

2023

Sanctions, Fines, & Penalties



CLEVELAND
INSTITUTE OF MUSIC

GROUNDS FOR DISCIPLINARY SANCTIONS and PENALTIES (Community Standards) -

1. ACADEMIC DISHONESTY

Academic dishonesty is defined as misconduct, dishonesty, misrepresentation, or immoral behavior that will harm, damage or endanger any person or property or hinder academic continuance. Cheating and plagiarism will not be tolerated in any form. Examinations and assignments are employed to encourage learning and judge its quality. To evaluate this with justice and fairness, it is necessary that they be executed with complete honesty. Persons, who are guilty of cheating or plagiarism, as defined below, will be subject to probation, suspension, or expulsion.

a. **CHEATING.** Dishonesty of any kind with respect to examination, course assignments, alterations of records, or illegal possession of examinations shall be considered cheating. It is the responsibility of the student not only to abstain from cheating, but in addition, to avoid the appearance of cheating and to guard against making it possible for others to cheat. Any student who helps another student to cheat will be considered as guilty of cheating as the student he/she assists. The student should do everything possible to induce respect for the examining process and for honesty in the performance of assigned tasks in or out of class.

b. **PLAGIARISM.** Honesty requires that any ideas or materials taken from another for either written or oral use must be fully acknowledged. Offering the work of someone else as one's own is plagiarism. The language or ideas thus taken from another may range from isolated formulas, sentences, or paragraphs, to entire articles copied from books, periodicals, speeches, or the writings of other students. The offering of materials assembled or collected by others in the form of projects or collections without acknowledgement also is considered plagiarism. Any student who fails to give credit for ideas or materials that he takes from another is guilty of plagiarism.

PENALTY: Academic Sanctions; Probation; Suspension; Expulsion

2. AIDING, ABETTING OR INCITING

Aiding, abetting, persuading, and/or procuring another person or persons to commit any act of misconduct in the CIM community or environment; the persuading or aiding of another person to breach the peace on Institute premises or at functions sponsored, approved by, or participated in by any member of the Institute. A gathering of groups of students on or off of the premises in such a manner which causes damage to public or private property, causes injury to persons, or interferes with the orderly functioning of the Institute.

PENALTY: Fine \$50-\$225 + Probation; Campus Service; Suspension

3. ALCOHOL (ALCOHOLIC BEVERAGES) OR INTOXICATION

The possession, use, consumption, purchase, sale, and/or distribution of alcoholic beverages or illicit drugs on CIM property, in any vehicle, or at any of the Institute's activities (on or off campus) are prohibited. This regulation also applies to social functions, on or off campus, which CIM has approved.

PENALTY: Fine \$50-\$225 + Probation; Campus Service; Suspension

4. ARSON

The malicious, fraudulent, and/or intentional burning of property on CIM premises is prohibited. Acts of arson include, but are not limited to, creating fires, setting a personal fire, open flames, and/or igniting flammable materials. The willful starting of a fire in CIM buildings or on CIM property, which includes but is not limited to bonfires and cookouts, without the proper authorization of the campus safety and the Assistant Vice President of Student Affairs is prohibited. Compliance with local and state fire codes must be verified and followed.

PENALTY: Suspension; Indefinite Suspension; Expulsion

5. ASSAULT

Assault is the intentional harassment, threat or intimidation of another in an attempt to commit a battery or the intentional placing of another in reasonable apprehension of receiving a battery.

PENALTY: Fine \$50-\$225 + Probation + Restitution (if required); Counseling; Campus Service; Suspension

6. BATTERY/AGGRAVATED BATTERY

The unlawful application of force to the person of another is strictly prohibited; an unlawful act of violent injury to the person of another, accompanied by circumstances of aggravation, such as the use of a deadly weapon.

PENALTY: Fine \$50-\$225 + Probation + Campus Service + Counseling + Restitution (if required); Suspension; Indefinite Suspension

7. COMPUTER ABUSE

Students shall not abuse Institute computer time or equipment. Abuse includes but is not limited to unauthorized entry or transfer of a file, unauthorized downloading of copyrighted information, unauthorized use of another individual's identification and password; use of computing facilities to interfere with the work of a student, faculty members or Institute officials; or use of computing facilities to interfere with normal operation of the Institute.

PENALTY: Fine \$50-\$150 + Probation; Suspension

8. CONTEMPT OF HEARING

Contempt of hearing violation includes: (1) the failure to appear before the Institute Disciplinary Committee after receiving the proper notification of a scheduled disciplinary hearing, (2) willful disobedience to, or displaying open disrespect for a Institute Disciplinary Committee member such as the use of profanity, threatening behavior, or derogatory remarks, comments, and/or gestures, (3) the failure to comply with disciplinary conditions as sanctions imposed by a Institute Disciplinary Committee or disciplinary administrative officer or staff person. Students who are found guilty of contempt of hearing charges will be required to pay a disciplinary fine in addition to other sanctions imposed.

PENALTY: Fine \$100-\$250; Reschedule of Hearing; Interim Suspension

9. CYBER-BULLYING OR SOCIAL MEDIA ABUSE

Cyber-bullying is the use of cell phone or other devices to send or post emails, text messages or images that constitute harassment (See Community Standards definition of Harassment).

PENALTY: Fine \$250-\$500 + Probation; Suspension; Indefinite Suspension; Expulsion

10. DAMAGE OR DESTRUCTION OF PROPERTY

Damage, vandalism or destruction to property owned or leased by the Institute or personal property belonging to an individual, including but not limited to, car vandalism, defacing structures and facilities, littering, marking, egging, painting, spraying, painting residence hall rooms, hallways, lobby areas, classrooms, doors, bricks, and siding without the proper authorization is prohibited.

PENALTY: Restitution and/or Replacement of Property + Probation; Suspension; Indefinite Suspension

11. DANGEROUS, THREATENING, OR UNSAFE BEHAVIOR

This includes any conduct or behavior that threatens or endangers the health or safety of any person in the Institute environment. This includes, but is not limited to, verbal threats to injure or harm another, horse playing, and practical jokes.

PENALTY: Fine \$50-\$100 + Probation; Campus Service; Counseling; Removal of Privileges; Suspension

12. DISRUPTION, DISORDERLY CONDUCT, OR OBSTRUCTION

Intentionally disrupting the orderly operation of the Institute, intentionally obstructing services or facilities by those entitled to use such services or facilities, or willful interfering with any member of the Institute community in carrying out his or her normal functions or duties is strictly prohibited. Acts of disruption, disorderly conduct, or obstruction includes but is not limited to, excessive noise, noise after quiet hours, misuse of musical instruments, noise producing devices, shouting, loud stereo or radio sets, throwing any dangerous objects in a facility or from the window of an Institute facility, or onto the premises of the campus.

PENALTY: Fine \$50-\$250 + Probation; Suspension; Indefinite Suspension

13. DRUGS (ILLEGAL) OR DRUG PARAPHERNALIA

The consumption, sale, distribution, manufacturing, purchase, passing of, or being in the presence of or the vicinity of illegal drugs, narcotics, the accessory to, or aiding and abetting of any controlled substances, are strictly prohibited from all locations of the Institute according to all local, state, and federal laws. Drug paraphernalia is strictly prohibited at the Institute. Paraphernalia is defined as all equipment, products, and materials of any kind used to facilitate planting, propagating, cultivating, growing, manufacturing, converting, processing, preparing, packaging, storing, concealing, injecting, ingesting, inhaling, or otherwise introducing a controlled substance into the body.

The scope of this prohibition includes drugs or paraphernalia that is on the person or in the possession of a student on property owned or controlled by the Institute and/or at events and activities sponsored by

CIM and involves related incidents that are subject to prosecution under local, state, and federal laws. The illegal possession of and/or use of drugs, or drug paraphernalia includes, but is not limited to, roach clips, bongs, masks, scales, balances, sandwich bags or plastic bags and their corners, sifters, syringes, spoons, chamber pipes, homemade pipes, film canisters, diluents, spray cans, carburetor pipes, paint, pipes, using screens, water pipes, and any other equipment, products and materials that can be directly linked to the usage of controlled substances.

PENALTY: Fine \$250-\$750 + Probation; Counseling; Campus Service; Suspension; Indefinite Suspension; Expulsion

14. FAILURE TO COMPLY

Students are required to comply with Institute personnel upon request. Examples of authorized Institute personnel include, but are not limited to, the following: Police Officers, security officials, faculty, staff, and residence hall staff. Failure or refusal to comply with any Institute official may result in disciplinary action.

PENALTY: Fine \$100-\$250 + Probation; Campus Service; Suspension; Indefinite Suspension

15. FALSIFICATION OR FORGERY

Falsification, forgery, or misuse of Institute records (e.g. transcript, health records) is prohibited. Forgery of negotiable instruments (such as checks and money orders) is considered a criminal offense. Forgery of names, signatures, documents (personal, public, and/or private) will not be tolerated. PERJURY is the voluntary violation of a statement or testimony that was previously provided and accepted as truth or fact; making a false statement or falsely reporting a crime or institute violation; furnishing false information with intent to deceive.

PENALTY: Fine \$100-\$250 + Probation; Campus Service; Indefinite Suspension

16. FIGHTING

Students are forbidden from engaging in fights, especially where weapons are used or where there is attempted use. The use of weapons is also a violation of civil laws. Persons are also held responsible for damages or injuries received or given in horseplay or other potentially dangerous activities.

PENALTY: Fine \$250-\$500 + Probation; Campus Service; Suspension; Expulsion; Indefinite Suspension

17. FIREARMS, WEAPONS, CHEMICALS, OR EXPLOSIVES

Cleveland Institute of Music prohibits the possession of pistols, firearms or other weapons in any form by any person other than duly authorized law enforcement officials, institutional security officials and other authorized persons regardless of whether such person possesses a valid permit to carry such pistols, firearms or weapons. \

Ohio Revised Code 2923.126 prohibits concealed carry on educational campuses in Ohio, unless the weapon is in a locked motor vehicle. Students found in possession of a weapon will be subject to arrest

and confiscation of the weapon. Additionally, students shall receive an interim suspension from classes pending a disciplinary hearing.

A weapon is any dangerous instrument if it is used, attempted or threatened to be used, or is readily capable of being used to cause death or serious physical injury. It shall be a felony for a student to possess or carry, whether openly or concealed any gun, rifle, pistol or other firearm of any kind, or any dynamite cartridge, bomb, grenade, mine, or powerful explosive on educational property. It shall be a misdemeanor for a student to possess or carry, whether openly or concealed, any BB gun, air rifle, air pistol, bowie knife, dirk, dagger, slingshot, leaded cane, switchblade knife, blackjack, metallic knuckles, razor and razor blades (except solely for personal shaving), and any sharp-pointed or edged instrument except instructional supplies, unaltered nail files and clips and tools used solely for preparation of food, instruction and maintenance on educational property.

Failure to comply with the Institute's policy or state law may subject one to criminal liability, removal from campus or campus events or facilities, and/or disciplinary sanctions under the Institute's conduct system.

PENALTY: Suspension; Probation; Indefinite Suspension; Expulsion

18. FIRE SAFETY EQUIPMENT

Fire safety equipment is provided for the safety and protection of lives and property at the Institute. Tampering with such equipment places lives and property in danger. Anyone charged with tampering with fire equipment will be considered an eminent danger and as such will be immediately suspended from the Institute. Anyone found guilty of tampering with fire safety equipment will be suspended for at least one semester, subject to termination, expulsion and/or criminal prosecution. The following items are considered fire safety equipment: fire alarms, fire extinguishers, smoke detectors, fire hoses, fire hydrants, fire trucks, fire sprinklers, security vehicles, posted fire instructions, exit signs, and security cameras.

PENALTY: Fine \$250-\$500 + Probation; Suspension; Indefinite Suspension; Expulsion; Restitution (if required)

19. HARASSMENT (PHYSICAL OR VERBAL)

Harassment: (physical, verbal, graphic, written or electronic language that is (1) unwelcome; (2) discriminatory on the basis of race, color, religion, sex, national origin, age disability, genetic information, sexual orientation, or veteran status; (3) directed at an individual; and (4) so severe, pervasive, and objectively offensive that a reasonable person with the same characteristics of the victim would be adversely affected to a degree that interferes with his or her ability to participate in or to realize the intended benefits of an institutional activity, opportunity, or resource.

PENALTY: Fine \$50-\$225 + Probation; Campus Service; Suspension

20. HAZING

Hazing is defined as physical or mental discomforts which cause a student to behave in an unnatural manner. Hazing in any form by clubs, organizations, individuals and groups is forbidden.

PENALTY: Fine \$250-\$500 + Probation; Suspension; Indefinite Suspension; Expulsion

21. HEALTH AND SAFETY VIOLATIONS

This means any behavior that creates a danger or risk to others of the Institute community.

This includes but is not limited to propping open doors to main building & residence halls, throwing objects from windows, failure to keep one's room in a condition that is sanitary and safe, or failure to maintain reasonable standards of cleanliness and safety as defined by the Institute.

PENALTY: Fine \$50-\$250 + Probation; Suspension; Indefinite Suspension

22. IDENTIFICATION CARD

IDENTITY DISCLOSURE – Fraudulently obtaining, transferring, selling, loaning, fabricating, manufacturing, falsifying, altering, misusing, attempting, or intending to misuse one's or another's identification card is prohibited. Misrepresentation of a person's identity with the intent to receive some undeserved advantage or willful furnishing false information to institute officials while in the performance of their duties is prohibited.

PENALTY: Fine \$100-225 + Probation; Removal of Privileges; Counseling; Suspension; Indefinite Suspension

STUDENT IDENTIFICATION CARD – CIM ID Card must be validated and carried at all times. Failure or refusal to present the ID upon request to any official of the Institute may result in disciplinary action. If the card is lost, a duplicate card may be secured from Case Western Reserve University, Access Services – Crawford Hall. There is a (\$25?) fee to replace your CIM ID card.

PENALTY: Fine \$100-\$225 + Probation; Campus Service; Counseling; Suspension; Indefinite Suspension

23. KIDNAPPING OR ABDUCTION

Enticing, persuading or forcible seizing and carrying of any student, faculty, staff or Institute official from one place to another without that person's consent.

PENALTY: Suspension; Indefinite Suspension; Expulsion

24. OFF-CAMPUS GUESTS' BEHAVIOR

Students are responsible for the behavior of their guests whom they invite to the campus or permit to visit on the campus. If a guest is found to be in violation of the Community Standards while in the company of the student host or with the student host's knowledge, applicable charges will be brought against the guest, as well as against the student host or the host student organization.

PENALTY: Fine \$50-225 + Restitution (if required) + Probation; Removal of Privileges

25. PETS

Pets or other animals are prohibited on campus. Service animals accompanied by disabled persons are permitted on campus and in buildings with proper authorization (documentation).

Unlike service animals, an assistance or emotional support animal does not perform ADA – defined “work” or “tasks” and thus is not generally permitted to accompany a person with a disability at all times. Therefore, although assistance animals may be considered for access to CIM housing, they are generally not permitted in other campus areas.

PENALTY: Fine \$150-\$225 + Removal of animal(s) + Probation; Campus Service; Counseling; Suspension; Indefinite Suspension

26. RAPE

Forcing or coercing another, regardless of sexual gender, personal affiliation, and/or affiliation with the Institute to engage in the act of sexual intercourse without that person’s consent, or when the sexual intercourse is deemed without the person’s consent because the person is incapable of understanding the nature of the act by reason of stupor or abnormal condition of the mind produced by an intoxicating or narcotic agent administered by the offender.

PENALTY: Suspension; Indefinite Suspension; Expulsion

CRITICAL POINT:

Consent: Consent is clear, knowing, and voluntary. Consent is active, not passive. Silence in and of itself cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity. Consent must be actively given for each sexual act. Consent can never be given by minors or by those who are mentally and/or physically incapacitated.

27. SEXUAL OFFENSES

SEXUAL ASSAULT - The forcing of, or attempting to force, another person regardless of sexual gender, personal affiliation, and/or affiliation with the Institute, to participate in sexual intercourse and/or other sexual activities against his/her will is prohibited. Such misconduct includes verbal coercion, threats and physical restraint, and will not be tolerated.

PENALTY: Fine \$225-\$500 + Probation + Campus Service + Counseling; Suspension; Indefinite Suspension; Expulsion

SEXUAL BATTERY - The forcing or forceful intention of engaging in sexual misconduct by physical contact and/or excessive force (with or without a weapon) which leads to physical pain, toward another person regardless of sexual gender, personal affiliation, and/or affiliation with the Institute, without his/her consent or when such sexual contact is deemed offensive to the victim, will not be tolerated by the Institute.

PENALTY: Suspension; Indefinite Suspension; Expulsion

SEXUAL HARASSMENT - Regardless of sexual gender, personal affiliation, and/or affiliation with the Institute, sexual harassment is defined as conduct that is so severe, pervasive, and objectively offensive that the individual is effectively denied equal access to institutional resources and opportunities (See Student Conduct definition of Harassment).

PENALTY: Suspension; Indefinite Suspension; Expulsion

28. SOLICITATION

Unauthorized selling, collection of monies, and promotion on campus or within Institute buildings is not permitted without permission of the Business Office. Acting as agents for business firms that entail solicitation or the receiving of business offers or goods on Institute property is prohibited. Students may not solicit on behalf of the Institute without the written permission of the Assistant Vice President of Student Affairs.

PENALTY: Fine \$50-\$350 + Probation; Campus Service; Counseling; Suspension

29. THEFT

Theft of Institute property or property belonging to another member of the Institute, the selling of stolen property, or the use of property belonging to another individual without proper consent is prohibited. Violators may be required to return property or its equivalent value, and in addition may be liable to probation, suspension, or expulsion, as well as action by civil authorities.

PENALTY: Fine \$50-\$225 + Restitution (if required) + Probation; Counseling; Suspension

30. VANDALISM

The destroying, defacing, or damaging of Institute, state, federal, public or private property will not be tolerated and is prohibited.

PENALTY: Restitution and/or Replacement of Property + Probation; Suspension; Indefinite Suspension

UNCLASSIFIED VIOLATION

CONDUCT UNBECOMING OF A STUDENT

Including but not limited to conduct that is disorderly, lewd or indecent; a breach of peace; or aiding, abetting, or procuring another person to breach the peace on CIM premises or at other locations where classes, activities, or functions sponsored or participated in by the Institute may be held.

PENALTY: Fine \$100-\$225; + Probation; Suspension; Indefinite Suspension

DISCIPLINARY SANCTIONS' TERMS AND DEFINITIONS

1. ADMONISHMENT

Admonishment is a warning to the student to refrain from any and all action that may result in disciplinary action. A fine of \$25.00 may be imposed. No sanctions are given unless the student violates the institute's rules and regulations or the Codes of Conduct.

2. COMMUNITY SERVICE

Community service is a disciplinary sanction imposed upon a student as a result of a violation of the Codes of Conduct. Service is provided by the student to a specific on-campus department for a specific amount of hours as imposed by the Institute Disciplinary Committee. The student will not receive any monetary compensation.

NOTE: Failure to complete required community service will result in the student being placed on disciplinary hold, fined and/or suspension from the Institute. The number of hours will range between ten (10) and forty (40) to be completed within one semester. Depending on the circumstances, the hours may be completed through the following semester.

3. EXONERATE

Exonerate is to clear the accused of any and all blame, with all charges being dismissed or dropped.

4. FINE

Fine is a monetary payment imposed as punishment for an offense. Payment must be made to the Institute for violation of the Codes of Conduct.

NOTE: A disciplinary fine may range from twenty-five dollars (\$25) to seven hundred-fifty dollars (\$750), depending upon the severity of the offense(s). All disciplinary fines are DOUBLED for repeat offenses.

5. INTERIM SUSPENSION

Interim suspension is the suspension of a student, by the Vice President for Academic & Student Affairs, from the Institute pending a scheduled disciplinary hearing depending upon the severity of the infraction.

6. LOSS OF PRIVILEGES

A student who has a disciplinary sanction will receive written notification of the specific privileges(s) which he/she/they have lost. The privileges may include removal and/or eviction from on-campus housing and restrictions from affiliation and or representing the Institute. The written notification shall include the time period for which the student has lost certain privileges.

7. PROBATION

Probation is a specified amount of time, involving restrictions, after which CIM authorities will determine if the student's behavior has improved. During this time period, the student may receive additional disciplinary measures resulting in suspension, if he/she is involved in violations of any type of Community Standards. The types of probation are Regular and Indefinite.

NOTE: Probationary statuses range from one (1) semester through matriculation. A violation of a probationary status may result in the student being immediately suspended from the University. A fine of not less than \$75.00 and not more than \$100.00 is imposed.

8. RESEARCH ASSIGNMENTS

Depending upon the nature of the offense, students may be required to complete a research assignment on a topic related to the offense committed. The research assignment must be scholarly, comprehensive, thorough, and submitted in accordance with the guidelines set by the Institute Disciplinary Committee (see Committee Chair).

NOTE: Failure to comply with the terms of this sanction will result in temporary suspension from the Institute until all matters are agreed upon by the student and the appropriate official or all requirements have been completed.

9. RESTITUTION

Restitution includes compensation, reimbursement, or a required replacement of loss, injury, or property (personal or private) by the student in violation. Restitution may be made within a specified time period. Failure to pay full restitution to the appropriate party will result in the student being placed on disciplinary hold and/or suspension.

NOTE: Restitution is due in full, prior to or no later than thirty (30) days from official notification to the offender, unless otherwise approved by Assistant Vice President for Student Affairs or designee.

10. SEMINAR/WORKSHOP PARTICIPATION

Depending upon the circumstance of the violation, some students may be required to assist in developing, coordinating, and evaluating workshops related to the nature of the offense the student has committed. The student may also be required to attend and participate in seminars or workshops to enhance their knowledge and understanding of a particular topic related to the committed offense. Students are required to be prompt, attentive, and to present a well developed essay of the activity according the guidelines set by the Institute Disciplinary Committee (see Committee Chair). NOTE: Failure to comply with this sanction may result in Interim Suspension from the Institute.

11. SUSPENSION

Suspension means dismissal from the Institute for a specific time period following severe acts of violation of the CODES OF CONDUCT or violation of a present probationary status. Suspensions are recorded on the student's permanent record. Students suspended from the Institute are required to return their CIM ID Card and room keys. The student's name is deleted from the roster of enrolled students and from the faculty class roll. The student will not get credit for course assignments, papers, projects, make-up work, or other course-related work during the period of suspension and may not return to campus for the duration of his/her/their suspension, except to conduct official business with an administrative officer or faculty member, and then only with prior permission of the Assistant Vice President for Student Affairs.

If a student returns to the campus without permission during the period of suspension, his or her eligibility to return to the Institute will be threatened and he/she will be subject to arrest. During the

period of suspension, the student is not eligible or entitled to receive any Institute services, thus his/her relationship with the Institute is terminated.

When a student has been suspended from the Institute and has not removed his/her personal belongings as stated in the Notice of Suspension, CIM will not be held liable for loss or damage during the packaging, transporting, or temporary storage of the student's property.

“Admission to the Institute is a privilege, not a right.” Upon completion of a fully served suspension period, a student who desires to return to the Institute must submit a written request to the Vice President for Academic & Student Affairs no later than thirty (30) days prior to the beginning of the semester the student wishes to return. The Vice President for Academic & Student Affairs will review the student's file to determine the student's eligibility to return to the Institute. The types of disciplinary suspensions are as follows:

A. SUSPENSION

Suspension period begins with an existing semester and continues through that semester; however, suspension may become effective at the beginning of a specified semester (usually the following semester) and continue through that semester and future ones.

B. INTERIM SUSPENSION

Interim suspension is immediately put into effect when charges are alleged. The suspension will remain in effect until the disciplinary hearing is held or the student has completed requirements of the sanction imposed. Suspensions of this type are usually temporary; however, if the student is found guilty of the violation(s), or fails to satisfy the requirements of the sanction imposed, the interim suspension may be changed to another sanction, including suspension or expulsion.

C. INDEFINITE SUSPENSION

Indefinite suspension means dismissal or suspension from the Institute to be served for a period of not less than one (1) school year.

D. EXPULSION

Expulsion is permanent dismissal from the Institute. Expulsion is the most severe sanction that can be imposed upon a student for a violation. The student who receives a sanction of expulsion is not eligible to apply for readmission to the Institute. When a student is expelled from the Institute, the student's relationship with the Institute is permanently severed.