from the incident will be considered in the corrective action determination.

Note on Professional Conduct: Egregious conduct violations endanger the learner, others, or relationships with College partners and will be escalated to a Level 3 incident. Examples of egregious violations of Professional Conduct include, but are not limited to:

- *misrepresentation or falsification of information;*
- *physical or verbal abuse of patients or other persons;*
- *criminal misconduct;*
- *violations of patient confidentiality and/or HIPAA;*
- *abuse or misuse of personal property of others;*
- *patient neglect or abandonment;*
- *weapons;*
- *drug and alcohol use contrary to policy;*
- *harassment or discrimination in violation of Title IX;*
- *threats or abuse;*
- *indecent action.*

Note on Academic Integrity: A Level 3 Academic Integrity violation is an egregious act, or series of actions, that shows an ongoing pattern of conduct violations involving other learners or graduates, ranging from consistent, willful, and repeated plagiarism and misrepresentation, to incidents that threaten assessment integrity.

Dispositional Communications Process Timeline

The College will respond to incidents within ten (10) business days from submission to determine the appropriate corrective action(s).

If a Conduct Committee is involved, the respondent will receive written communication summoning the respondent to appear before the Committee on a specified date and time, which may be negotiated based on availability. The meeting will provide the opportunity to respond to the complaint of the alleged violation and to present information in support of the respondent's perspective.

The Committee will give the respondent at least ten (10) business days after receipt of written notice of the alleged violation to prepare for the meeting. Receipt of written notice is considered the date the electronic communication is sent. The meeting may include individuals identified by either party as having information related to the alleged misconduct. Character witnesses are not considered individuals who have information related to the allegation and will not be interviewed. The Committee will make a decision and notify the respondent within five (5) business days of the meeting regarding responsibility for the alleged violation and will disclose the determination of any consequent corrective action(s) in a Finding Letter.

Should a learner consider an appeal to a determination of corrective action to be warranted, the learner must follow the guidelines listed in the section for [Filing an Appeal](#) and file the appeal within five (5) business days of receipt of the Finding Letter. In cases where the AVP of Learner Experience makes the decision to escalate and is recused, an appointed designee will consider appeals and convene the Appeal Committee.

Corrective Actions

Corrective actions may include but are not limited to one or more of the following, and corrective actions at the various levels may utilize options from lower levels, but not higher levels:

Levels 0-1

- Dispositional Waiver: No corrective action is taken against the learner.
- Warning: A detailed written statement of violation is issued to the learner specifying further action should the violation recur.
- Learner Success Plan: Successful completion of a training course addressing ethics and appropriate learner conduct. (Failure to successfully complete this training will result in the assignment of another action.)
- Redo Assignment: The learner may receive the opportunity to reperform the required task with a potential point reduction attached.

Level 2

- Academic Failure: The learner may receive a failing grade for an assignment or course.
- Restitution: Reimbursement for damage to or misappropriation of property. This may take the form of appropriate service or other compensation.

Level 3

- Withdrawal: Withdrawal from a course.

- Suspension: Learner is withdrawn from all courses, but the learner may return the following academic semester. Learner will receive “WF” grades in all courses for that academic semester.
- Expulsion: Learner is withdrawn from all courses and is permanently suspended from the College. Learner will receive “WF” grades in all courses for that academic semester.

Filing an Appeal

Appeals to Conduct Committee determinations must be made in writing within five (5) business days of notification of the outcome of the investigation. Appeals are considered by an Appeals Committee comprised of qualified individuals who were not members of the preceding Conduct Committee.

All appeals must include at least one of following to be considered:

- new evidence not previously considered;
- newly discovered investigational errors;
- identification of substantial procedural errors;
- evidence of improper bias that influenced the investigation outcomes or Committee determinations;
- consequence is excessive or unduly assigned given the severity of the incident.

Grievance determinations may be appealed for review if one of the following conditions is true: (1) the learner has new information that was undiscovered or unknown in the original grievance; (2) substantial procedural or investigative error(s) were present; or (3) improper bias influenced the investigation outcome.

A request for an appeal must be submitted via a form that is emailed to the learner in the Grievance determination. The appeal must be submitted within three (3) business days from receipt of the determination. An appeals committee made up of three (3) directors will conduct a thorough review and render a written final determination within three to five (3-5) business days. The determination will be emailed to the learner. The final decision may no longer be appealed within the College.

The College makes every reasonable effort to resolve grievances promptly. The learner may file a complaint with the corresponding state higher education authority at any time during the grievance process. As a last resort, a learner who feels that the concern has not been resolved through the grievance process may submit the concern, in writing, to the College's accrediting and approval agencies whose contact information is provided in the [Approval, Affiliations, Accreditation](#) section of this Catalog. The decision of the Appeals Committee is final and may not be appealed within the College.

Exception Request Policy

Effective Summer Semester 2023, an Exception Request process will be available to learners.

Exception Requests may be submitted by learners who believe that their extenuating or unpredictable circumstance should excuse them from the enforcement of a policy. Examples of extenuating or unpredictable circumstances include, but are not limited to, documented:

- Death of an immediate family member or close relative;
- Debilitating illness, medical condition, accident, or injury.

Learners submitting Exception Requests are required to provide evidence of the extenuating or unpredictable circumstance and explain how it will negatively impact their program progression or completion.

Exception Requests are submitted via an online form found on the learning management system (LMS). Once received, the Exception Request will be reviewed to determine if the extenuating or unpredictable circumstances warrant the granting of the request.

The learner will receive a determination via email within ten (10) business days.

Academic Remedies

At midterm, learners will receive a course progress report from every lead course instructor. When a learner is in jeopardy of failing a course, the Academic Success Plan will be initiated. Learners may refer to the [Academic Success Plan](#) section of this Catalog.

At the discretion of faculty and the designated academic manager, learners may be counseled and placed on academic probation when other performance criteria are not met, even when the learner is meeting Satisfactory Academic Progress (SAP). For more information, learners may refer to the [SAP](#) section of this Catalog.

Learners must participate in advising with the assigned Learner Support Services (LSS) strategist and meet predetermined terms of probation for the duration of the probationary period. Once the stated terms are met, the probation may be lifted. If the terms are not met, the learner may fail the course and/or be withdrawn from the College.

Adjudication

In academic matters, the decision of the designated academic manager is considered final. The decision issued by the designated academic manager may not be appealed further. Neither the Office of the College President nor any of the College's officers are authorized to override faculty's academic decisions unless violations of the College's non-discrimination policies have occurred.

