

**Illinois State University  
Code of Student Conduct**

**Effective August 1, 2016**

## Table of Contents

I.	Preamble	2
II.	Definitions for the Purpose of This Document	2
III.	Jurisdiction	3
IV.	Interim Actions	4
V.	Violations of the Law	5
VI.	University Regulations	5
VII.	Rights and Responsibilities	15
VIII.	Forums of Resolution	23
IX.	Sanctions	36
X.	Conduct Records	38
XI.	Parental and Public Notification	39
XII.	Conduct Bodies	40
XIII.	References	43

## I. Preamble

Illinois State University, as set forth in its Constitution, is committed to the transmission of knowledge, the development of its members, and improvement of the general well-being of society. Consistent with these goals, the University expects students and student organizations to exhibit “conduct which shows respect for the opinions and rights of all” and expects that students will be committed to being “good citizens” who comply with both the law and University expectations.

Students at Illinois State University are expected to practice good citizenship in all of their interactions with the University, with one another, and in the broader community. As outlined in Educating Illinois, the University is committed to creating a community that exhibits respect for differences, ethical behavior, and social justice. This Code reflects these expectations in both the regulations set forth for, and in the processes designed to address student conduct.

In order to achieve these goals and to provide students with appropriate guidance for making decisions, it is necessary to communicate explicit behavioral expectations to students and to ensure that these standards are consistently enforced. A student attending Illinois State University agrees to be governed by this *Code of Student Conduct*, hereafter referred to as *Code*, as well as by other applicable University policies. The University, through authority given by the University President to the Vice President for Student Affairs and the Dean of Students Office, maintains the exclusive authority to determine violations of the *Code* and to impose sanctions.

Students should be aware that the student conduct process is fundamentally different from criminal and civil court processes. For the purpose of this *Code*, the procedures used to enforce University expectations assure written notice and a hearing before an objective decision-maker. No student will be found in violation of University regulations without information demonstrating that there is a preponderance of information that a policy violation occurred and, if found in violation, sanctions imposed will be proportionate to the severity of the violation and cumulative conduct record of the student.

## II. Definitions for the Purpose of This Document

The following definitions apply to the terms utilized in this document:

- a) The term “student” means all persons admitted for enrollment at or through the University, both full-time and part-time, pursuing undergraduate or graduate degrees (including those enrolled at Illinois State University who are seeking degrees from other institutions, or those individuals who are enrolled students at the time of a violation of the *Code*, as well as individuals on University premises for any purpose relating to registration for enrollment), as well as certificate and other educational programs. Individuals are still considered students for the purpose of this *Code* between academic sessions, until such time that a student’s degree has been awarded. Once enrolled, students with interruptions in active enrollment may be subject to this *Code* until the point at which the student is required by the Office of Admissions to reapply for enrollment.
- b) The terms “registered student organization” and “student organization” means a group of students who have met the formal requirements for University recognition and affiliation through registration with the Dean of Students Office.

- 1 c) The term “University Official” means any faculty, instructor, or staff member employed by the  
2 University performing assigned administrative duties or professional responsibilities.
- 3 d) The term “University community” refers to all students, faculty, and staff members at Illinois  
4 State University, including those individuals who maintain a formal connection to the University  
5 through part-time employment or the supervision of students in academic endeavors such as  
6 student teaching or internships.
- 7 e) The term “University business days” means weekdays when the University is open for business,  
8 whether or not classes are in session.
- 9 f) The term “assignment” means any material submitted to an instructor for the purpose of  
10 academic credit and/or degree fulfillment, whether or not a grade is assigned. This includes, but  
11 is not limited to: homework, lab assignments, quizzes, examinations, proposals, thesis,  
12 dissertations, publications, and other materials.
- 13 g) The terms “shall” and “will” are used in the imperative sense.
- 14 h) The term “may” is used in the voluntary sense.
- 15 i) The term “preponderance of information” is the standard of proof in all Code cases. A  
16 preponderance of information means that upon consideration of the evidence available, it is  
17 more likely than not that the alleged violation of the Code occurred.
- 18  
19

### 20 III. Jurisdiction

21  
22 Students at Illinois State University are annually provided with a link to the *Code* electronically. Hard  
23 copies are available upon individual request from Student Conduct and Conflict Resolution (SCCR).  
24 Students are responsible for reading and abiding by the provisions of the *Code*.

25

26 The *Code* and the student conduct process shall apply to the academic and social conduct of individual  
27 Students, both undergraduate and graduate, and all Registered Student Organizations. If sanctioned, a  
28 hold may be placed on the student’s ability to re-enroll, register for classes, and/or obtain official  
29 transcripts and degrees until the conduct matter has been resolved and all sanctions have been  
30 satisfied. The University will resolve all cases involving alleged violations of the *Code*, and will not defer  
31 proceedings pending any external criminal or civil review. Students who are members of registered  
32 student organizations may be subject to jurisdiction both as an individual student and as a member of  
33 the student organization.

34

35 The *Code* applies to behaviors that take place on-campus, at University sponsored events and activities,  
36 in online or hybrid courses connected to Illinois State University, and off-campus, when the off campus  
37 behavior impacts University interests. Students attending a function as a representative of the  
38 University (including, but not limited to, students on academic or athletic teams, students involved in  
39 internships, and students participating in exchange or study abroad programs) are subject to the *Code*.

40

41 For the purpose of the *Code*, a University interest is impacted when situations including but not limited  
42 to the following occur:

43

- 44 a) Any situation where it appears that the student’s conduct may present a danger or threat to the  
45 health or safety of themselves or others; and/or
- 46 b) Any situation that significantly impinges upon the rights, property or achievements of self or  
47 others or significantly breaches the peace and/or causes social disorder; and/or
- 48 c) Any situation that is detrimental to the educational mission of the University.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48

The Vice President for Student Affairs (VPSA) is the final arbiter of jurisdiction.

The *Code* may be applied to behavior conducted online (whether on-campus or off-campus), via email, text messages, or other electronic medium. Students should be aware that online postings such as social media sites, blogs, web posting, and chat rooms are in the public sphere and are not private. Action may be taken for online activity when the behavior violates the *Code*.

Students who host guests on campus and/or at University events may be held responsible for the actions of their guests under the *Code*. Visitors to and guests of the University may seek resolution of violations of the *Code* committed against them by students.

There is no time limit on reporting violations of the *Code*; however, the longer someone waits to report an offense, the more difficult it becomes for the University to obtain information and statements and to make determinations regarding alleged violations. Finally, the University accepts anonymous complaints regarding student conduct, but anonymity may limit the University's ability to investigate and respond to a complaint. Those who are aware of misconduct are encouraged to file reports as quickly as possible with the Illinois State University Police Department, or with SCCR. If an individual does not meet the definition of a student, the University has no jurisdiction.

The University cannot foresee all violations of the *Code* within the regulations (see Section VI). As such, students may be subject to the student conduct process when their behavior is detrimental or disruptive to the goals and/or purposes of the University and/or may violate federal, state, or local laws/regulations and are otherwise not provided for in the *Code*. Furthermore, the University reserves the right, in keeping with its commitment to offer a fundamentally fair process for all students involved in the Student Conduct Process, to adapt certain aspects of the Student Conduct Process in specific circumstances, in order to meet the interests of all involved parties, including the University.

#### **IV. Interim Actions**

##### **A. Interim Actions for Individuals**

The University reserves the right to impose an interim disciplinary suspension and/or other restrictions when the interim action is needed to:

- a) Ensure the safety and well-being of members of the University community or preservation of University property; and/or
- b) Ensure a student's own physical or emotional safety and well-being; and/or
- c) Alleviate a threat that a student poses to the normal operations of the University through behavior that disrupts or interferes with those operations.

The Vice President for Student Affairs or designee shall be responsible for the determination of interim suspensions, residence hall suspensions. During an interim suspension, the suspended student shall be denied access to all campus facilities, including residence halls and classes, and to all University-related activities or privileges for which the student might otherwise be eligible, as the Vice President or designee may determine to be appropriate. The Vice President or designee shall also be responsible for the terminations of housing contracts and mandated room reassignments.

1  
2 The Vice President for Student Affairs (VPSA) or designee shall be responsible for the determination  
3 of any other interim restrictions, including but not limited to restrictions from contacting specific  
4 individuals, residence hall restriction, and/or restrictions from other specific University locations.

5  
6 Whenever an interim action is taken, a proceeding to resolve alleged violations of the *Code* shall be  
7 convened at the earliest possible time. The interim actions may remain in effect until a final decision  
8 has been reached, including any appropriate appeals process, at the discretion of the VPSA or  
9 designee. In cases where an interim suspension is removed or a suspension is not a sanction  
10 following the student conduct process, effort will be made to restore the student formerly on  
11 interim suspension to academic wholeness. Steps can include, but not be limited to, communicating  
12 with professors, assisting in obtaining course materials, and assisting in identifying academic  
13 assistance resources.

#### 14 B. Interim Actions for Student Organizations

15  
16 The University reserves the right to impose an interim disciplinary suspension on a registered  
17 student organization when the interim action is needed to:

- 18  
19  
20 a) Ensure the safety and well-being of members of the University community or preservation of  
21 University property; and/or  
22 b) Alleviate a threat that a student organization poses to the disruption of or interference with the  
23 normal operations of the University.

24  
25 The Vice President for Student Affairs (VPSA) or designee shall be responsible for the determination  
26 of interim suspensions and any other interim restrictions, including but not limited to activity  
27 restrictions, restrictions from contacting specific individuals and/or restrictions from specific  
28 University locations. During an interim suspension, a student organization may not engage in any  
29 organized activities.

30  
31 Whenever an interim action is taken, a proceeding to resolve alleged violations of the *Code* shall be  
32 convened at the earliest possible time. The interim actions may remain in effect until a final decision  
33 has been reached, including any appropriate appeals process, at the discretion of the VPSA or  
34 designee and/or the Assistant Vice President/Dean of Students or designee.

### 35 36 37 **V. Violations of the Law**

38  
39 The student conduct process is responsible for reviewing alleged violations of the *Code*, and is not  
40 responsible for the determination of public law violations. These processes are distinctly different from  
41 one another. Nevertheless, allegations of *Code* violations from an incident may also be reviewed by  
42 external legal authorities. The formal rules of due process, procedure, and/or technical rules of evidence  
43 that are applied in criminal or civil courts do not apply to the student conduct process.

### 44 45 46 **VI. University Regulations**

47  
48 Standards for student behavior are articulated through University regulations.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48

A. University Values and Expectations

Behavior that violates the *Code* includes, but is not limited to the following regulations.

1. Academic Dishonesty

Students are expected to be honest in all academic work. A student's attachment of their name on any academic exercise shall be regarded as assurance that the work is the result of the student's own thought, effort, and study.

Violations include such behavior as:

- a) Possessing or utilizing any means of assistance (books, notes, papers, articles, third parties, etc.) to complete any assignment, quiz, or examination unless specifically authorized by the instructor. Students are prohibited from conversation or other communication in examinations except as authorized by the instructor.
- b) Acting with the intent to deceive the person in charge, such as falsifying data or sources, providing false information, etc.
- c) Plagiarizing. For the purpose of this policy, plagiarism is the unacknowledged appropriation of another's work, words, or ideas in any themes, outlines, papers, reports, speeches, computer programs, artwork, musical scores, performance, or other academic work, regardless of intent. This includes all forms of intellectual property that can be copyrighted, patented, or trademarked, whether published or unpublished. Students must ascertain from the instructor in each course the appropriate means of documentation and/or attribution.
- d) Submitting the same paper for more than one University course or academic requirement without the prior approval of the instructors. A student may only submit an assignment once during their affiliation with the University unless provided explicit permission of the instructors.
- e) Willfully giving or receiving unauthorized or unacknowledged assistance on any assignment. This may include the reproduction and/or dissemination of test materials. Both parties to such collusion are considered responsible.
- f) Substituting for another student in any academic assignment.
- g) Being involved in the unauthorized collection, distribution advertisement, solicitation, or sale of term papers, research papers, or other academic materials completed by a third party.

In cases of group assignments, unless otherwise indicated by the instructor, all parties to the assignment are responsible for the submission of any final product, and bear responsibility for the integrity of the product. Students participating in group projects may be held responsible for the actions of other group members unless it can be established that a group member was not aware, and reasonably could not have been aware, of any material that violates University expectations.

Academic integrity expectations apply to all forums used for the collection and dissemination of knowledge, including in the classroom, written and electronic assignments, online participation, field work, and publications.

For the purpose of this policy, it should be noted that the University holds graduate students to a higher standard given the academic rigor of graduate programs and the fact that students in graduate programs are already degreed students. As such, graduate students may face more severe

1 levels of sanctioning for academic misconduct, and may also face repercussions in their academic  
2 departments and assistantships.

### 3 4 2. Disruption

5  
6 Students are free to assemble and to express their free speech in a peaceful and orderly manner,  
7 provided that doing so does not hinder the normal operations of the University.

8  
9 Violations include such behavior as:

- 10  
11 a) Disrupting or obstructing teaching, research, administrative, or other University functions,  
12 including its public service functions on or off campus, or other authorized non-University  
13 activities when these activities take place on University property.  
14 b) Leading or inciting others to disrupt scheduled and/or normal non-academic activities  
15 associated with the operation of the University.  
16 c) Creating an intentional obstruction which unreasonably interferes with freedom of movement,  
17 either pedestrian or vehicular.  
18 d) Disrupting the operation of any Illinois State University information technology resources,  
19 computers, networking systems, information and data.  
20 e) Tampering with the elections process of any Registered Student Organization.

### 21 22 3. University Records

23  
24 Violations include such behavior as:

25  
26 Forging, altering, or misusing any official University record or University-issued instrument of  
27 identification.

### 28 29 4. Academic Records

30  
31 Violations include such behavior as:

32  
33 Knowingly altering, tearing, marking, rendering imperfect, or otherwise damaging or destroying  
34 University owned or University held academic materials.

### 35 36 5. Acts of Dishonesty

37  
38 Violations include such behavior as:

- 39  
40 a) Knowingly providing false or inaccurate information to any University or public official or office,  
41 whether in person, through correspondence, via electronic means, or through official forms.  
42 b) Forging, altering, or misusing any official document, record, or instrument of identification,  
43 regardless of origin.  
44 c) Aiding, abetting, influencing, or procuring another person or persons to violate any University  
45 regulation or policy.  
46 d) Engaging in any electronic exploitation of another person, including eavesdropping on,  
47 surveillance of, and/or the recording and/or broadcasting non-public actions, in any forum. For  
48 the purpose of this policy, people have a reasonable expectation of privacy when not in public



1 areas, and the dissemination of visual or audio transmissions of the actions of a person without  
2 that person's consent are prohibited.

3  
4 6. Failure to Comply

5  
6 Violations include such behavior as:

- 7  
8 a) Failing to comply with the reasonable and lawful requests or directives of University officials  
9 and/or law enforcement officers acting in performance of their official duties.  
10 b) Interfering with University officials and/or law enforcement officers acting in performance of  
11 their official duties. Students are required to show proper identification to University officials  
12 and/or law enforcement officers upon request.

13  
14 7. Theft

15  
16 Violations include such behavior as:

- 17  
18 a) appropriating or attempting to appropriate or possess public or private property without the  
19 consent of the owner or person legally responsible.  
20 b) obtaining or attempting to obtain any service by devious means.  
21 c) maintaining possession of public or private property that is stolen.

22  
23 8. Unauthorized Possession of Property

24  
25 Violations include such behavior as:

26  
27 Maintaining possession of public or private property, and/or utilizing goods or services without the  
28 consent of the owner or the person legally responsible. Students must take reasonable measures to  
29 know that property, goods, or services being transferred to their possession have been obtained  
30 legally.

31  
32 9. Damage to Property

33  
34 Violations include such behavior as:

- 35  
36 a) Taking any action that causes damage or which would reasonably be anticipated to cause  
37 damage to public or private property without the consent of the owner or the person legally  
38 responsible.

39  
40 10. Disorderly Conduct

41  
42 Violations include such behavior as:

43  
44 Engaging in behavior that is disruptive or indecent, regardless of intent, which is unwanted and  
45 breaches the peace of one or more members of the community. Examples of disorderly conduct  
46 include but are not limited to: inappropriately disruptive arguments or celebrations, overly loud  
47 amplified sound, deliberately and publicly exposing one's intimate body parts, public urination,  
48 public defecation, and public sex acts.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47

## 11. Abuse of the Conduct Process

Students are expected to comply fully and honestly with the student conduct process at all times.

Violations include such behavior as:

- a) Failing to attend meetings designated as required in the student conduct process.
- b) Knowingly providing false, inaccurate, misleading information to any case manager, administrative hearing officer, the University Hearing Panel, or any other University official during any formal or informal meetings or hearings, including investigations.
- c) Disrupting or interfering with the orderly operation of any student conduct proceeding or investigation.
- d) Knowingly filing a false or inaccurate statement or accusation against another person.
- e) Attempting to discourage an individual's participation in, or use of, the student conduct process.
- f) Attempting to influence the impartiality of any case manager or any member of the University Hearing Panel during the student conduct process.
- g) Intimidating or harassing any member of the student conduct process prior to, during, and/or following any student conduct proceeding.
- h) Failing to comply with sanctions and/or interim actions imposed under the *Code*. (Alleged violations of this aspect of the policy are processed under Section VIII.G).

## 12. Other University Rules and Regulations

Students are expected to comply with other University policies, rules, and regulations not specifically detailed in the *Code*. Such policies include but are not limited to: the University Anti-Harassment and Non-Discrimination Policy, posting policies, smoking policy, rules relating to the payment of financial obligations, policies regarding University trademarks and copyrights, and rules regarding the appropriate use of technology. For more information on other University rules and regulations, visit <http://policy.illinoisstate.edu/>.

### B. Social Justice Values and Expectations

Behavior that violates the *Code* includes, but is not limited to the following regulations.

#### 1. General Safety

Violations include such behavior as:

- a) Setting fire to any public or private property.
- b) Creating a fire hazard or be in possession of flammable or hazardous substances.
- c) Falsely reporting a fire, bomb, or other emergency by activating an alarm or by any other means.
- d) Engaging in authorized possession, use, or alteration of any University-owned emergency or safety equipment.
- e) Failing to evacuate a building or other structure during an emergency, or during emergency drills.

- 1 f) Taking or threatening any action that creates a substantial health or safety risk or reasonable  
2 fear of such health or safety risk. (Alleged violations of this aspect of the policy may be  
3 processed under Section VIII.H.3, at the discretion of the Assistant Vice President/Dean of  
4 Students or designee).

5  
6 2. Unauthorized Entry

7  
8 Violations include such behavior as:

9  
10 Misusing access privileges to University, public, or private premises or unauthorized entry to or use  
11 of buildings, including trespassing, propping, or unauthorized use of alarmed doors for entry into or  
12 exit from a facility or space.

13  
14 3. Dangerous Objects

15  
16 Dangerous Objects include but are not limited to:

- 17  
18 a) Firearm, Handgun, Firearm ammunition, BB gun, pellet gun, paintball gun (except with prior  
19 written approval from the Chief of Police), tear gas gun, stun, taser, or other dangerous or deadly  
20 device of similar type;  
21 b) Knife with a blade of at least 3 inches in length (except an ordinary eating utensil), dagger, dirk,  
22 switchblade knife, stiletto, ax, hatchet, or other deadly or dangerous weapon or instrument of  
23 similar type;  
24 c) Bludgeon, blackjack, slingshot, sandbag, sand club, metal knuckles, billy club, throwing star,  
25 nunchaku, or other dangerous or deadly weapon of similar type;  
26 d) Bomb, bombshell, grenade, firework, bottle, or other container containing an explosive, toxic, or  
27 noxious substance, unless under academic/classroom supervision, (other than an object containing  
28 a nonlethal noxious liquid, gas, or substance designed solely for personal defense possessed by a  
29 person 18 years of age or older);  
30 e) Souvenir weapon or other weapon that has been rendered permanently inoperative; and any  
31 weapons outlined in the Illinois Compiled Statutes on Armed Violence (720 ILCA 5/33A-1, et seq.)

32  
33 Violations include such behavior as:

- 34  
35 a) Possessing, storing, carrying, or unlawfully using any weapon or firearm on University property  
36 or in any vehicle owned, leased or controlled by the University, even if that person has a valid  
37 federal or state license to possess or carry a firearm unless a valid exception applies.  
38 b) Displaying, brandishing, discharging, or otherwise using any and all weapons or firearms,  
39 including concealed weapons or firearms  
40 c) Utilizing any instrument to simulate a weapon in a manner that endangers or tends to endanger  
41 any person.

42  
43 Exceptions to this policy are outlined in Policy 5.1.1 found at [http://policy.illinoisstate.edu/health-](http://policy.illinoisstate.edu/health-safety/general/5.1.1Concealed%20Carry.shtml)  
44 [safety/general/5.1.1Concealed%20Carry.shtml](http://policy.illinoisstate.edu/health-safety/general/5.1.1Concealed%20Carry.shtml).

45  
46 4. Threatening and Intimidation

47  
48 Violations include such behavior as:

- 1  
2 a) Threatening to subject another person to physical harm or unwanted physical contact that  
3 causes a reasonable fear of injury to the health or safety of any person or damage to any  
4 property.  
5 b) Engaging in any action which is unwanted and results in a reasonable fear for imminent bodily  
6 harm and/or the emotional/mental disruption of a person's daily life or educational  
7 environment.  
8 c) Engaging in any acts of intimidation that unreasonably impairs the security or privacy of another  
9 person.  
10 d) Following another person in or about a public place or places such that it creates a reasonable  
11 fear for a person's health or safety.  
12

13 For the purpose of his policy, such behavior can be considered threatening and/or intimidating  
14 whether this behavior takes place in person, through third parties, or by any remote means,  
15 including electronic and online communication.  
16

#### 17 5. Physical Misconduct

18  
19 Violations include such behavior as:  
20

- 21 a) Intentionally or recklessly causing physical harm, or attempting to cause harm, to another  
22 person or persons.  
23 b) Intentionally or recklessly endangering the health or safety of any persons by creating a  
24 situation where such harm is foreseeable and/or likely.  
25

#### 26 6. Hazing

27  
28 Violations include such behavior as:  
29

- 30 a) Engaging in any act that endangers the mental, emotional, or physical health or safety of a  
31 student for the purpose of initiation into, affiliation with, or continued membership in any  
32 group, organization, or team whose members are or include students of Illinois State University.  
33 b) Engaging in any act where an individual is encouraged to engage in conduct of an unbecoming  
34 or humiliating nature, or which in any way detracts from an individual's academic pursuits for  
35 the purpose of initiation into, affiliation with, or continued membership in any group,  
36 organization, or team whose members are or include students of Illinois State University.  
37 c) Engaging in any acts such as paddling (using a paddle to strike another individual), physical  
38 punishments, creating excessive fatigue, work sessions, physical or emotional shock, wearing  
39 apparel which is conspicuous and not in good taste, public stunts, morally degrading or  
40 humiliating games or events, of that encourage the illegal and/or abusive use of alcohol and/or  
41 other drugs.  
42 d) Failing to prevent, and/or failing to discourage, and/or failing to report known acts of hazing as a  
43 member of an organization participating in such activities when these activities are known to be  
44 taking place, or where it should be reasonably known that such activities are taking place.  
45

46 For the purpose of this policy, hazing includes any activity that is inconsistent with regulations or  
47 policies of Illinois State University or the laws of the State of Illinois for the purpose of initiation into,  
48 affiliation with, or continued membership in any group, organization, or team whose members are

1 or include students of Illinois State University. Acts of this nature are considered to be hazing  
2 whether or not a person willingly participates in such activities.

3  
4 C. Personal Responsibility Values and Expectations

5  
6 Behavior that violates the *Code* includes, but is not limited to the following regulations.

7  
8 1. Alcohol

9  
10 Violations include such behavior as:

- 11  
12 a) Possessing, purchasing, distributing, manufacturing, or consuming any alcoholic beverage unless  
13 that student is at least twenty-one years of age. Students of legal age may possess or consume  
14 alcoholic beverages only in specified areas and only in compliance with all other University  
15 regulations and guidelines related to alcohol consumption.  
16 b) Selling alcohol. Students may not sell alcohol at any time without possessing an appropriate  
17 license.  
18 c) Providing alcohol to minors. No student may provide alcohol to another person who is under the  
19 age of twenty-one.  
20 d) Public intoxication and/or abusive consumption of alcohol, defined as that which results in  
21 violations of the rights of others, leads to disorderly or dangerous behavior, or that impairs  
22 personal health or safety.  
23 e) Open container, defined as a bottle, can or other receptacle that contains any amount of  
24 alcohol, and that is open or has a broken seal, or the contents of which are partially removed.  
25 f) Operating motor vehicles under the influence of alcohol.

26  
27 For the purpose of this policy, registered student organizations must also abide by procedures for  
28 the use of alcohol established by the Dean of Students Office.

29  
30 2. Drugs

31  
32 Violations include such behavior as:

- 33  
34 a) Possessing, purchasing, distributing, manufacturing, selling, or using any illegal or controlled  
35 substance in crude or refined form is prohibited. It is not a violation of this policy to be using a  
36 controlled substance if under the direction of a licensed physician and not in violation of state or  
37 federal law.  
38 b) Abusing, misusing, selling, or distributing prescription or over the counter medications.  
39 c) Operating motor vehicles under the influence of illegal drugs.

40  
41 3. Drug Paraphernalia

42  
43 Violations include such behavior as:

44  
45 Possessing any items that are designed for the use of illegal drugs (blunts, bowls, one-hitters, bongos,  
46 etc.). Any items that are adapted for the purpose of facilitating or disguising illegal drug or  
47 controlled substance use (vaporizers, blow tubes, etc.) will also be considered a violation of this  
48 policy.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48

#### 4. Residence Hall Regulations

Violations include such behavior as:

Taking any action that violates a regulation established within the housing contract, or any supplemental rules communicated by University Housing Services staff.

#### 5. Gambling

Violations include such behavior as:

Wagering on games of chance or skill, outcomes of games, contests or other public events for money or another thing of value. Raffles, charitable games, pull tabs and jar games are permissible only in compliance with State of Illinois law and local ordinance.

#### 6. Guests

Students are responsible for the behavior of their non-student guests on campus and at University events, in that they are expected to make guests aware of behavioral expectations, to take reasonable preventive measures to avoid guest violations of the *Code*, and to take immediate action to end violations of the *Code* when they do take place.

Violations include such behavior as:

- a) Code violations by guests who were not properly informed of University regulations by the student host.
- b) Code violations by guests who were encouraged to commit violations by the student host.
- c) Code violations by guests who were undeterred by the student host when the violations were discovered.

#### D. Gender Based Harassment or Violence

For purposes of this section informed consent must be freely and actively given through mutually understandable terms or actions. A person is deemed incapable of giving consent when that person is not of an age to legally given consent (i.e. juvenile, minor), mentally disabled, mentally incapacitated, physically helpless, incapacitated through the use of alcohol and/or drugs to the point of being unable to make an informed and rational decision, unconscious, or asleep. Informed consent cannot be obtained through physical force, compelling threats, intimidating behavior, or coercion. Consent cannot be derived based on: a lack of verbal or physical resistance, previous sexual relations between the same parties, consent provided to another party, previous or current sexual relations with other parties, or through the manner in which someone chooses to dress. A person always retains the right to revoke consent at any time during a sexual act. Attending an artistic or educational event or a class in which nudity occurs and for which advanced notice of nudity has been provided qualifies as informed consent.

Behavior that violates the *Code* includes, but is not limited to the following regulations.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48

## 1. Sexual Harassment

It is the policy of the University to maintain an academic and work environment free of sexual harassment for students, faculty, and staff. Sexual harassment is contrary to the standards of the University community and a barrier to fulfilling the University’s scholarly, research, educational, and service missions. Sexual harassment is defined by law and generally is any unwelcome conduct of a sexual nature that is sufficiently severe or pervasive as to create an intimidating, hostile, environment. Some examples of conduct of a sexual nature that may constitute sexual harassment include, but are not limited to:

- a) Unwanted sexual statements – sexual or “dirty” jokes, comments on physical attributes, spreading rumors about or rating others as to sexual activity or performance, talking about one’s sexual activity in front of others, and displaying or distributing sexually explicit drawings, pictures and/or written material. Unwanted sexual statements are precluded in all forms including but not limited to verbally, in writing, electronically (email, instant messaging, blogs, web pages, etc.).
- b) Unwanted personal attention – letters, telephone calls, visits, pressure for sexual favors, pressure for unnecessary personal interaction, pressure for dates where a sexual/romantic intent appears evident but remains unwanted, and stalking.
- c) Unwanted physical or sexual advances – touching, hugging, kissing, fondling, touching oneself sexually for others to view, sexual assault, sexual misconduct/violence, domestic violence, dating violence, stalking, intercourse, or other sexual activity.

The University considers such behavior, whether physical or verbal, to be a breach of its standards of conduct. It will seek to prevent and remedy such incidents and will investigate and take corrective actions for violations of this policy.

## 2. Sexual Misconduct/Violence

Engaging in any act that is sexual in nature and which is committed without the full and informed consent of all persons involved. Examples of sexual behaviors include, but are not limited to: any penetration of the mouth, vagina, or anus with any body part or other object; contact with a person’s breasts, buttocks, groin, or genitals; touching another person with one’s own breasts, buttocks, groin, or genitals; any other intentional bodily contact of a sexual nature, or; exposing one’s intimate body parts to another person or persons.

## 3. Sexual Exploitation

Engaging in any action that results in one or more persons taking nonconsensual or abusive sexual advantage of another person or persons. Examples of such behavior include, but are not limited to: invasion of sexual privacy; recording or broadcasting sexual activity, including redistribution of pictures, video, or audio; engaging in voyeurism; facilitating or allowing voyeurism without the consent of all parties; knowingly exposing another to a sexually transmitted disease; inducing another person or persons to commit an inappropriate sexual act, or; inducing incapacitation in another person with the intent to engage in sexual conduct, regardless of whether prohibited sexual conduct actually occurs.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48

#### 4. Dating violence

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, and the existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of relationship, the type of the relationship, and the frequency of the interaction between the persons involved in the relationship.

#### 5. Domestic violence

Violence committed by:

- a) a current or former spouse or intimate partner of the alleged victim;
- b) a person with whom the alleged victim shares a child in common;
- c) a person who is cohabitating with, or has cohabitated with, the alleged victim as a spouse or intimate partner;
- d) a person similarly situated to a spouse of the alleged victim under the domestic or family violence laws of the State of Illinois; or
- e) any other person against an adult or youth alleged victim who is protected from that person's acts under the domestic or family violence laws of the State of Illinois.

#### 6. Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (i) fear for the person's safety or the safety of others; or (ii) suffer substantial emotional distress.

For the purposes of this definition (i) course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property. (ii) Substantial emotional distress means significant mental suffering or anguish that may, but may not necessarily, require medical or other professional treatment or counseling.

#### 7. Retaliation

The University will not tolerate retaliation against students, employees, or faculty members who exercise their rights by filing a complaint with or participating in a protected investigation. Any action, or attempted action, directly or indirectly, against any person(s), who, in good faith, reports or discloses a violation of this policy, files a complaint, and/or otherwise participates under this policy. Retaliation includes, but is not limited to harassment, discrimination, threats, or negative impact on employment and/or academic progress. Actions are considered retaliatory if they have a materially adverse effect on the working, academic, or living environment of a person; or if they hinder or prevent the person from effectively engaging in University activities and programs. Any person or group within the scope of this policy who engages in retaliation is subject to a separate charge of retaliation.

### VII. Rights and Responsibilities



1 A. Responding Student Rights and Responsibilities in the Student Conduct Process

2  
3 Students responding to allegations have the right to be heard and to be treated fairly throughout  
4 the student conduct process. Students also bear the responsibility for participating in the student  
5 conduct process in a manner that demonstrates respect for the student conduct process and all  
6 people participating in that process. The following rights and responsibilities have been established  
7 to reflect the mutual responsibility that exists between the student and the student conduct  
8 process.

9  
10 Student respondents are entitled to the following rights in the student conduct process:

- 11 1. A student has the right to be treated with respect and dignity by all representatives of the  
12 student conduct process.
- 13 2. A student has the right upon request to information pertaining to availability of interim  
14 measures and support assistance available to the student.
- 15 3. A student has the right to a hearing by an unbiased administrative hearing officer or University  
16 Hearing Panel trained in accordance with requirements of law.
- 17 4. A student has the right to have an advisor present at all meetings or hearings in the student  
18 conduct process. The advisor's role is non-participatory, limited only to advising the student,  
19 and the advisor may not actively participate in the proceedings, nor serve as a witness.
- 20 5. A list of conduct consultants (students, faculty and staff who have volunteered and received  
21 basic training in the student conduct process) is provided by SCCR as an optional resource to  
22 offer assistance in the student conduct process.
- 23 6. A student has the right to written notice of any student conduct charges under review. This  
24 notice shall indicate the time and place of any student conduct meeting or hearing. Proper  
25 written notification shall be defined as delivery of email to a student's University account (ilstu).  
26 When not enrolled, individuals shall be notified via their permanent mailing address provided to  
27 the University unless an alternative electronic or physical address is provided in writing.
- 28 7. A student has the right to receive a written summary of the incident stating the circumstances  
29 and allegations involved.
- 30 8. A student has the right not to present information against themselves.
- 31 9. A student has the right to hear and respond to all information presented against the student.  
32 This includes the right to questions all involved parties through an administrative hearing officer  
33 or the University Hearing Panel.
- 34 10. A student has the right to present information and/or witnesses on their behalf. Only witnesses  
35 able to speak to the substance of an allegation may be called. The number of witnesses who  
36 may be called may be subject to the discretion of the administrative hearing officer or the  
37 University Hearing Panel.
- 38 11. A student has the right to written notification of the outcome of a hearing no later than five  
39 University business days after the hearing. This may be delayed if an administrative hearing  
40 officer or University Hearing Panel needs additional time to review the information provided at  
41 the hearing. Notifications of any delay will be sent to a student by email.
- 42 12. A student has the right to request to participate in the student conduct process via electronic  
43 means (email, telephone, video conference, etc.). Requests for this accommodation must be  
44 submitted to SCCR at least 48 hours prior to a scheduled proceeding. The student is responsible  
45 for providing appropriate contact information to SCCR as a part of the request. Determinations  
46 regarding these requests will be made by the coordinator of the student conduct case and  
47 communicated to the student in advance of any meeting or hearing.
- 48

1 13. A student has the right to appeal any student conduct outcome under Section VIII.I and shall be  
2 informed of this right, as well as the process and timeframes for doing so. A student has the  
3 right to appeal voluntary resolutions from a SCCR case management conference (Section VIII.A)  
4 that involves disciplinary suspension or disciplinary dismissal as a sanction.  
5

6 Student respondents are expected to adhere to the following responsibilities in the student conduct  
7 process:  
8

- 9 1. A student has the responsibility to take the student conduct process seriously, to act in good  
10 faith, and to treat everyone involved in the process with respect and dignity.
- 11 2. A student has the responsibility to educate themselves on the *Code* and its expectations.
- 12 3. A student giving testimony or evidence is expected to tell the full and complete truth  
13 throughout the student conduct process.
- 14 4. A student has the responsibility to represent themselves at all meetings or hearings in the  
15 student conduct process. Students will not take direction from advisors during the course of a  
16 proceeding, nor will advisors be permitted to script student responses and/or questions during a  
17 meeting or hearing.
- 18 5. A student is responsible for insuring that their advisors attend meetings and hearings,  
19 understanding that meetings and hearings may be rescheduled to accommodate advisors at the  
20 discretion of the Assistant Vice President/Dean of Students or designee.
- 21 6. A student has the option to meet with the SCCR conduct consultant in advance of meetings or  
22 hearings if the student is choosing to take advantage of this service.
- 23 7. A student is responsible for regularly checking their University email account (ilstu) and is  
24 responsible for the contents of any notices sent to their account, whether or not the student  
25 chooses to open them. When not enrolled, the student has the responsibility to provide the  
26 University with an accurate permanent mailing address.
- 27 8. A student has the responsibility to participate in student conduct proceedings at the time they  
28 are originally convened. Students are not obligated to provide information against themselves in  
29 student conduct proceedings, but may not later utilize this as a basis for appeal on the grounds  
30 of new information.
- 31 9. A student has the responsibility to abide by all interim actions, if any are in place, and to abide  
32 by the conditions and sanctions of any final decision reached.
- 33 10. A student in an administrative hearing or appearing before the University Hearing Panel has the  
34 responsibility to present only those witnesses that can speak to the substance of the allegations  
35 made. Character witnesses may submit written statements for inclusion at the hearing, but may  
36 not be called as a witness.
- 37 11. A student has the responsibility to keep confidential all information pertaining to the student  
38 conduct process.  
39

#### 40 B. Complainant Rights and Responsibilities in the Student Conduct Process 41

42 Complainants have the right to bring forward allegations of misconduct against students and to have  
43 those allegations taken seriously. Complainants also bear the responsibility for participating in the  
44 student conduct process in a manner that demonstrates respect for the student conduct process  
45 and all people participating in that process. The following rights and responsibilities have been  
46 established to reflect the mutual responsibility that exists between the complainant and the student  
47 conduct process.  
48

1 Complainants are entitled to the following rights in the student conduct process:  
2

- 3 1. A complainant has the right to be treated with respect and dignity by all representatives of the  
4 student conduct process.
- 5 2. A complainant has the right upon request to the availability of information pertaining to interim  
6 measures and support assistance available to them.
- 7 3. A complainant has the right to a review of their complaint by an unbiased conduct staff member  
8 and/or hearing body trained in accordance with requirements of law.
- 9 4. A complainant has the right to have an advisor present at all meetings or hearings in the student  
10 conduct process. The advisor's role is non-participatory, limited only to advising the  
11 complainant, and the advisor may not actively participate in the proceedings, nor serve as a  
12 witness.
- 13 5. A list of conduct consultants (students, faculty and staff who have volunteered and received  
14 basic training in the student conduct process) is provided by SCCR as an optional resource to  
15 offer assistance in the student conduct process.
- 16 6. A complainant has the right to appear at any formal hearing to resolve the substance of the  
17 complaint. The time and location of any hearing will be provided to the complainant in writing  
18 (email). If the complainant does not maintain an active ilstu email account, the complainant is  
19 responsible for providing the University (via SCCR) an active email and/or mailing address.
- 20 7. A complainant has the right to present information and/or witnesses in support of the  
21 complaint. Only witnesses able to speak to the substance of an allegation may be called. The  
22 number of witnesses who may be called may be subject to the discretion of the administrative  
23 hearing officer or the University Hearing Panel.
- 24 8. A complainant has the right to written notification of the outcome of a hearing as it pertains  
25 specifically to the complainant no later than five University business days after the hearing. This  
26 may be delayed if an administrative hearing officer of University Hearing Panel needs additional  
27 time to review the information provided at the hearing. Notifications of any delay will be sent to  
28 a complainant by email.
- 29 9. A complainant has the right to request to participate in the student conduct process via  
30 electronic means (email, telephone, video conference, etc.). Requests for this accommodation  
31 must be submitted to SCCR at least 48 hours prior to a scheduled proceeding. The complainant  
32 is responsible for providing appropriate contact information to SCCR as a part of the request.  
33 Determinations regarding these requests will be made by the coordinator of the student  
34 conduct case and communicated to the complainant in advance of any meeting or hearing.
- 35 10. A complainant has the right to know the outcome of any appropriate appeals process as it  
36 applies to the respondent.

37  
38 Complainants are expected to adhere to the following responsibilities in the student conduct  
39 process:  
40

- 41 1. A complainant has the responsibility to take the student conduct process seriously, to act in  
42 good faith, and to treat everyone involved in the process with respect and dignity.
- 43 2. A complainant has the responsibility to educate themselves on the *Code* and its expectations.
- 44 3. A complainant giving testimony or evidence is expected to tell the full and complete truth  
45 throughout the student conduct process.
- 46 4. A complainant has the responsibility to represent themselves at all meetings or hearings in the  
47 student conduct process. Complainants will not take direction from advisors during the course

1 of a proceeding, nor will advisors be permitted to script complainant responses and/or  
2 questions during a meeting or hearing.

- 3 5. A complainant is responsible for insuring that their advisors attend meetings and hearings,  
4 understanding that meetings and hearings will not be rescheduled to accommodate advisors.
- 5 6. A complainant is responsible for regularly checking their University email account (ilstu) and is  
6 responsible for the contents of any notices sent to their account, whether or not the  
7 complainant chooses to open them.
- 8 7. A complainant in an administrative hearing or appearing before the University Hearing Panel has  
9 the responsibility to present only those witnesses that can speak to the substance of the  
10 allegations that have been made.
- 11 8. A complainant has the responsibility to keep confidential all information pertaining to the  
12 student conduct process.

### 13 C. Aggrieved Party Rights and Responsibilities in the Student Conduct Process

14  
15  
16 Aggrieved parties are those members of the University community who have been identified as  
17 someone who has been caused personal harm by the alleged actions of a responding student.  
18 Aggrieved party status shall be limited to cases involving physical misconduct, threats and  
19 intimidation, hazing, and theft, and any violation of Section VI.D. The Assistant Vice President/Dean  
20 of Students or designee shall determine when the status of aggrieved party shall apply. Once a  
21 member of the University community is given a designation of aggrieved party status, a SCCR  
22 professional staff member shall invite the aggrieved party to a meeting to review rights and  
23 responsibilities provided under the *Code*. Invitations shall be issued within three University business  
24 days of the Dean's (or designee's) decision.

25  
26 Aggrieved parties have the right to bring forward allegations of misconduct against students and to  
27 have those allegations taken seriously. Aggrieved parties also bear the responsibility for  
28 participating in the student conduct process in a manner that demonstrates respect for the student  
29 conduct process and all people participating in that process. The following rights and  
30 responsibilities have been established to reflect the mutual responsibility that exists between the  
31 aggrieved party and the student conduct process.

32  
33 Aggrieved parties are entitled to the following rights in the student conduct process:

- 34  
35 1. An aggrieved party has the right to be treated with respect and dignity by all representatives of  
36 the student conduct process.
- 37 2. An aggrieved party has the right upon request to the availability of information pertaining to  
38 interim measures and support assistance available to them.
- 39 3. An aggrieved party has the right to a hearing by an unbiased administrative hearing officer or  
40 University Hearing Panel trained in accordance with requirements of law.
- 41 4. An aggrieved party has the right to have an advisor present at all meetings or hearings in the  
42 student conduct process. The advisor's role is non-participatory, limited only to advising the  
43 aggrieved party, and the advisor may not actively participate in the proceedings, nor serve as a  
44 witness.
- 45 5. A list of conduct consultants (students, faculty and staff who have volunteered and received  
46 basic training in the student conduct process) is provided by SCCR as an optional resource to  
47 offer assistance in the student conduct process.

- 1 6. An aggrieved party has the right to request to participate in the student conduct process via  
2 electronic means (email, telephone, video conference, etc.). Requests for this accommodation  
3 must be submitted to SCCR at least 48 hours prior to a scheduled proceeding. The aggrieved  
4 party is responsible for providing appropriate contact information to SCCR as a part of the  
5 request. Determinations regarding these requests will be made by the coordinator of the  
6 student conduct case and communicated to the aggrieved party in advance of any meeting or  
7 hearing.
- 8 7. An aggrieved party has the right to have any unrelated past behavior excluded from the student  
9 conduct process. The administrative hearing officer or UHP shall determine what constitutes  
10 unrelated behavior.
- 11 8. An aggrieved party has the right to deliver or submit a written impact statement to the case  
12 manager, administrative hearing officer or UHP that will be considered only in sanctioning,  
13 should there be a finding of violation against a responding student. The impact statement may  
14 be filed at any time in the student conduct process prior to the conclusion of a formal hearing.
- 15 9. An aggrieved party has the right to expect to be free from intimidation and harassment  
16 throughout the conduct process.
- 17 10. An aggrieved party has the right, upon request, to have reasonable steps taken by SCCR or other  
18 University agencies to prevent any unnecessary or unwanted contact with the responding  
19 student(s).
- 20 11. An aggrieved party has the right to written notification of the outcome of a hearing as it pertains  
21 specifically to the complainant no later than five University business days after the hearing. This  
22 may be delayed if an administrative hearing officer of University Hearing Panel needs additional  
23 time to review the information provided at the hearing. Notifications of any delay will be sent to  
24 an aggrieved party by email.
- 25 12. An aggrieved party has the right to appeal any student conduct outcome under Section VIII.I and  
26 shall be informed of this right, as well as the process and timeframes for doing so. A student has  
27 the right to appeal voluntary resolutions from a SCCR case management conference (Section  
28 VIII.A) that involves disciplinary suspension or disciplinary dismissal as a sanction.
- 29 13. An aggrieved party has the right to know the outcome of any appropriate appeals process as it  
30 applies to the respondent.
- 31 14. An aggrieved party in cases of alleged violations of Section VI.D will not receive a disciplinary  
32 sanction by the University for a Code violation (such as underage drinking), that is revealed in  
33 the course of such a report, unless the University determines that the violation was egregious,  
34 including without limitation an action that places the health or safety of any other person at risk.

35  
36 Aggrieved parties are expected to adhere to the following responsibilities in the student conduct  
37 process:

- 38  
39 1. An aggrieved party has the responsibility to take the student conduct process seriously, to act in  
40 good faith, and to treat everyone involved in the process with respect and dignity.
- 41 2. An aggrieved party has the responsibility to educate themselves on the Code and its  
42 expectations.
- 43 3. An aggrieved party giving testimony or evidence is expected to tell the full and complete truth  
44 throughout the student conduct process.
- 45 4. An aggrieved party has the responsibility to represent themselves at all meetings or hearings in  
46 the student conduct process. Aggrieved parties will not take direction from advisors during the  
47 course of a proceeding, nor will advisors be permitted to script aggrieved party responses  
48 and/or questions during a meeting or hearing.

- 1 5. An aggrieved party is responsible for ensuring that their advisors attend meetings and hearings,  
2 understanding that meetings and hearings will not be rescheduled to accommodate advisors.
- 3 6. An aggrieved party is responsible for regularly checking their University email account (ilstu) and  
4 is responsible for the contents of any notices sent to their account, whether or not the  
5 aggrieved party chooses to open them.
- 6 7. An aggrieved party in an administrative hearing or appearing before the University Hearing  
7 Panel has the responsibility to present only those witnesses that can speak to the substance of  
8 the allegations that have been made.
- 9 8. An aggrieved party has the responsibility to keep confidential all information pertaining to the  
10 student conduct process.

#### 11 D. Student Organization Rights and Responsibilities in the Student Conduct Process

12 Registered student organizations have the right to be heard and to be treated fairly throughout the  
13 student conduct process. Student organizations also bear the responsibility for participating in the  
14 student conduct process in a manner that demonstrates respect for the student conduct process  
15 and all people participating in that process. The following rights and responsibilities have been  
16 established to reflect the mutual responsibility that exists between the student organization and the  
17 student conduct process.

18 Student organizations are entitled to the following rights in the student conduct process:

- 19 1. A student organization has the right to be treated with respect and dignity by all representatives  
20 of the student conduct process.
- 21 2. A student organization has the right to a hearing by an unbiased administrative hearing officer  
22 or University Hearing Panel.
- 23 3. A student organization may be represented by up to three student members of the organization  
24 during the student conduct process. The Assistant Vice President/Dean of Students or designee  
25 may allow additional representatives during any investigations processes.
- 26 4. A student organization has the right to have up to two advisors present at all meetings or  
27 hearings in the student conduct process. The advisor's role is non-participatory, limited only to  
28 advising the student members, and the advisor may not actively participate in the proceedings,  
29 nor serve as a witness.
- 30 5. A list of conduct consultants (students, faculty and staff who have volunteered and received  
31 basic training in the student conduct process) is provided by SCCR as an optional resource to  
32 offer assistance in the student conduct process.
- 33 6. A student organization has the right to written notice of any student organization conduct  
34 charges filed against it. This notice shall indicate the time and place of any conduct meeting or  
35 hearing. Proper written notification shall be defined as delivery of email to the President (or  
36 other recognized student leader or the organization's) University account (ilstu).
- 37 7. A student organization has the right to receive a written copy of the incident report(s) stating  
38 the circumstances and allegations involved. This information shall generally be provided to the  
39 organization's President when they are notified of the charges.
- 40 8. A student organization has the right to hear and respond to all information presented against it.  
41 This includes the right to questions all involved parties through an administrative hearing officer  
42 or the University Hearing Panel.
- 43 9. A student organization has the right to present information and/or witnesses on its behalf. Only  
44 witnesses able to speak to the substance of an allegation may be called. The number of  
45  
46  
47  
48

1 witnesses who may be called may be subject to the discretion of the administrative hearing  
2 officer or the University Hearing Panel.

- 3 10. An aggrieved party has the right to request to participate in the student conduct process via  
4 electronic means (email, telephone, video conference, etc.). Requests for this accommodation  
5 must be submitted to SCCR at least 48 hours prior to a scheduled proceeding. The aggrieved  
6 party is responsible for providing appropriate contact information to SCCR as a part of the  
7 request. Determinations regarding these requests will be made by the Coordinator and  
8 communicated to the aggrieved party in advance of any meeting or hearing.
- 9 11. A student organization has the right to written notification of the outcome of a hearing no later  
10 than five University business days after the hearing. This may be delayed if an administrative  
11 hearing officer of University Hearing Panel needs additional time to review the information  
12 provided at the hearing. Notifications of any delay will be sent to the organization's President by  
13 email.
- 14 12. A student organization has the right to appeal any student conduct outcome and shall be  
15 informed of this right, as well as the process for doing so. A student organization has the right to  
16 appeal voluntary resolutions from a SCCR case management conference (Section VIII.I) that  
17 involves disciplinary suspension or disciplinary dismissal as a sanction.

18  
19 Student organizations are expected to adhere to the following responsibilities in the student  
20 conduct process:

- 21
- 22 1. The members of a student organization have the responsibility to take the student conduct  
23 process seriously, to act in good faith, and to treat everyone involved in the process with respect  
24 and dignity.
  - 25 2. The members of a student organization have the responsibility to educate themselves on the  
26 *Code* and its expectations.
  - 27 3. The members of a student organization giving testimony or evidence are expected to tell the full  
28 and complete truth throughout the student conduct process.
  - 29 4. The members of a student organization have the responsibility to represent themselves at all  
30 meetings or hearings in the student conduct process. Students will not take direction from  
31 advisors during the course of a proceeding, nor will advisors be permitted to script student  
32 responses and/or questions during a meeting or hearing.
  - 33 5. Members of a student organization are responsible for insuring that their advisors attend  
34 meetings and hearings, understanding that meetings and hearings may be rescheduled to  
35 accommodate advisors at the discretion of the Assistant Vice President/Dean of Students or  
36 designee.
  - 37 6. Members of a student organization have the responsibility to meet with the SCCR student  
38 advisor in advance of meetings or hearings if choosing to take advantage of this service.
  - 39 7. Members of a student organization are responsible for regularly checking their University email  
40 accounts (ilstu) and are responsible for the contents of any notices sent to their accounts,  
41 whether or not the student chooses to open them.
  - 42 8. Members of a student organization have the responsibility to participate in student conduct  
43 proceedings at the time they are originally convened. Students are not obligated to provide  
44 information against themselves in student conduct proceedings, but may not utilize this as a  
45 later basis appeal on the grounds of new information.
  - 46 9. Members of a student organization have the responsibility to abide by all interim actions, if any  
47 are in place, and to abide by the conditions and sanctions of any final decision reached.

- 1           10. Members of a student organization in an administrative hearing or appearing before the  
2           University Hearing Panel has the responsibility to present only those witnesses that can speak to  
3           the substance of the allegations that have been made. Character witnesses may submit written  
4           statements for inclusion at the hearing, but may not be called as a witness.  
5  
6

### 7 **VIII. Forums of Resolution**

8

9           This section provides a general overview of how the student conduct process operates for cases  
10          involving allegations of student misconduct (adjudicatory processes), for cases involving no allegations  
11          of student misconduct (non-adjudicatory processes), and for cases involving allegations of student  
12          misconduct where additional factors provide a possibility of a combination of adjudicatory (formal) and  
13          non-adjudicatory (informal) processes. In some cases, a deferral of adjudicatory processes may be  
14          granted pending a successful non-adjudicatory outcome. While the University endeavors to operate  
15          with consistency in its management of student conduct matters, these procedures are flexible, given  
16          that not all situations are of the same severity or complexity. The Coordinator of SCCR, operating in  
17          consultation with the Assistant Vice President/Dean of Students or designee, will have the final  
18          authority over the processing of each student conduct case.  
19

20          What follows is a description of the formal and informal methods of resolving student conduct cases  
21          with SCCR.  
22

#### 23 **A. Formal Resolutions**

24

##### 25 **Step One: Receipt of Incident**

26

27          The student conduct process is initiated with the reporting of an incident to Student Conduct and  
28          Conflict Resolution. A case manager shall be assigned to review the information available to determine if  
29          SCCR will pursue a formal or informal means for resolving the case.  
30

##### 31 **Step Two: Notification**

32

33          If the case manager determines that the case should be resolved through the formal conduct process,  
34          the student will be notified by email to attend a case management conference with the case manager.  
35          The initial email will include a copy of the incident report. Students shall be provided two University  
36          business days notice of a case management conference, and are provided the option of meeting with a  
37          student advisor at any point during the conduct process.  
38

##### 39 **Step Three: Case Management Conference**

40

41          The case manager and the student meet to review the incident report and determine the University  
42          regulations that may have been violated, as well as any sanctions that would be imposed as a result of  
43          the behavior. The case management conference is also used to identify affected parties of the behavior.  
44          In cases where a party has been granted aggrieved party rights, the aggrieved party will be provided  
45          with the option to meet with the case manager prior to the respondent's case management conference.  
46

47          The following outcomes may result from a case management conference:  
48



- 1 a) The student and case manager may agree on the University violations for which the student is  
2 responsible and the sanctions to be imposed. In this case, a decision letter is generated within  
3 five University business days and the case is resolved. There is no right to appeal, unless the  
4 student has agreed to a disciplinary suspension or disciplinary dismissal, in which case the  
5 student maintains limited appeal rights (see Section VIII.I). In cases where multiple students face  
6 possible violations, no agreement is considered final until all involved students have attended  
7 case management conferences and reached decisions about their cases.
- 8 b) In cases where the student acknowledges University violations and where the student and the  
9 complainant or aggrieved party have expressed a desire to jointly bring resolution to the  
10 incident, the case will be referred to a restorative conference (see Section VIII.D). Any inactive  
11 sanctions will be imposed by the case manager, but the active sanctions will be determined as  
12 an outcome of the restorative conference. See Section IX for more information on sanctions.
- 13 c) The student and case manager may not agree on the University violations and/or sanctions to  
14 be imposed. The case will then be forwarded to a formal hearing.
- 15 d) If a student fails to attend a required case management conference, the case manager may  
16 make a decision on the information provided, and may add an additional charge of University  
17 Regulation Section VI.A.11, Abuse of the Conduct Process. A student failing to appear at a case  
18 management conference retains the right of appeal, as outlined in Section VIII.I.
- 19 e) If a student fails to attend a required case management conference and the case manager  
20 believes that the case may result in disciplinary suspension or disciplinary dismissal, the case  
21 may be referred to a formal hearing.
- 22 f) In cases where a resolution can be reached between the student and the case manager, and  
23 there is an identified aggrieved party, the case manager will consult with the aggrieved party to  
24 review the proposed outcome. If the outcome is satisfactory to all involved parties, a decision  
25 letter will be generated and the case will be resolved. If the aggrieved party does not support  
26 the proposed outcome, the case will be referred to a formal hearing.

#### 27 28 Step Four: Formal Hearing

29  
30 In cases where a resolution cannot be achieved in a case management conference, the case will be  
31 forwarded to a formal hearing. The hearing will consist of either a single administrative hearing officer  
32 (see Section VIII.F) or the University Hearing Panel (see Section VIII.G). Students shall be provided five  
33 University business days notice of a formal hearing, except in cases involving an interim suspension,  
34 where students will be provided three University business days notice.

35  
36 Unless otherwise prescribed in this *Code*, the Case Manager shall determine the formal hearing body to  
37 hear a case. A priority of scheduling formal hearings shall be minimizing the waiting period.

38  
39 At the conclusion of the hearing, the hearing body will deliberate to determine if a violation of the Code  
40 occurred and, if so, determine appropriate sanctions. A decision letter will be emailed to the student by  
41 no later than five business after the hearing. This may be delayed if an administrative hearing officer or  
42 the University Hearing Panel needs additional time to review the information provided at the hearing.  
43 Notifications of any delay will be sent to a student by email.

#### 44 45 Step Five: Appeal

46  
47 Should a student wish to appeal a decision reached in a hearing, they may do so under Section VIII.I.  
48

1 B. Informal Resolutions

2  
3 Step One: Receipt of Incident

4  
5 The student conduct process is initiated with the reporting of an incident to Student Conduct and  
6 Conflict Resolution. A case manager shall be assigned to review the information available to determine if  
7 SCCR will pursue a formal or informal means for resolving the case.

8  
9 Step Two: Notification

10  
11 If the case manager determines that the case should be resolved through the informal conduct process,  
12 the student will be notified by email to attend an intake meeting with a student conflict specialist. The  
13 initial email will include a copy of the incident report. Students shall be provided two University business  
14 days notice of an intake meeting.

15  
16 Step Three: Intake Meeting

17  
18 At the intake meeting, the student and the specialist will review the incident and discuss possible  
19 avenues of resolution. Should the student wish for the formal process to be utilized, the case will be  
20 referred back to the case manager for formal resolution (see Section VIII.A). The case may also be  
21 referred back to formal resolution if the student conflict specialist becomes aware of information that  
22 would otherwise make the case inappropriate for informal resolution.

23  
24 The following outcomes may result from an intake meeting:

- 25  
26 a) The case may be referred to the formal resolution process, as described above.  
27 b) The case may be referred to the case manager for a restorative conference or informal  
28 facilitation, pending consultation with other involved parties.  
29 c) The case may be referred to the mediation process, pending consultation with other parties.  
30 d) The case may be referred to arbitration by an administrative hearing officer, pending  
31 consultation with other parties.  
32 e) The case may be withdrawn, with the student conflict specialist offering guidance to the student  
33 on how to remedy the current situation as well as future conflicts.

34  
35 In some cases, formal conduct processes are deferred pending the outcome of informal processes. In  
36 such cases, formal student conduct may be waived in the interest of an informal outcome. However, in  
37 all cases the case manager retains the right to invoke the formal process at any time prior to final  
38 resolution. Informal processes may also be used as a supplement to the formal conduct process at the  
39 discretion of the case manager.

40  
41 C. Residence Hall Cases

42  
43 Residence hall professional staff members shall be empowered to hear minor student conduct cases for  
44 incidents of alleged student misconduct that take place in the residence halls. The Assistant Director of  
45 University Housing Services for Student Conduct or designee shall be empowered to hear the same  
46 types of cases as SCCR staff members, with the same sanctioning authority. All processes for resolving  
47 minor disciplinary matters shall reflect the formal process described in Section VIII.A, with the following  
48 amendments:

- 1  
2 1. Any agreement reached between a residence hall professional staff member and a student in a  
3 case management conference is subject to review and approval by the UHS Assistant Director  
4 for Student Conduct. If the Assistant Director approves the finding and sanction, a formal  
5 decision will be sent to the student via email. The Assistant Director has five University business  
6 days to act upon the recommendation and issue a decision.  
7
- 8 2. If the Assistant Director declines the recommendation of the residence hall professional staff  
9 member, or if the student fails to attend the scheduled case management conference, the  
10 Assistant Director may:  
11
  - 12 a. Notify the student that a case management meeting will be held with the Assistant  
13 Director. The case management meeting shall reflect the formal process described in  
14 Section VIII.A.
  - 15 b. Render an administrative decision. Students may choose to appeal these decisions  
16 under Section VIII.I.3.B.
  - 17 c. Notify the student that the case is being forwarded to SCCR for review. SCCR may then  
18 choose to retain jurisdiction over the case, or to return the case to the Assistant Director  
19 for review.
- 20  
21 3. Residence hall professional staff members, with the exception of the Assistant Director, shall  
22 only hear minor cases involving allegations of violations of University regulations. Residence hall  
23 professional staff may not hear cases involving physical misconduct, hazing, academic  
24 dishonesty, threats and intimidation, repeated alcohol policy or drug policy violations, and any  
25 violation of Section VI.D. Any cases that might result in Disciplinary Probation, Restrictive  
26 Disciplinary Probation, Disciplinary Suspension, or Disciplinary Dismissal are to be immediately  
27 referred to the Assistant Director for review. Residence hall staff will receive guidance from the  
28 Assistant Director as to what constitutes a minor conduct case. Cases involving allegations of  
29 drug distribution, hazing, and academic integrity, and any violation of Section VI.D shall be  
30 referred to SCCR. The Assistant Director will consult with the SCCR Coordinator as to what cases  
31 must be referred to SCCCR.  
32
- 33 4. Residence hall professional staff may seek the assistance of SCCR to conduct restorative  
34 conferences as a means of formal resolution of a residence hall case. In cases where residence  
35 hall professional staff, SCCR, and all involved parties agree to a restorative conference, the  
36 conference will be conducted as outlined in Section VIII.D (below), with the Assistant Director  
37 determining the inactive sanction to be imposed.  
38
- 39 5. Residence hall professional staff may refer cases to SCCR staff for informal resolutions, as well as  
40 request informal processes to supplement formal student conduct proceedings. Residence hall  
41 professional staff shall consult with the Assistant Director and/or SCCR on a case to case basis  
42 when considering informal options.  
43

#### 44 D. Restorative Conferences

45

46 In cases where a student's conduct has resulted in an identifiable harm to a member of the Illinois State  
47 University community and/or to the community itself, restorative conferences may be utilized to resolve

1 the conditions of the conflict and to determine active sanctions that will be imposed for violations of  
 2 University regulations. The following conditions apply to restorative conferences:

- 3
- 4 1. A restorative conference is founded on the concept that a student is acknowledging  
 5 responsibility for violations of the *Code*. As a result, the finding(s) of violation and the inactive  
 6 sanction must be resolved as a precondition for the conference.  
 7
- 8 2. A restorative conference will seek to bring together those parties who have been harmed,  
 9 directly or indirectly, with the student acknowledging responsibility.  
 10
- 11 3. A restorative conference will be facilitated by a trained staff member, who will allow all parties  
 12 the opportunity to speak, and who will aid the conference participants in arriving at active  
 13 sanctions to be imposed for the violations.  
 14
- 15 4. Should an agreement be reached, a final decision letter will be sent by the case manager to the  
 16 student within five University business days. The case is then considered closed, with no right of  
 17 appeal for any parties involved.  
 18
- 19 5. If no agreement can be achieved through a restorative conference, the case will be referred  
 20 back to the case manager for sanctioning. The student acknowledging responsibility and any  
 21 aggrieved parties would maintain a limited right of appeal on the criteria of disproportionate  
 22 sanction, as described in Section VIII.I.  
 23

24 E. Administrative Review and Investigation of allegation of violations of Section VI.D.

25  
 26 The following procedures will be followed when the University received information on an allegation of  
 27 Section VI.D:

- 28
- 29 1. Reporting Options. Individuals have the option to report any violations of Section VI.D of the  
 30 Code in a variety of ways including:
  - 31 a. To the Title IX Deputy Coordinator Ashley Fritz at (309) 438-5411
  - 32 b. To Campus or Local law enforcement (see [titleix.illinoisstate.edu/report/](http://titleix.illinoisstate.edu/report/))
  - 33 c. Electronically (see [https://ilstu-advocate.symplicity.com/public\\_report](https://ilstu-advocate.symplicity.com/public_report) )
  - 34 d. Anonymously (see [titleix.illinoisstate.edu/report/](http://titleix.illinoisstate.edu/report/))
  - 35 e. Confidentially to a Confidential Advisor who will be required to the extent provided by  
 36 law to keep the report confidential (see [titleix.illinoisstate.edu/report/](http://titleix.illinoisstate.edu/report/))  
 37
- 38 2. Student Support. When the University is made aware of a possible incident of sexual  
 39 harassment, sexual misconduct/violence, sexual exploitation, dating violence, domestic  
 40 violence, stalking, and/or retaliation, the University will provide information regarding support  
 41 services and reporting avenues to any individual who allegedly experienced such conduct and/or  
 42 other involved parties. More information on interim protective measures can be found at:  
 43 <http://titleix.illinoisstate.edu/support/protective/>  
 44
- 45 3. Review of Allegation. The allegation will be reviewed by the Title IX coordinator or designated  
 46 Deputy Title IX officer to determine the next steps and assess whether any interim action is  
 47 necessary. The Aggrieved Party will be offered the opportunity to participate in the review and  
 48 investigation process. If the Aggrieved Party does not respond to the University's request for

1 participation, or requests that the complaint not be pursued, the University will review the  
2 request and all information available. The University will make a determination regarding the  
3 need to investigate further by balancing the Aggrieved Party's interests and the University's  
4 commitment to supporting an Aggrieved Party driven process, with the University's equally  
5 strong commitment to ensuring a safe community. The University may proceed with an  
6 investigation without an Aggrieved Party's involvement, although the University's response may  
7 be severely limited.  
8

- 9 4. Investigation of Allegation. The University's investigation procedures will ensure that an  
10 allegation of Section VI.D is handled promptly and effectively in a manner that is procedurally  
11 fair to all parties. Both parties will (i) receive notice of the individual or individuals, trained in  
12 accordance with law, with authority to make a finding or impose a sanction in their proceeding  
13 before the individual or individuals initiate contact with either party and (ii) have the  
14 opportunity to request a substitution if the participation of an individual with authority to make  
15 a finding or impose a sanction poses a conflict of interest. Both parties will be given an  
16 opportunity to provide input and information during the investigation process. After the  
17 investigation is concluded, the Investigator will submit a final report to SCCR. SCCR will  
18 determine if there is sufficient information to believe a violation occurred, and if so, issue a  
19 charge.  
20

#### 21 F. Administrative Hearings

22  
23 In some cases where a student is unable to reach a resolution in a case management conference, as well  
24 as in all cases involving allegations of Section VI.D.  
25

- 26 1. Parties to the hearing shall be provided five University business days notice of a formal hearing,  
27 except in cases involving an interim suspension, where parties will be provided three University  
28 business days notice.  
29  
30 2. Hearings will be closed to the public.  
31  
32 3. Admission to the hearing of persons other than the parties involved will be at the discretion of  
33 the hearing officer.  
34  
35 4. In hearings involving more than one responding student, the standard procedure will be to hear  
36 the case jointly, providing that other respondents have not previously accepted a finding  
37 through a case management conference. The administrative hearing officer may grant separate  
38 hearings at their discretion if the hearing officer finds sufficient cause to do so.  
39  
40 5. The primary parties (responding party, complainant, and/or aggrieved party) all have the right to  
41 have an advisor of their choosing present at the hearing. The advisor may not participate in the  
42 hearing process and may not actively direct the participation of any party.  
43  
44 6. The hearing officer will first hear information and witnesses presented on behalf of the  
45 complaint. Once the complaint information has been heard, the responding student will then be  
46 given the opportunity to provide information and witnesses. All people appearing at a hearing  
47 are subject to questioning, with the hearing officer receiving priority in asking questions. Any  
48 questions asked by the parties must be directed to the hearing officer. Unduly repetitive

1 information and witnesses can be limited at the discretion of the hearing officer. Only witnesses  
2 who can speak to the substance of the allegations will be considered by a hearing officer.  
3

- 4 7. All procedural questions are subject to the final decision of the hearing officer.  
5
- 6 8. At the conclusion of the hearing, the hearing officer will deliberate to reach a decision for the  
7 alleged violations, on the basis of whether there is a preponderance of information that a  
8 student violated each cited University regulation. The hearing officer will prepare a finding of  
9 fact and then impose sanctions for any violations found.  
10
- 11 9. The hearing officer will provide both parties with written notification at the same time of the  
12 outcome of a hearing no later than five University business days after the hearing. This may be  
13 delayed if an administrative hearing officer needs additional time to review the information  
14 provided at the hearing. Notifications of any delay will be sent to a student by email. The  
15 hearing officer will also provide written notification of relevant findings and sanctions to any  
16 aggrieved party via email. All decision letters will outline the recipient's process for appeal.  
17 Findings shall not be verbally provided at the time of the hearing.  
18
- 19 10. There will be a single verbatim audio recording of the hearing. Deliberations will not be  
20 recorded. This recording will be maintained by SCCR as a part of the record only until the  
21 conclusion of any applicable appeals process. Access to the record will be provided for parties  
22 upon request in preparation for their appeal only. No transcripts will be created or provided, nor  
23 are any parties permitted to record and/or broadcast the proceedings.  
24

#### 25 G. University Hearing Panel 26

27 In some cases where a student is unable to reach a resolution in a case management conference, as well  
28 as in all cases involving allegations of academic misconduct or cases involving registered student  
29 organizations, a hearing of the University Hearing Panel shall be convened. Parties to the hearing shall  
30 be provided five University business days notice of a formal hearing, except in cases involving an interim  
31 suspension, where parties will be provided three University business days notice. Summer holdover  
32 cases will be conducted in accordance with Section VIII.H.5.  
33

34 The following rules apply to UHP hearings:  
35

- 36 1. Hearings will be closed to the public.  
37
- 38 2. Each hearing panel shall consist of three members, consisting of students, faculty, and/or staff.  
39 A fourth panel member shall be assigned as an alternate in each case.  
40
- 41 3. The UHP shall be advised by a professional staff member or graduate student who is present to  
42 ensure that the procedures follow established protocol. The UHP Advisor does not participate in  
43 deliberations.  
44
- 45 4. Admission to the hearing of persons other than the parties involved will be at the discretion of  
46 the UHP chair, in consultation with the UHP Advisor.  
47

- 1 5. In hearings involving more than one responding student, the standard procedure will be to hear  
2 the case jointly, providing that other respondents have not previously accepted a finding through  
3 a case management conference. The UHP, in consultation with the case manager, may grant  
4 separate hearings at their discretion if they find sufficient cause to do so.  
5
- 6 6. The primary parties (responding party, complainant, and/or aggrieved party) all have the right to  
7 have an advisor of their choosing present at the hearing. The advisors may not participate in the  
8 hearing process and may not actively direct the participation of any party.  
9
- 10 7. The UHP will first hear information and witnesses presented on behalf of the complaint. Once  
11 the complaint information has been heard, the responding student will then be given the  
12 opportunity to provide information and witnesses. All people appearing at a hearing are subject  
13 to questioning by all primary parties, with the UHP receiving priority in asking questions. Any  
14 questions asked by the parties must be directed to the UHP Chair. Unduly repetitive information  
15 and witnesses can be limited at the discretion of the UHP Chair. Only witnesses who can speak  
16 to the substance of the allegations will be considered by a hearing panel.  
17
- 18 8. All procedural questions are subject to the final decision of the UHP Chair, in consultation with  
19 the UHP Advisor.  
20
- 21 9. At the conclusion of the hearing, the UHP will deliberate to reach a decision, by consensus, for  
22 the alleged violations, on the basis of whether there is a preponderance of information that a  
23 student violated each cited University regulation. The UHP will prepare a finding of fact and then  
24 impose sanctions for any violations found.  
25
- 26 10. The UHP Advisor will provide the student with written notification of the outcome of a hearing  
27 no later than five University business days after the hearing. This may be delayed if the UHP  
28 needs additional time to review the information provided at the hearing. Notifications of any  
29 delay will be sent to a student by email. The UHP Advisor will also provide written notification of  
30 relevant findings and sanctions to any complainant and/or aggrieved party via email. All decision  
31 letters will outline the recipient's process for appeal. Findings shall not be verbally provided at  
32 the time of the hearing.  
33
- 34 11. There will be a single verbatim audio recording of the hearing. Deliberations will not be  
35 recorded. This recording will be maintained by SCCR as a part of the record only until the  
36 conclusion of any applicable appeals process. Access to the record will be provided for parties  
37 upon request in preparation for their appeal only. No transcripts will be created or provided, nor  
38 are any parties permitted to record and/or broadcast the proceedings.  
39
- 40 12. In cases involving allegations of academic dishonesty, the UHP shall include at least one faculty  
41 member and one student. SCCR will make every effort to ensure that graduate students are  
42 utilized on the UHP when the case involves an allegation against a graduate student.  
43
- 44 13. In cases involving registered student organizations, there shall be at least two students on the  
45 UHP, one of whom has affiliation in a peer-type student organization (Greek letter, sports club,  
46 academic student organization, etc.) and one student who does not share the peer-type  
47 affiliation.  
48

1 H. Specialized Rules

2  
3 1. Academic Integrity Cases

4  
5 Issues of academic integrity are paramount to the University. A scholar's integrity is the key to  
6 academic credibility, and a degree conferred by the University is an inherent testament to that  
7 scholar's credibility. As such, when a student is alleged to have committed academic dishonesty,  
8 there are two issues at stake; any grade or credit issue attached to that course or requirement, and  
9 the relationship between the student and the institution. Therefore, faculty are strongly encouraged  
10 to report all instances of academic dishonesty to SCCR, with the recognition that faculty members  
11 retain jurisdiction over any academic penalties related to that course and/or activity that might be  
12 imposed.

13  
14 With respect to the handling of academic integrity cases:

- 15  
16 a) Faculty members who discover academic dishonesty should meet with the student as soon as  
17 possible to review the allegation. Prior to this meeting, faculty members are encouraged to  
18 contact SCCR for consultation.
- 19 b) If the student acknowledges academic dishonesty and the faculty member is satisfied that the  
20 incident has been resolved:
- 21 i. The faculty member will discuss the academic penalty to be applied and/or the  
22 reparation required of the student. Faculty members should adhere to the grade  
23 penalty policy, if any, noted in an appropriate syllabus. Faculty members without such a  
24 policy, or where such a policy would not be applicable, should develop academic  
25 penalties consistent with the nature of the dishonesty.
  - 26 ii. The faculty member are strongly encouraged to complete the electronic referral process  
27 for academic dishonesty and submit this referral to SCCR, along with recommendations  
28 for appropriate sanctions, recommendations for no sanctions, or a request for a  
29 restorative conference for the parties to devise their own sanctions. A SCCR case  
30 manager will review the case and the recommendation.
  - 31 iii. If the student does not have previous academic dishonesty violations and is otherwise in  
32 good disciplinary standing with the University, the case manager can accept the faculty  
33 member's recommendation of no sanction, or a faculty member's request for a  
34 restorative conference.
  - 35 iv. If the student has previous violations for academic dishonesty or is otherwise not in  
36 good disciplinary standing with the University, the case must be referred to the formal  
37 conduct process as outline in Section VIII.A). Note that a faculty member requesting a  
38 restorative conference may still have that conference granted if the student can resolve  
39 the inactive sanction in the case management conference.
  - 40 v. If a faculty member recommends formal conduct action and sanctions, the case will be  
41 referred for a case management conference, with the faculty member serving as a  
42 complainant if needed.
- 43 c) If the student denies the allegation of academic dishonesty or if the faculty member believes  
44 that the severity of the conduct may warrant a suspension or dismissal from the University:
- 45 i. The faculty member will complete the electronic referral process for academic  
46 dishonesty and submit this referral to SCCR. This submission should contain copies of all  
47 information to be utilized in the student conduct process, including the names of all  
48 parties involved. Note that the student will receive access to all information provided.



- 1           ii.    A SCCR case manager shall conduct a case management conference with the student, as  
2           outlined in Section VIII.A), with the faculty member serving as the complainant.  
3           iii.   If the case manager and the student can reach a resolution, the case manager will  
4           consult with the faculty member to review the proposed outcome. If the outcome is  
5           satisfactory to all involved parties, a decision letter will be generated and the case will  
6           be resolved.  
7           iv.   If the student and the case manager cannot resolve the case, or if the faculty member  
8           does not support the proposed outcome, the case will be referred to the University  
9           Hearing Panel for resolution. In the event of a hearing, the faculty member will be  
10          provided with the rights of a complainant (see Section VII.B). Cases being resolved  
11          during summer session will be referred to an administrative hearing.  
12        d)   It is strongly recommended that faculty members withhold the imposition of an academic  
13          penalty in any cases where the student is contesting the allegation. In cases where final grades  
14          are being awarded, a grade of “Incomplete” should be assigned pending the outcome of the  
15          student conduct process. If a faculty member imposes an academic penalty and a student is  
16          found not in violation of the allegation, the student may have grounds for appealing the penalty  
17          through the Office of the Provost.  
18

## 19       2.   Student Organization Cases

20  
21       Student organizations are collectively responsible for any actions committed by members that serve  
22       to reflect upon the organization as a whole or upon the University community. Student conduct  
23       action against organizations is separate from student conduct taken against individuals, and the  
24       facts of an incident may necessitate action against both an organization and its individual members.  
25       Individual student conduct proceedings stemming from a student organization conduct proceeding  
26       will only include students involved in the alleged incident. Processes used to resolve student  
27       organization cases will reflect both the formal and informal resolution processes outlined in this  
28       *Code*.  
29

## 30       3.   Health and Safety Cases

31  
32       Health and Safety Procedures may be used when an alleged violation of the *Code of Student*  
33       *Conduct* Section VI.B.1.f. takes place. Once a determination is made, the case may be reviewed  
34       under the by the Health and Safety Procedures Guide, at the discretion of the Assistant Vice  
35       President/Dean of Students or designee. The student will meet with the Assistant Vice  
36       President/Dean of Students or designee at the first available time after the student has received  
37       notice that a Health and Safety Conference is necessary. If, during the conference, it is determined  
38       that the student accepts responsibility or is found responsible for the violation(s), the Assistant Vice  
39       President/Dean of Students or designee will determine an appropriate intervention/sanction(s). The  
40       Dean may impose any sanction provided for in this *Code*. A student found responsible for violating  
41       the *Code* as a result of a Health and Safety Conference may appeal the decision to the Vice President  
42       for Student Affairs or designee.  
43

## 44       4.   Policy Violations

45  
46       Alleged Policy Violations under Code Section VI.A.12 and Section VI.D will be considered using  
47       existing processes for determining whether the University policies, rules or regulations have been

1 violated. (e.g., University Policy on Harassment and Discrimination, Policy for Unauthorized Release  
2 of Protected Health Information, etc.). Please consult the University Policy site for specifics.

### 3 4 5. Holdover Cases

5  
6 Beginning ten University business days before the end of the fall and spring semesters, minor cases  
7 of University regulations requiring a formal resolution by SCCR or UHS may be referred to a holdover  
8 process. Those cases in which it is determined by the case manager that restrictive probation,  
9 disciplinary suspension, or disciplinary dismissal are possible outcomes may not be resolved by the  
10 holdover process, but shall be referred to a formal hearing at the earliest possible time. When the  
11 delay occurs over the summer break, all formal hearings will be through an administrative hearing.

12  
13 The holdover process shall operate as follows:

- 14  
15 a) Within ten University business days of the end of the semester, SCCR or UHS shall contact the  
16 student by email and provide the incident report, seeking to learn the responding student's  
17 version of the event(s). The student shall be provided ten business days to respond.  
18 b) Based on the information provided by the student, the case manager has five University  
19 business days to exercise one of the following options:  
20 i. Send a decision letter to the student noting any violations of University regulations and  
21 any appropriate sanctions. The student may appeal the decision to the Assistant Vice  
22 President/Dean of Students (or designee) overseeing the student conduct process as  
23 described in Section VIII.I.  
24 ii. Refer the case to a restorative conference and/or to informal resolution, pending  
25 consultation with other parties.  
26 iii. Refer the case to a formal hearing.  
27 iv. Dismiss the case.

### 28 29 6. Medical Amnesty and Good Samaritan Policy

30  
31 It is imperative that medical assistance be sought when concerns arise for an individual's safety  
32 because of an emergency situation such as severe level of impairment, serious injury, and/or  
33 unwanted sexual contact. In emergency situations, students are urged (1) to contact emergency  
34 officials by calling 911 to report the incident, (2) to remain with the individual(s) needing emergency  
35 treatment and cooperate with emergency officials, so long as it is safe to do so, and (3) to meet with  
36 appropriate University officials after the incident and cooperate with any University investigation.

37  
38 SCCR will consider the positive impact of taking the appropriate action in an emergency situation (as  
39 outlined above) when determining the appropriate response for alleged alcohol and/or other  
40 substances policy violations by the reporting student, including self-reporting. This means that  
41 formal University disciplinary sanctions may be deferred for possible alcohol and/or other  
42 substances violations, but the incident will be documented, and educational, community, and health  
43 interventions — as well as contact with a student's parents or family — may be required as a  
44 condition of deferring disciplinary actions or sanctions. If all conditions are met, formal disciplinary  
45 sanction will be vacated. Failure of a student(s) to respond to an emergency situation may void all  
46 protections under this policy and be considered as an aggravating factor for the purposes of  
47 sanctioning.

1 Registered student organizations (RSOs), through their officers and members, are also urged to take  
2 appropriate action in emergency situations and to incorporate these expectations into their training  
3 and risk management plans. When an RSO's officers and members take the appropriate action in  
4 dealing with emergency situations it will be considered a mitigating factor when determining the  
5 outcome or sanction of an incident that otherwise merits disciplinary action against the  
6 organization. Failure of a registered student organization, or its members, to respond to an  
7 emergency situation may void all protections under this policy and be considered as an aggravating  
8 factor for the purposes of sanctioning.

9  
10 In addition to the provisions above, any party who reports, in good faith, an alleged violations of  
11 Section VI.D will not receive a disciplinary sanction by the University for a Code violation (such as  
12 underage drinking), that is revealed in the course of such a report, unless the University determines  
13 that the violation was egregious, including without limitation an action that places the health or  
14 safety of any other person at risk.

#### 15 16 I. Appeals

17  
18 Responding students, student organizations, and aggrieved parties may appeal outcomes of student  
19 conduct cases, except in cases where the appeal right has been waived as a result of a voluntary  
20 agreement. In cases of a voluntary agreement involving a disciplinary suspension or disciplinary  
21 dismissal, students maintain limited appeal rights. Only one appeal is collectively afforded to all parties  
22 involved in a student conduct case.

23  
24 The following conditions apply to the appeals process:

- 25  
26 1. Appeals are not re-hearings of student conduct cases, but only serve to review the conditions  
27 within which a case was resolved. Because this a not a new hearing of the case, the burden rests  
28 with the appealing party to establish that the original hearing and/or the decision reached are  
29 improper. Appeals officers and appeals boards shall give deference to the original decision  
30 unless it is established by a preponderance of information that the appellant was deprived of a  
31 fair process; they shall not supplant their judgment over the decision of the original hearing  
32 body without cause.
- 33  
34 2. The criteria for filing an appeal are:
- 35  
36 A. Procedural Error – the appellant is contending that a substantive error was committed  
37 as a part of the student conduct process that deprived the appellant of a fair hearing of  
38 the case. This would include but not be limited to a substantiated bias, an arbitrary and  
39 capricious finding, a material deviation from established procedures, etc.
- 40  
41 B. New Information – the appellant is contending that there is new information that was  
42 unavailable to the appellant at the time of the original proceeding, and that this  
43 information would have substantially impacted the outcome of the proceeding. The  
44 student must include the new information with the appeal. Note that this criteria may  
45 not be utilized by students who choose or fail to attend or participate in the original  
46 proceeding they are appealing.
- 47 C. Disproportionate Sanction – the appellant is contending that the sanction is not  
appropriate to the findings of the case.

- 1 D. Unsupported Conclusion – the appellant is contending that the decision reached by the  
2 hearing body is arbitrary and capricious, and is unsupported by substantial information.  
3
- 4 3. The process for the review of appeals is as follows:  
5
- 6 A. Students have ten calendar days to request an appeal any student conduct decision. The  
7 ten day period begins on the date of delivery of the decision letter via email.  
8 B. Appeals of decisions reached through case management conferences are reviewed by  
9 the Assistant Vice President/Dean of Students or designee except in cases involving  
10 Disciplinary Suspension and Disciplinary Dismissal. The Dean or designee shall review  
11 the information provided by the appellant, as well as all case information. In some  
12 cases, the Dean or designee may invite the appellant to provide additional information  
13 in person or by telephone. The Dean or designee will respond to all appeals within ten  
14 University business days of receipt. The Dean’s or designee’s decision is final, subject to  
15 no further route of appeal.  
16 C. Appeals of administrative hearing decisions, UHP decisions, and case management  
17 conferences involving Disciplinary Suspension and Disciplinary Dismissal shall be  
18 reviewed the by the University Appeals Board. The Chair of the UAB will review the  
19 request for appeal submitted by the appellant, as well as all case information, to ensure  
20 that the appeal meets the criteria for appeal. In some cases, the Chair may invite the  
21 appellant to provide additional information in person or by telephone. The Chair will  
22 respond to all requests for appeals within five University business days of receipt. Cases  
23 involving allegations of Section VI. D shall not be heard by the UAB.  
24 D. Appeals of cases involving allegations of Section VI. D shall be reviewed by the Assistant  
25 Vice President/Dean of Students’ Appeals Board. The Dean will review the request for  
26 appeal submitted by the appellant, as well as all case information, to ensure that the  
27 appeal meets the criteria for appeal. In some cases, the Dean may invite the appellant  
28 to provide additional information in person or by telephone. The Dean will respond to  
29 all requests for appeals within five University business days of receipt.  
30 E. If the Chair of UAB or Assistant Vice President/Dean of Students’ Appeal Board denies  
31 the appeal hearing, the case is closed, subject to no further route of appeal.  
32 F. If the Chair or Dean grants the appeal hearing, the hearing will be convened within ten  
33 University business days to review the case.  
34 G. In cases involving an aggrieved party, both the responding party and the aggrieved party  
35 shall be given the opportunity to appeal at the same appeals hearing. Whether or not  
36 both the responding party and the aggrieved party appeal, both shall be provided the  
37 opportunity to attend a hearing.  
38 H. In cases involving allegations of academic dishonesty, the UAB shall include at least one  
39 faculty member and one student. The UAB Chair will make every effort to ensure that  
40 graduate students are utilized on the UAB when the case involves an allegation against a  
41 graduate student.  
42 I. Proceedings of all appeal hearings shall abide by the following protocol:  
43 i. All hearings are closed to the public.  
44 ii. The representative from SCCR offers a brief overview of the facts of the case to  
45 date.  
46 iii. The appellant offers a summary of their cause for appeal, providing any relevant  
47 information. Both the UAB (or AVP/Dean) and the representative from SCCR

1 (generally the case manager or hearing officer) shall both have the opportunity  
2 to ask questions.

- 3 iv. The representative from SCCR offers a response to the appellant's case,  
4 providing any relevant information. Both the UAB (or AVP/Dean) and the  
5 appellant shall have the opportunity to ask questions.
- 6 v. Optional final statements can be made by both parties, beginning with the  
7 appellant.
- 8 vi. In the event that there is a responding party, an aggrieved party, and a  
9 representative of SCCR present, the appellant shall proceed first, the counter  
10 party second, and SCCR third. In cases where both the responding student and  
11 aggrieved party file appeals, the responding student shall proceed first, the  
12 aggrieved party second, and SCCR third.
- 13 vii. Upon conclusion of the hearing, deliberations will take place in closed session to  
14 reach a decision, by consensus. In UAB hearings, the Chair shall observe the  
15 proceedings and aid in the authoring of a decision, but shall not have participate  
16 in the deliberations.
- 17 viii. Appeal hearings shall result in one of the following outcomes:  
18 1. Affirm the original finding and sanction.  
19 2. Affirm the finding and modify the sanction. In cases where the accused  
20 student is the appealing party, the sanction may not be increased. In  
21 cases where the aggrieved party is the appellant, the sanction may be  
22 increased or reduced as deemed appropriate.  
23 3. Remand the case for a new hearing or case management conference.
- 24 ix. Written findings shall be conveyed to all parties within five business days of the  
25 hearing. Findings shall not be verbally provided at the time of the hearing.  
26  
27

## 28 IX. Sanctions

29  
30 When students and/or student organizations are found in violation of University regulations, sanctions  
31 shall be imposed. The purpose of sanctioning is to educate a student as to why their behavior is  
32 inappropriate, as well as to make the student aware of and sensitive to all the possible consequences of  
33 the behavior in question. Sanctions for misconduct will be determined on a case by case basis, utilizing  
34 four main criteria: a) the nature of the offense; b) the precedent established at the University for similar  
35 conduct; c) the previous conduct record of the student; and, d) the student's attitude and behavior  
36 throughout the conduct process.  
37

38 Sanctions shall generally be comprised of two components: a) an "inactive sanction" or written sanction  
39 (Censure, Disciplinary Probation, Restrictive Disciplinary Probation, Disciplinary Suspension, or  
40 Disciplinary Dismissal), as well as; b) an "active sanction" or educational sanction, requiring the student  
41 to complete some form of assignment requiring the student's active participation and reflection.  
42

43 The following sanctions may be imposed by a case manager, administrative hearing officer, University  
44 Hearing Panel, University Appeals Board, Assistant Vice President/Dean of Students or through a  
45 restorative conference upon any student found to have violated the *Code*:  
46

### 47 A. Inactive Sanctions

48

1 Inactive sanctions include those sanctions that determine a student's standing at the University.  
2 These sanctions include:

3  
4 1. Censure

5 A censure is an official statement that the student or student organization has violated a  
6 University regulation, and serves as a formal reprimand. A censure also indicates that future  
7 violations will likely result in more serious level of sanctioning.

8  
9 2. Disciplinary Probation

10 Disciplinary Probation is a serious encumbrance on the student or student organization's good  
11 standing in the University community, and serves as a recognition that the student (or  
12 organization) is no longer in good disciplinary standing with the University. Disciplinary  
13 Probation will last at least one semester (eighteen academic calendar weeks) and any  
14 subsequent violations during the probationary period will be viewed as both a violation of  
15 University regulations and a violation of the probation. No more than three Disciplinary  
16 Probation sanctions may be imposed on a student prior to that student being removed from the  
17 University community, though the student may be removed prior to this condition. Student  
18 organizations are limited to three probationary sanctions in a four year period prior to that  
19 student organization being removed from the University community, though the student  
20 organization may be removed prior to this condition.

21  
22 A student on disciplinary probation may not hold any elected or appointed office at the  
23 University and is ineligible for a sophomore housing exemption to move to a fraternity or  
24 sorority house. At the end of the disciplinary probation period, all lost privileges shall be  
25 restored.

26  
27 3. Restrictive Disciplinary Probation

28 Restrictive Disciplinary Probation is a serious encumbrance on the student or student  
29 organization's good standing in the University community, and indicates that a student or  
30 student organization is at a "near removal status" from the University. Any additional incidents  
31 in which the student or student organization is found in violation of the *Code of Student Conduct*  
32 would result in immediate removal from the University for a period of time and the possibility of  
33 additional sanctions. No more than one restrictive disciplinary probation sanction shall be  
34 imposed on a student prior to removal from the University community. Student organizations  
35 are limited to one restrictive disciplinary probation sanction in a three year period. Restrictive  
36 disciplinary probations may not be extended as a result of separate incidents.

37  
38 A student on restrictive disciplinary probation may not hold elected office, is ineligible for a  
39 sophomore housing exemption to live in a fraternity or sorority house, and may not represent  
40 the University in any official capacity, including intercollegiate athletics, major extracurricular  
41 activities (including forensics, debate, plays and musicals) or student exchange programs. At the  
42 end of the restrictive disciplinary probation period, all lost privileges and eligibility shall be  
43 restored. Student organizations on restrictive disciplinary probation may not seek sophomore  
44 housing exemptions and may not host any events with alcohol.

45  
46 4. Disciplinary Suspension

47 Disciplinary Suspension establishes a fixed period of time during which the student or student  
48 organization may not participate in any academic or other activities of the University. At the end

1 of the suspension period, the student or student organization may apply for reinstatement and  
2 be readmitted only upon the approval of the Assistant Vice President/Dean of Students or  
3 designee.  
4

5 5. Disciplinary Dismissal

6 Disciplinary Dismissal denies the student or student organization the right to participate in any  
7 academic or other activities of the University. This is a permanent exclusion from the University  
8 community. Students subject to disciplinary dismissal shall be restricted from University  
9 property and University-related events for a minimum of five calendar years.  
10

11 6. Restrictions

12 A restriction takes away a privilege that the student may have, as well as restricting contact with  
13 people and/or access to property.  
14

15 B. Active/Educational Sanctions

16 Case managers, administrative hearing officers, and the University Hearing Panel are strongly  
17 encouraged to impose “active” and educational sanctions that promote learning, understanding,  
18 and reflection. These sanctions may be developed as necessary and as deemed relevant to  
19 specific conduct and specific individuals.  
20

21 Among the previously established educational sanctions are:

- 22 i. Alcohol Education Program
- 23 ii. Attendance at Educational Programs
- 24 iii. Conflict Management Training
- 25 iv. Educational Service Hours
- 26 v. Ethics Workshop
- 27 vi. Reflective Exercises
- 28 vii. Restitution  
29

30 C. Conduct Fines and Fees

31 Fines are utilized as a deterrent to further student misconduct, and are most often employed in  
32 cases involving the use of alcohol and other drugs. Conduct fines are, however, also utilized for  
33 frequent offenders of University regulations. Conduct fine rates are approved by the Vice  
34 President for Student Affairs. Conduct fees are associated with costs for providing educational  
35 sanctions, and are set by the service provider.  
36

37 D. More than one sanction may be imposed for any violation.  
38

39 E. Case managers, administrative hearing officers, and the University Hearing Panel may impose  
40 other restrictions, such as restriction from class registration and other academic activities as is  
41 deemed necessary.  
42

43 **X. Conduct Records**  
44

45 A. All student conduct records, both adjudicatory and non-adjudicatory, are maintained by SCCR  
46 for a period of seven years from the date of creation, with the following exceptions:  
47

- 1 1. Records of students placed on disciplinary probation or restrictive disciplinary probation are  
2 maintained for a period of seven years after the date by which the student completes their  
3 probationary status.
- 4
- 5 2. Records of students who are subject to disciplinary suspension or disciplinary dismissal are  
6 maintained permanently.
- 7
- 8 3. Records of registered student organizations are maintained permanently.
- 9
- 10 B. In compliance with the Family Educational Rights & Privacy Act, all student conduct proceedings  
11 and student conduct records are considered confidential, except as otherwise provided by law.  
12 Only those persons authorized by the student or by the Dean of Students Office may have  
13 access to these records.
- 14
- 15 C. Exceptions for parental and public notification are provided in Section XI.
- 16

#### 17 **XI. Parental and Public Notification**

- 18
- 19 A. In cases where student who is found in violation of University regulations is under the age of  
20 twenty-one and is also financially dependent (as noted on federal tax forms), parents and legal  
21 guardians will be notified when:
  - 22
  - 23 1. The student is found in violation of alcohol or drug related regulations and is given the  
24 sanction of Disciplinary Dismissal, Disciplinary Suspension, Restrictive Disciplinary  
25 Probation, or if the student accrues more than one semester of Disciplinary Probation.
  - 26
  - 27 2. The student is found in violation of physical or Section VI.D towards another person and  
28 is given the sanction of Disciplinary Dismissal, Disciplinary Suspension, Restrictive  
29 Disciplinary Probation, or if the student accrues more than one semester of Disciplinary  
30 Probation.
  - 31
- 32 B. Parents and legal guardians will be notified of such decisions only after the conclusion of all  
33 appropriate appeal processes.
- 34
- 35 C. In some cases, students may offer reasons why parental notification would be detrimental to  
36 their emotional and/or physical well-being. In such cases, the Assistant Vice President/Dean of  
37 Students or designee will review the request and issue a final determination.
- 38
- 39 D. Parents and legal guardians will be notified via a letter sent to the student's permanent address.
- 40
- 41 E. Once notified, parents and legal guardians will be provided full disclosure of the specific incident  
42 leading to the sanction upon written request. Requests for access to previous or subsequent  
43 student conduct history (except for those meeting the criteria outlined in Section XI.A above)  
44 will require a signed consent from the student.
- 45
- 46 F. At no time will SCCR provide any information that divulges to the public the name, address, or  
47 other identifying personal information of anyone involved in the student conduct process.
- 48



1 G. SCCR will maintain a public online summary of the disciplinary status of student organizations  
2 that have been sanctioned through the student conduct process. Additionally, the Assistant Vice  
3 President/Dean of Students may authorize the notification of all parents of student members of  
4 a student organization with respect to the actions of the organization and the sanctions  
5 imposed.  
6  
7

## 8 **XII. Conduct Bodies**

9

### 10 **A. Case Managers**

11

12 Case managers are professional and graduate student staff members of SCCR and University  
13 Housing Services that are assigned to manage student conduct cases. SCCR staff shall receive  
14 training in all areas related to case management from the Coordinator of SCCR. University Housing  
15 Services staff shall receive case management training from the Assistant Director of University  
16 Housing Services, in consultation with the Coordinator of SCCR.  
17

### 18 **B. Student Conflict Specialists**

19

20 Student conflict specialists are undergraduate or graduate student staff member assigned by SCCR  
21 to assist students in a conflict resolution intake process. They shall receive training and supervision  
22 from SCCR professional staff.  
23

### 24 **C. Conduct Consultants**

25

26 Conduct Consultants are faculty, staff, and student volunteers who have received basic training in  
27 the student conduct process. These volunteers are an optional resource open to any student  
28 involved in the student conduct process.  
29

### 30 **D. Administrative Hearing Officers**

31

32 Administrative Hearing Officers are full-time employees of the University (typically from the Dean of  
33 Students Office and University Housing Services) who are trained and empowered to hear formal  
34 cases involving allegations of student misconduct. The Assistant Vice President/Dean of Students or  
35 designee shall be responsible for approving the selection of hearing officers, and the Coordinator of  
36 SCCR shall be responsible for providing appropriate training. Administrative Hearing Officers may  
37 also serve as arbiters when a case is referred to arbitration.  
38

### 39 **E. University Hearing Panel**

40

41 The University Hearing Panel shall consist of students, faculty, and staff who are trained and  
42 empowered to hear formal cases involving allegations of student misconduct. All recruitment and  
43 selection of University Hearing Panel members is conducted at the start of the fall semester.  
44 Vacancies are filled on an as-needed basis. The following rules apply to the UHP:  
45

- 46 1. Students serving on the UHP are first nominated by the Coordinator of SCCR following a  
47 recruitment and selection process conducted by SCCR. They must be in both good  
48 academic and disciplinary standing with the University at both the time of their

1 selection and throughout their term of service. The Assistant Vice President/Dean of  
2 Students or designee reserves the right to establish more stringent requirements. A  
3 student's application will authorize the release of necessary records for verification  
4 purposes. Nominations are forwarded to the Student Government Association for  
5 approval. Students may serve until graduation, at the discretion of the Coordinator of  
6 SCCR. A comprehensive recruitment campaign will be conducted at least once annually,  
7 with special recruitment campaigns being implemented as necessary to maintain an  
8 appropriate pool of members.  
9

- 10 2. Those students selected for UHP membership must complete an initial course of training  
11 before their service may begin. Additional training may be offered as needed each  
12 semester.  
13
- 14 3. Faculty/staff members serving on the UHP are first nominated by the Rules Committee  
15 of the Academic Senate. They are then elected by the Faculty Caucus. Faculty and staff  
16 serve two year terms. Faculty and staff may be reappointed.  
17
- 18 4. Those faculty/staff appointed to UHP membership must complete an initial course of  
19 training before their service may begin. Additional training may be offered as needed  
20 each semester.  
21
- 22 5. Staff members serving on the UHP are recruited and selected by the Coordinator of  
23 SCCR, subject to approval by the Vice President for Student Affairs or designee.  
24
- 25 6. Those staff members appointed to UHP membership must complete an initial course of  
26 training before their service may begin. Additional training may be offered as needed  
27 each semester.  
28
- 29 7. All members of the UHP may be removed from membership at the discretion of the  
30 Coordinator of SCCR for any of the following reasons: failure to participate in training  
31 activities, failure to attend scheduled hearings, poor performance appraisals,  
32 termination or expiration of employment, violation of University regulations, failure to  
33 uphold confidentiality requirements, or other issues as specified by the Coordinator.  
34
- 35 8. The Coordinator of SCCR will notify the Academic Senate of vacant faculty/staff seats,  
36 and the Senate will provide replacement appointments as necessary. SCCR may conduct  
37 recruitment and selection processes to nominate faculty members to the Academic  
38 Senate for approval.  
39
- 40 9. The UHP reports annually to the Academic Affairs Committee.  
41

#### 42 F. University Appeals Board 43

44 The University Appeals Board shall consist of students, faculty, and staff who are trained and  
45 empowered to review appeals of cases heard by administrative hearing officers and the University  
46 Hearing Panel. The following rules apply to the UAB:  
47

- 1           1. The members of the UAB shall be five faculty members nominated by the Faculty  
2           Caucus, five students nominated by the Student Government Association, and five staff  
3           members nominated by the Vice President for Student Affairs, all appointed by the  
4           President. A faculty member or professional staff member not employed by the Dean of  
5           Students Office shall be appointed by the Vice President of Student Affairs to serve as  
6           the non-voting Chair of UAB. Faculty and staff members are appointed for three year  
7           staggered terms. Students are appointed on an annual basis. Student members must be  
8           admitted to an authorized degree or credential program.  
9
- 10          2. Two students, two faculty members, and one staff member shall be assigned to each  
11          appeal hearing. A quorum will consist of three members, of which at least two will be  
12          faculty and/or staff.  
13
- 14          3. As noted in Section VIII.I.3.C, the Chair shall be given the authority to screen appeals to  
15          ensure that they meet the criteria for filing an appeal. The Chair shall supervise all  
16          hearings of the UAB including deliberations.  
17
- 18          4. All UAB members must complete an initial course of training before their service may  
19          begin. Additional training may be offered as needed each semester.  
20
- 21          5. All members of the UAB may be removed from membership at the discretion of the UAB  
22          Chair for any of the following reasons: failure to participate in training activities, failure  
23          to attend scheduled hearings, poor performance appraisals, termination or expiration of  
24          employment, violation of University regulations, failure to uphold confidentiality  
25          requirements, or other issues as specified by the Chair.  
26

#### 27          G. Assistant Vice President/Dean of Students Appeals Board

28  
29          The Assistant Vice President/ Dean of Students shall convene a Dean's Appeal Board, which shall  
30          hear appeals of cases involving allegations of Section VI.D. The following rules apply to the Dean's  
31          Appeal Board:

- 32
- 33          1. The members of the Assistant Vice President/ Dean of Students' Appeal Board (Board)  
34          shall be faculty and staff members recruited and selected by the Assistant Vice  
35          President/Dean of Students. Members of the University Appeals Board are eligible to  
36          serve. Board members are subject to annual review and renewal at the discretion of the  
37          Assistant Vice President/Dean of Students.  
38
- 39          2. The Assistant Vice President/Dean of Students will identify at least four faculty and staff  
40          members to serve on the Board. All members of the Board are required to complete  
41          training specific to the subject matter of the appeals over which the Board holds  
42          jurisdiction.  
43
- 44          3. Three members of the Board shall serve on each appeal hearing. The Assistant Vice  
45          President/Dean of Students shall chair the hearing unless this role is designated to  
46          another Board member by the Assistant Vice President/Dean of Students. The Assistant  
47          Vice President/Dean of Students is a voting member of the Board.  
48

- 1           4. All members of the Board may be removed from membership at the discretion of the  
2           Assistant Vice President/Dean of Students for any of the following reasons: failure to  
3           participate in training activities, failure to attend scheduled hearings, poor performance  
4           appraisals, termination or expiration of employment, violation of University regulations,  
5           failure to uphold confidentiality requirements, or other issues as specified by the  
6           Assistant Vice President/Dean of Students.

7  
8       H. Mediators

9  
10       When student conduct matters are referred to mediation, SCCR shall provide trained mediators to  
11       assist in the resolution of conflicts. Mediators will include students, faculty, and staff, and all  
12       mediators shall receive appropriate training and supervision from SCCR professional staff.

13  
14       I. Restorative Conference Facilitators

15  
16       When student conduct matters are referred to restorative conferences, SCCR shall provide trained  
17       facilitators to assist in the resolution of conflicts and/or the determination of sanctions. Facilitators  
18       will include students, faculty, and staff, and all mediators shall receive appropriate training and  
19       supervision from SCCR professional staff.

20  
21  
22       **XIII. References**

23  
24       This *Code* was created by a committee of University students, faculty, and staff, and has been reviewed  
25       and approved by the University's shared governance process before being approved by the University  
26       President.

27  
28       The following documents were utilized to assist in the development of this *Code*, in addition to direct  
29       feedback received by numerous members of the University community.

30  
31       Association for Student Conduct Administration, Conflict Resolution Task Force. (2008). *Report*  
32       *from the conflict resolution summit, September 17-19, 2008.*

33  
34       Illinois State University *Code of Student Conduct*, May 8, 2012.

35  
36       Fischer, W., Lewis, S., Lowery, J., Schuster, S., Sokolow, B., and Swinton, D. (2013). *A developmental*  
37       *framework for a code of student conduct: The NCHERM group code project.* National Center for Higher  
38       Education Risk Management, Malvern, PA. *Used with permission.*

39  
40       Newman, A., Zompetti, S., & John, B. (2009). *Implementation of a spectrum of conflict resolution options:*  
41       *Proposal to reorganize the programs and services offered by Community Rights and Responsibilities, a*  
42       *unit within the Dean of Students Office.* Unpublished report.

43  
44       Schrage, J. and Giacomini, N. (2009). *Reframing campus conflict: Student conduct practice through a*  
45       *social justice lens.* Sterling, VA: Stylus.

46

- 1 Stoner, E. and Lowery, J. (2004). Navigating past the “Spirit of Insubordination”: A twenty-first century
- 2 model student conduct code with a model hearing script. *Journal of College and University Law*, 31(1),
- 3 77 pp. *Used with permission.*