

**Illinois State University
Code of Student Conduct**

Effective August 27, 2025

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	6
VII.	Rights and Responsibilities	13
VIII.	Forums of Resolution	20
IX.	Sanctions	33
X.	Conduct Records	35
XI.	Parental and Public Notification	36
XII.	Conduct Bodies	36
XIII.	References	39

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 term “Registered Student Organization (RSO)” means any student-led organization that has met the requirements for University recognition and affiliation through registration with the Dean of Students Office.

- c) The term “Student Group” means any number of students who are associated with the University and each other, but who have not registered, or are not required to register, as an RSO that conducts business or participates in University-related activities. Student Groups include, but are not limited to, the University newspaper, or intercollegiate or independent varsity athletic teams. This does not include any unions officially recognized by the University.
- d) The term “group” means any Registered Student Organization or Student Group.
- e) The term “University Official” means any faculty, instructor, or staff member employed by the University performing assigned administrative duties or professional responsibilities.
- f) The term “University community” refers to all students, faculty, and staff members at Illinois State University, including those individuals who maintain a formal connection to the University through part-time employment or the supervision of students in academic endeavors such as student teaching or internships.
- g) The term “University business days” means weekdays when the University is open for business, whether or not classes are in session.
- h) The term “assignment” means any material submitted to an instructor for the purpose of academic credit and/or degree fulfillment, whether or not a grade is assigned. This includes, but is not limited to: homework, lab assignments, quizzes, examinations, proposals, thesis, dissertations, publications, and other materials.
- i) The terms “shall” and “will” are used in the imperative sense.
- j) The term “may” is used in the voluntary sense.
- k) The term “preponderance of information” is the standard of proof in all *Code* cases. A preponderance of information means that upon consideration of the evidence available, it is more likely than not that the alleged violation of the *Code* occurred.

III. Jurisdiction

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

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

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

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

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

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 and/or 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.

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

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

B. Interim Actions for Registered Student Organizations and Student Groups

The University reserves the right to impose an interim disciplinary suspension on a group 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) Alleviate a threat that a group poses to the disruption of or interference with the normal operations of the University.

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

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

V. Violations of the Law

The student conduct process is responsible for reviewing alleged violations of the *Code*, and is not responsible for the determination of public law violations. These processes are distinctly different from one another. Nevertheless, allegations of *Code* violations from an incident may also be reviewed by

external legal authorities. The formal rules of due process, procedure, and/or technical rules of evidence that are applied in criminal or civil courts do not apply to the student conduct process.

VI. University Regulations

Standards for student behavior are articulated through University regulations.

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

2. Disruption

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

Violations include such behavior as:

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

3. University Records

Violations include such behavior as:

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

4. Academic Records

Violations include such behavior as:

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

5. Acts of Dishonesty

Violations include such behavior as:

- a) Knowingly providing false or inaccurate information to any University or public official or office, whether in person, through correspondence, via electronic means, or through official forms.

- b) Forging, altering, or misusing any official document, record, or instrument of identification, regardless of origin.
- c) Aiding, abetting, influencing, or procuring another person or persons to violate any University regulation or policy.
- d) Engaging in any electronic exploitation of another person, including eavesdropping on, surveillance of, and/or the recording and/or broadcasting non-public actions, in any forum. For the purpose of this policy, people have a reasonable expectation of privacy when not in public areas, and the dissemination of visual or audio transmissions of the actions of a person without that person's consent are prohibited.

6. Failure to Comply

Violations include such behavior as:

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

7. Theft

Violations include such behavior as:

- a) Appropriating or attempting to appropriate or possess public or private property without the consent of the owner or person legally responsible.
- b) Obtaining or attempting to obtain any service by devious means.
- c) Maintaining possession of public or private property that is stolen.

8. Unauthorized Possession of Property

Violations include such behavior as:

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

9. Damage to Property

Violations include such behavior as:

Taking any action that causes damage or which would reasonably be anticipated to cause damage to public or private property without the consent of the owner or the person legally responsible.

10. Disorderly Conduct

Violations include such behavior as:

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

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.F).

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

2. Unauthorized Entry

Violations include such behavior as:

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

3. Dangerous Objects

Dangerous Objects include but are not limited to:

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

Violations include such behavior as:

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

Exceptions to this policy are outlined in Policy 5.1.1 found at <http://policy.illinoisstate.edu/health-safety/general/5.1.1Concealed%20Carry.shtml>.

4. Threatening and Intimidation

Violations include such behavior as:

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

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

5. Physical Misconduct

Violations include such behavior as:

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

6. Hazing

Engaging in any activity toward other persons that is inconsistent with regulations or policies of Illinois State University, federal or state law, and that is undertaken for the purpose of initiation into, affiliation with, or continued membership in, any group, organization, or team. Acts of this nature are hazing regardless of the willingness of such other persons to participate.

Violations include, but are not limited to:

- a) Engaging in any act that risks the mental, emotional, or physical health or safety of an individual;
- b) Causing, coercing, or otherwise inducing sleep deprivation, causing excessive fatigue, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
- c) Causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
- d) Causing, coercing, or otherwise inducing another person to perform, sexual acts;
- e) Any activity that places another person in reasonable fear of bodily harm through the use of threatening or intimidating words or conduct;
- f) Any activity against another person that includes a violation of law;
- g) Any activity that induces, causes, or requires another person to perform a duty or task that involves a violation of law;

- h) Being party to, or complicit in, the encouraging or requiring of an individual to behave in any way that detracts from the individual's academic pursuits;
- i) Causing, coercing, or otherwise inducing others to engage in acts such as work sessions, perform services or servitude (personal, physical, or financial), wear apparel which is conspicuous or not in good taste, perform public stunts, and/or perform acts that may be considered unbecoming or humiliating;
- j) Failing to prevent, discourage, or report acts of hazing when they are known or reasonably should be known to have taken place.

C. Personal Responsibility Values and Expectations

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

1. Alcohol

Violations include such behavior as:

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

For the purpose of this policy, Registered Student Organizations must also abide by procedures for the use of alcohol established by the Dean of Students Office.

2. Drugs

Violations include, but are not limited to:

- a) Possessing and/or consuming drugs and/or other substances except as expressly permitted by law and University policy. Distributing, selling, manufacturing, producing, and/or providing drugs and/or other substances which may alter or impair an individual's mental state or behavior except as expressly permitted by law and University policy.
- b) Abusing, misusing, selling, or distributing prescription or over the counter medications.
- c) Operating or controlling a vehicle (e.g., automobile, motorcycle, bicycle, skateboard, scooter, golf cart, hoverboard, tractor) while under the influence of drugs or other substances.

3. Drug Paraphernalia

Violations include, but are not limited to:

Possessing and/or using drug paraphernalia (e.g., any equipment, product, or material that is for making, using, or concealing drugs and/or other substances) may include, but is not limited to, pipe(s), bong(s), grinder(s), rolling paper(s), or a scale except as expressly permitted by law and University policy.

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 except as permitted by 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.

VII. Rights and Responsibilities

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

Students responding to allegations have the right to be heard and to be treated fairly throughout the student conduct process. Students also bear the responsibility for participating in the student conduct process in a manner that demonstrates respect for the student conduct process and all people participating in that process. The following rights and responsibilities have been established

1 to reflect the mutual responsibility that exists between the student and the student conduct
2 process.

3
4 Student respondents are entitled to the following rights in the student conduct process:

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

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

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

B. Complainant Rights and Responsibilities in the Student Conduct Process

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

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

1. A complainant has the right to be treated with respect and dignity by all representatives of the student conduct process.

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

Complainants are expected to adhere to the following responsibilities in the student conduct process:

1. A complainant has the responsibility to take the student conduct process seriously, to act in good faith, and to treat everyone involved in the process with respect and dignity.
2. A complainant has the responsibility to educate themselves on the *Code* and its expectations.
3. A complainant giving testimony or evidence is expected to tell the full and complete truth throughout the student conduct process.
4. A complainant has the responsibility to represent themselves at all meetings or hearings in the student conduct process. Complainants will not take direction from advisors during the course of a proceeding, nor will advisors be permitted to script complainant responses and/or questions during a meeting or hearing.
5. A complainant is responsible for ensuring that their advisors attend meetings and hearings, understanding that meetings and hearings will not be rescheduled to accommodate advisors.

6. A complainant is responsible for regularly checking their University email account (ilstu) and is responsible for the contents of any notices sent to their account, whether or not the complainant chooses to open them.
7. A complainant in an administrative hearing or appearing before the University Hearing Panel has the responsibility to present only those witnesses that can speak to the substance of the allegations that have been made.
8. A complainant has the responsibility to keep confidential all information pertaining to the student conduct process.

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

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

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

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

1. An aggrieved party has the right to be treated with respect and dignity by all representatives of the student conduct process.
2. An aggrieved party has the right upon request to the availability of information pertaining to interim measures and support assistance available to them.
3. An aggrieved party has the right to a hearing by an unbiased administrative hearing officer or University Hearing Panel.
4. An aggrieved party has the right to have an advisor present at all meetings or hearings in the student conduct process. The advisor's role is non-participatory, limited only to advising the aggrieved party, and the advisor may not actively participate in the proceedings, nor serve as a witness.
5. A list of conduct consultants (students, faculty and staff who have volunteered and received basic training in the student conduct process) is provided by SCCR as an optional resource to offer assistance in the student conduct process.
6. An aggrieved party has the right to request to participate in the student conduct process via electronic means (email, telephone, video conference, etc.). Requests for this accommodation must be submitted to SCCR at least 48 hours prior to a scheduled proceeding. The aggrieved party is responsible for providing appropriate contact information to SCCR as a part of the request. Determinations regarding these requests will be made by the coordinator of the

1 student conduct case and communicated to the aggrieved party in advance of any meeting or
2 hearing.

- 3 7. An aggrieved party has the right to have any unrelated past behavior excluded from the student
4 conduct process. The administrative hearing officer or UHP shall determine what constitutes
5 unrelated behavior.
- 6 8. An aggrieved party has the right to deliver or submit a written impact statement to the case
7 manager, administrative hearing officer or UHP that will be considered only in sanctioning,
8 should there be a finding of violation against a responding student. The impact statement may
9 be filed at any time in the student conduct process prior to the conclusion of a formal hearing.
- 10 9. An aggrieved party has the right to expect to be free from intimidation and harassment
11 throughout the conduct process.
- 12 10. An aggrieved party has the right, upon request, to have reasonable steps taken by SCCR or other
13 University agencies to prevent any unnecessary or unwanted contact with the responding
14 student(s).
- 15 11. An aggrieved party has the right to written notification of the outcome of a hearing as it pertains
16 specifically to the complainant no later than five University business days after the hearing. This
17 may be delayed if an administrative hearing officer of University Hearing Panel needs additional
18 time to review the information provided at the hearing. Notifications of any delay will be sent to
19 an aggrieved party by email.
- 20 12. An aggrieved party has the right to appeal any student conduct outcome under Section VIII.H
21 and shall be informed of this right, as well as the process and timeframes for doing so. A student
22 has the right to appeal voluntary resolutions from a SCCR case management conference (Section
23 VIII.A) that involves disciplinary suspension or disciplinary dismissal as a sanction.
- 24 13. An aggrieved party has the right to know the outcome of any appropriate appeals process as it
25 applies to the respondent.

26
27 Aggrieved parties are expected to adhere to the following responsibilities in the student conduct
28 process:

- 29
30 1. An aggrieved party has the responsibility to take the student conduct process seriously, to act in
31 good faith, and to treat everyone involved in the process with respect and dignity.
- 32 2. An aggrieved party has the responsibility to educate themselves on the *Code* and its
33 expectations.
- 34 3. An aggrieved party giving testimony or evidence is expected to tell the full and complete truth
35 throughout the student conduct process.
- 36 4. An aggrieved party has the responsibility to represent themselves at all meetings or hearings in
37 the student conduct process. Aggrieved parties will not take direction from advisors during the
38 course of a proceeding, nor will advisors be permitted to script aggrieved party responses
39 and/or questions during a meeting or hearing.
- 40 5. An aggrieved party is responsible for ensuring that their advisors attend meetings and hearings,
41 understanding that meetings and hearings will not be rescheduled to accommodate advisors.
- 42 6. An aggrieved party is responsible for regularly checking their University email account (ilstu) and
43 is responsible for the contents of any notices sent to their account, whether or not the
44 aggrieved party chooses to open them.
- 45 7. An aggrieved party in an administrative hearing or appearing before the University Hearing
46 Panel has the responsibility to present only those witnesses that can speak to the substance of
47 the allegations that have been made.

8. An aggrieved party has the responsibility to keep confidential all information pertaining to the student conduct process.

D. Registered Student Organization and Student Group Rights and Responsibilities in the Student Conduct Process

Groups have the right to be heard and to be treated fairly throughout the student conduct process. Groups also bear the responsibility for participating in the student conduct process in a manner that demonstrates respect for the student conduct process and all people participating in that process. The following rights and responsibilities have been established to reflect the mutual responsibility that exists between the group and the student conduct process.

Groups are entitled to the following rights in the student conduct process:

1. A group has the right to be treated with respect and dignity by all representatives of the student conduct process.
2. A group has the right to a hearing by an unbiased administrative hearing officer or University Hearing Panel.
3. A group may be represented by up to three student members of the group during the student conduct process. The Assistant Vice President/Dean of Students or designee may allow additional representatives during any investigations processes.
4. A group has the right to have up to two advisors present at all meetings or hearings in the student conduct process. The advisor's role is non-participatory, limited only to advising the student members, and the advisor may not actively participate in the proceedings, nor serve as a witness.
5. A list of conduct consultants (students, faculty and staff who have volunteered and received basic training in the student conduct process) is provided by SCCR as an optional resource to offer assistance in the student conduct process.
6. A group has the right to written notice of any conduct charges filed against it. This notice shall indicate the time and place of any conduct meeting or hearing. Proper written notification shall be defined as delivery of email to the President (or other recognized student leader) or the group's University account (ilstu).
7. A group has the right to receive a written copy of the incident report(s) stating the circumstances and allegations involved. This information shall generally be provided to the group's President when they are notified of the charges.
8. A group has the right to hear and respond to all information presented against it. This includes the right to questions all involved parties through an administrative hearing officer or the University Hearing Panel.
9. A group has the right to present information and/or witnesses on its behalf. Only witnesses able to speak to the substance of an allegation may be called. The number of witnesses who may be called may be subject to the discretion of the administrative hearing officer or the University Hearing Panel.
10. A group has the right to request to participate in the student conduct process via electronic means (email, telephone, video conference, etc.). Requests for this accommodation must be submitted to SCCR at least 48 hours prior to a scheduled proceeding. The group is responsible for providing appropriate contact information to SCCR as a part of the request. Determinations regarding these requests will be made by the Assistant Dean and communicated to the group in advance of any meeting or hearing.

11. A group has the right to written notification of the outcome of a hearing no later than five University business days after the hearing. This may be delayed if an administrative hearing officer of University Hearing Panel needs additional time to review the information provided at the hearing. Notifications of any delay will be sent to the group's President by email.
12. A group has the right to appeal any student conduct outcome and shall be informed of this right, as well as the process for doing so. A group has the right to appeal voluntary resolutions from a SCCR case management conference (Section VIII.H) that involves disciplinary suspension or disciplinary dismissal as a sanction.

Groups are expected to adhere to the following responsibilities in the student conduct process:

1. The members of a group have the responsibility to take the student conduct process seriously, to act in good faith, and to treat everyone involved in the process with respect and dignity.
2. The members of a group have the responsibility to educate themselves on the *Code* and its expectations.
3. The members of a group giving testimony or evidence are expected to tell the full and complete truth throughout the student conduct process.
4. The members of a group have the responsibility to represent themselves at all meetings or hearings in the student conduct process. Students will not take direction from advisors during the course of a proceeding, nor will advisors be permitted to script student responses and/or questions during a meeting or hearing.
5. Members of a group are responsible for ensuring that their advisors attend meetings and hearings, understanding that meetings and hearings may be rescheduled to accommodate advisors at the discretion of the Assistant Vice President/Dean of Students or designee.
6. Members of a group have the responsibility to meet with a SCCR conduct consultant in advance of meetings or hearings if choosing to take advantage of this service.
7. Members of a group are responsible for regularly checking their University email accounts (ilstu) and are responsible for the contents of any notices sent to their accounts, whether or not the student chooses to open them.
8. Members of a group have the responsibility to participate in student conduct proceedings at the time they are originally convened. Students are not obligated to provide information against themselves in student conduct proceedings, but may not utilize this later to appeal on the grounds of new information.
9. Members of a group have the responsibility to abide by all interim actions, if any are in place, and to abide by the conditions and sanctions of any final decision reached.
10. Members of a group in an administrative hearing or appearing before the University Hearing Panel have the responsibility to present only those witnesses that can speak to the substance of the allegations that have been made. Character witnesses may submit written statements for inclusion at the hearing, but may not be called as a witness.

VIII. Forums of Resolution

This section provides a general overview of how the student conduct process operates for cases involving allegations of student misconduct (adjudicatory processes), for cases involving no allegations of student misconduct (non-adjudicatory processes), and for cases involving allegations of student misconduct where additional factors provide a possibility of a combination of adjudicatory (formal) and non-adjudicatory (informal) processes. In some cases, a deferral of adjudicatory processes may be granted pending a successful non-adjudicatory outcome. While the University endeavors to operate

with consistency in its management of student conduct matters, these procedures are flexible, given that not all situations are of the same severity or complexity. The Assistant Dean of SCCR, operating in consultation with the Assistant Vice President/Dean of Students or designee, will have the final authority over the processing of each student conduct case.

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

A. Formal Resolutions

Step One: Receipt of Incident

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

Step Two: Notification

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

Step Three: Case Management Conference

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

The following outcomes may result from a case management conference:

- a) The student and case manager may agree on the University violations for which the student is responsible and the sanctions to be imposed. In this case, a decision letter is generated within five University business days and the case is resolved. There is no right to appeal, unless the student has agreed to a disciplinary suspension or disciplinary dismissal, in which case the student maintains limited appeal rights (see Section VIII.H). In cases where multiple students face possible violations, no agreement is considered final until all involved students have attended case management conferences and reached decisions about their cases.
- b) In cases where the student acknowledges University violations and where the student and the complainant or aggrieved party have expressed a desire to jointly bring resolution to the incident, the case will be referred to a restorative conference (see Section VIII.D). Any inactive sanctions will be imposed by the case manager, but the active sanctions will be determined as an outcome of the restorative conference. See Section IX for more information on sanctions.
- c) The student and case manager may not agree on the University violations and/or sanctions to be imposed. The case will then be forwarded to a formal hearing.

- d) If a student fails to attend a required case management conference, the case manager may make a decision on the information provided, and may add an additional charge of University Regulation Section VI.A.11, Abuse of the Conduct Process. A student failing to appear at a case management conference retains the right of appeal, as outlined in Section VIII.H.
- e) If a student fails to attend a required case management conference and the case manager believes that the case may result in disciplinary suspension or disciplinary dismissal, the case may be referred to a formal hearing.
- f) In cases where a resolution can be reached between the student and the case manager, and there is an identified aggrieved party, the case manager will consult with the aggrieved party to review the proposed outcome. If the outcome is satisfactory to all involved parties, a decision letter will be generated and the case will be resolved. If the aggrieved party does not support the proposed outcome, the case will be referred to a formal hearing.

Step Four: Formal Hearing

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

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

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

Step Five: Appeal

Should a student wish to appeal a decision reached in a hearing, they may do so under Section VIII.H.

B. Informal Resolutions

Step One: Receipt of Incident

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

Step Two: Notification

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

Step Three: Intake Meeting

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

The following outcomes may result from an intake meeting:

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

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

C. Residence Hall Cases

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

1. Any agreement reached between a residence hall professional staff member and a student in a case management conference is subject to review and approval by the UHS Assistant Director for Student Conduct. If the Assistant Director approves the finding and sanction, a formal decision will be sent to the student via email. The Assistant Director has five University business days to act upon the recommendation and issue a decision.
2. If the Assistant Director declines the recommendation of the residence hall professional staff member, or if the student fails to attend the scheduled case management conference, the Assistant Director may:
 - a. Notify the student that a case management meeting will be held with the Assistant Director. The case management meeting shall reflect the formal process described in Section VIII.A.

- b. Render an administrative decision. Students may choose to appeal these decisions under Section VIII.H.3.B.
 - c. Notify the student that the case is being forwarded to SCCR for review. SCCR may then choose to retain jurisdiction over the case, or to return the case to the Assistant Director for review.
3. Residence hall professional staff members, with the exception of the Assistant Director, shall only hear minor cases involving allegations of violations of University regulations. Residence hall professional staff may not hear cases involving physical misconduct, hazing, academic dishonesty, threats and intimidation, and repeated alcohol policy or drug policy violations.. Any cases that might result in Disciplinary Probation, Restrictive Disciplinary Probation, Disciplinary Suspension, or Disciplinary Dismissal are to be immediately referred to the Assistant Director for review. Residence hall staff will receive guidance from the Assistant Director as to what constitutes a minor conduct case. Cases involving allegations of drug distribution, hazing, and academic integrity. shall be referred to SCCR. The Assistant Director will consult with the SCCR Assistant Dean as to what cases must be referred to SCCCR.
4. Residence hall professional staff may seek the assistance of SCCR to conduct restorative conferences as a means of formal resolution of a residence hall case. In cases where residence hall professional staff, SCCR, and all involved parties agree to a restorative conference, the conference will be conducted as outlined in Section VIII.D (below), with the Assistant Director determining the inactive sanction to be imposed.
5. Residence hall professional staff may refer cases to SCCR staff for informal resolutions, as well as request informal processes to supplement formal student conduct proceedings. Residence hall professional staff shall consult with the Assistant Director and/or SCCR on a case to case basis when considering informal options.

D. Restorative Conferences

In cases where a student's conduct has resulted in an identifiable harm to a member of the Illinois State University community and/or to the community itself, restorative conferences may be utilized to resolve the conditions of the conflict and to determine active sanctions that will be imposed for violations of University regulations. The following conditions apply to restorative conferences:

1. A restorative conference is founded on the concept that a student is acknowledging responsibility for violations of the *Code*. As a result, the finding(s) of violation and the inactive sanction must be resolved as a precondition for the conference.
2. A restorative conference will seek to bring together those parties who have been harmed, directly or indirectly, with the student acknowledging responsibility.
3. A restorative conference will be facilitated by a trained staff member, who will allow all parties the opportunity to speak, and who will aid the conference participants in arriving at active sanctions to be imposed for the violations.

4. Should an agreement be reached, a final decision letter will be sent by the case manager to the student within five University business days. The case is then considered closed, with no right of appeal for any parties involved.
5. If no agreement can be achieved through a restorative conference, the case will be referred back to the case manager for sanctioning. The student acknowledging responsibility and any aggrieved parties would maintain a limited right of appeal on the criteria of disproportionate sanction, as described in Section VIII.H.

E. Administrative Hearings

In some cases where a student is unable to reach a resolution in a case management conference.

1. Parties to the hearing shall be provided five University business days' notice of a formal hearing, except in cases involving an interim suspension, where parties will be provided three University business days' notice.
2. Hearings will be closed to the public.
3. Admission to the hearing of persons other than the parties involved will be at the discretion of the hearing officer.
4. In hearings involving more than one responding student, the standard procedure will be to hear the case jointly, providing that other respondents have not previously accepted a finding through a case management conference. The administrative hearing officer may grant separate hearings at their discretion if the hearing officer finds sufficient cause to do so.
5. The primary parties (responding party, complainant, and/or aggrieved party) all have the right to have an advisor of their choosing present at the hearing. The advisor may not participate in the hearing process and may not actively direct the participation of any party.
6. The hearing officer will first hear information and witnesses presented on behalf of the complaint. Once the complaint information has been heard, the responding student will then be given the opportunity to provide information and witnesses. All people appearing at a hearing are subject to questioning, with the hearing officer receiving priority in asking questions. Any questions asked by the parties must be directed to the hearing officer. Unduly repetitive information and witnesses can be limited at the discretion of the hearing officer. Only witnesses who can speak to the substance of the allegations will be considered by a hearing officer.
7. All procedural questions are subject to the final decision of the hearing officer.
8. At the conclusion of the hearing, the hearing officer will deliberate to reach a decision for the alleged violations, on the basis of whether there is a preponderance of information that a student violated each cited University regulation. The hearing officer will prepare a finding of fact and then impose sanctions for any violations found.
9. The hearing officer will provide both parties with written notification at the same time of the outcome of a hearing no later than five University business days after the hearing. This may be

1 delayed if an administrative hearing officer needs additional time to review the information
2 provided at the hearing. Notifications of any delay will be sent to a student by email. The
3 hearing officer will also provide written notification of relevant findings and sanctions to any
4 aggrieved party via email. All decision letters will outline the recipient's process for appeal.
5 Findings shall not be verbally provided at the time of the hearing.
6

- 7 10. There will be a single verbatim audio recording of the hearing. Deliberations will not be
8 recorded. This recording will be maintained by SCCR as a part of the record only until the
9 conclusion of any applicable appeals process. Access to the record will be provided for parties
10 upon request in preparation for their appeal only. No transcripts will be created or provided, nor
11 are any parties permitted to record and/or broadcast the proceedings.
12

13 F. University Hearing Panel
14

15 In some cases where a student is unable to reach a resolution in a case management conference, as well
16 as in all cases involving allegations of academic misconduct or cases involving groups, a hearing of the
17 University Hearing Panel shall be convened. Parties to the hearing shall be provided five University
18 business days' notice of a formal hearing, except in cases involving an interim suspension, where parties
19 will be provided three University business days' notice. Summer holdover cases will be conducted in
20 accordance with Section VIII.G.5.
21

22 The following rules apply to UHP hearings:
23

- 24 1. Hearings will be closed to the public.
25
26 2. Each hearing panel shall consist of three members, consisting of students, faculty, and/or staff.
27 A fourth panel member shall be assigned as an alternate in each case.
28
29 3. The UHP shall be advised by a professional staff member or graduate student who is present to
30 ensure that the procedures follow established protocol. The UHP Advisor does not participate in
31 deliberations.
32
33 4. Admission to the hearing of persons other than the parties involved will be at the discretion of
34 the UHP chair, in consultation with the UHP Advisor.
35
36 5. In hearings involving more than one responding student, the standard procedure will be to hear
37 the case jointly, providing that other respondents have not previously accepted a finding through
38 a case management conference. The UHP, in consultation with the case manager, may grant
39 separate hearings at their discretion if they find sufficient cause to do so.
40
41 6. The primary parties (responding party, complainant, and/or aggrieved party) all have the right to
42 have an advisor of their choosing present at the hearing. The advisors may not participate in the
43 hearing process and may not actively direct the participation of any party.
44
45 7. The UHP will first hear information and witnesses presented on behalf of the complaint. Once
46 the complaint information has been heard, the responding student will then be given the
47 opportunity to provide information and witnesses. All people appearing at a hearing are subject
48 to questioning by all primary parties, with the UHP receiving priority in asking questions. Any

questions asked by the parties must be directed to the UHP Chair. Unduly repetitive information and witnesses can be limited at the discretion of the UHP Chair. Only witnesses who can speak to the substance of the allegations will be considered by a hearing panel.

8. All procedural questions are subject to the final decision of the UHP Chair, in consultation with the UHP Advisor.
9. At the conclusion of the hearing, the UHP will deliberate to reach a decision, by consensus, for the alleged violations, on the basis of whether there is a preponderance of information that a student violated each cited University regulation. The UHP will prepare a finding of fact and then impose sanctions for any violations found.
10. The UHP Advisor will provide the student with written notification of the outcome of a hearing no later than five University business days after the hearing. This may be delayed if the UHP needs additional time to review the information provided at the hearing. Notifications of any delay will be sent to a student by email. The UHP Advisor will also provide written notification of relevant findings and sanctions to any complainant and/or aggrieved party via email. All decision letters will outline the recipient's process for appeal. Findings shall not be verbally provided at the time of the hearing.
11. There will be a single verbatim audio recording of the hearing. Deliberations will not be recorded. This recording will be maintained by SCCR as a part of the record only until the conclusion of any applicable appeals process. Access to the record will be provided for parties upon request in preparation for their appeal only. No transcripts will be created or provided, nor are any parties permitted to record and/or broadcast the proceedings.
12. In cases involving allegations of academic dishonesty, the UHP shall include at least one faculty member and one student. SCCR will make every effort to ensure that graduate students are utilized on the UHP when the case involves an allegation against a graduate student.
13. In cases involving groups, there shall be at least two students on the UHP, one of whom has affiliation in a peer-type student organization (Greek letter, sports club, academic student organization, etc.) and one student who does not share the peer-type affiliation.

G. Specialized Rules

1. Academic Integrity Cases

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

1 With respect to the handling of academic integrity cases:

- 2 a) Faculty members who discover academic dishonesty should meet with the student as soon as
3 possible to review the allegation. Prior to this meeting, faculty members are encouraged to
4 contact SCCR for consultation.
- 5 b) If the student acknowledges academic dishonesty and the faculty member is satisfied that the
6 incident has been resolved:
- 7 i. The faculty member will discuss the academic penalty to be applied and/or the
8 reparation required of the student. Faculty members should adhere to the grade
9 penalty policy, if any, noted in an appropriate syllabus. Faculty members without such a
10 policy, or where such a policy would not be applicable, should develop academic
11 penalties consistent with the nature of the dishonesty.
 - 12 ii. The faculty member is strongly encouraged to complete the electronic referral process
13 for academic dishonesty and submit this referral to SCCR, along with recommendations
14 for appropriate sanctions, recommendations for no sanctions, or a request for a
15 restorative conference for the parties to devise their own sanctions. A SCCR case
16 manager will review the case and the recommendation.
 - 17 iii. If the student does not have previous academic dishonesty violations and is otherwise in
18 good disciplinary standing with the University, the case manager can accept the faculty
19 member's recommendation of no sanction, or a faculty member's request for a
20 restorative conference.
 - 21 iv. If the student has previous violations for academic dishonesty or is otherwise not in
22 good disciplinary standing with the University, the case must be referred to the formal
23 conduct process as outline in Section VIII.A). Note that a faculty member requesting a
24 restorative conference may still have that conference granted if the student can resolve
25 the inactive sanction in the case management conference.
 - 26 v. If a faculty member recommends formal conduct action and sanctions, the case will be
27 referred for a case management conference, with the faculty member serving as a
28 complainant if needed.
- 29 c) If the student denies the allegation of academic dishonesty or if the faculty member believes
30 that the severity of the conduct may warrant a suspension or dismissal from the University:
- 31 i. The faculty member will complete the electronic referral process for academic
32 dishonesty and submit this referral to SCCR. This submission should contain copies of all
33 information to be utilized in the student conduct process, including the names of all
34 parties involved. Note that the student will receive access to all information provided.
 - 35 ii. A SCCR case manager shall conduct a case management conference with the student, as
36 outlined in Section VIII.A), with the faculty member serving as the complainant.
 - 37 iii. If the case manager and the student can reach a resolution, the case manager will
38 consult with the faculty member to review the proposed outcome. If the outcome is
39 satisfactory to all involved parties, a decision letter will be generated and the case will
40 be resolved.
 - 41 iv. If the student and the case manager cannot resolve the case, or if the faculty member
42 does not support the proposed outcome, the case will be referred to the University
43 Hearing Panel for resolution. In the event of a hearing, the faculty member will be
44 provided with the rights of a complainant (see Section VII.B). Cases being resolved
45 during summer session will be referred to an administrative hearing.
- 46 d) It is strongly recommended that faculty members withhold the imposition of an academic
47 penalty in any cases where the student is contesting the allegation. In cases where final grades
48 are being awarded, a grade of "Incomplete" should be assigned pending the outcome of the

student conduct process. If a faculty member imposes an academic penalty and a student is found not in violation of the allegation, the student may have grounds for appealing the penalty through the Office of the Provost.

2. Registered Student Organization and Student Group Cases

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

3. Health and Safety Cases

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

4. Policy Violations

Alleged Policy Violations under *Code* Section VI.A.12 will be considered using existing processes for determining whether the University policies, rules or regulations have been violated. (e.g., University Anti-Harassment and Non-Discrimination Policy, Policy for Unauthorized Release of Protected Health Information, etc.). Please consult the University Policy website for specifics. In such instances, students found to have violated the Anti-Harassment and Non-Discrimination Policy, may be referred, when appropriate, to SCCR for sanctioning.

5. Holdover Cases

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

The holdover process shall operate as follows:

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

6. Medical Amnesty and Good Samaritan Policy

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

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

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

In addition to the provisions above, any party who reports, in good faith, an alleged violation of the Anti-Harassment and Non-Discrimination Policy will not receive a disciplinary sanction by the University for a Code violation (such as underage drinking), that is revealed in the course of such a

report, unless the University determines that the violation was egregious, including without limitation an action that places the health or safety of any other person at risk.

H. Appeals

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

The following conditions apply to the appeals process:

1. Appeals are not re-hearings of student conduct cases, but only serve to review the conditions within which a case was resolved. Because this is not a new hearing of the case, the burden rests with the appealing party to establish that the original hearing and/or the decision reached are improper. Appeals officers and appeals boards shall give deference to the original decision unless it is established by a preponderance of information that the appellant was deprived of a fair process; they shall not supplant their judgment over the decision of the original hearing body without cause.
2. The criteria for filing an appeal are:
 - A. Procedural Error – the appellant is contending that a substantive error was committed as a part of the student conduct process that deprived the appellant of a fair hearing of the case. This would include but not be limited to a substantiated bias, an arbitrary and capricious finding, a material deviation from established procedures, etc.
 - B. New Information – the appellant is contending that there is new information that was unavailable to the appellant at the time of the original proceeding, and that this information would have substantially impacted the outcome of the proceeding. The student must include the new information with the appeal. Note that this criterion may not be utilized by students who choose or fail to attend or participate in the original proceeding they are appealing.
 - C. Disproportionate Sanction – the appellant is contending that the sanction is not appropriate to the findings of the case.
 - D. Unsupported Conclusion – the appellant is contending that the decision reached by the hearing body is arbitrary and capricious, and is unsupported by substantial information.
3. The process for the review of appeals is as follows:
 - A. Students have ten calendar days to request an appeal of any student conduct decision. The ten day period begins on the date of delivery of the decision letter via email.
 - B. Appeals of decisions reached through case management conferences are reviewed by the Assistant Vice President/Dean of Students or designee except in cases involving Disciplinary Suspension and Disciplinary Dismissal. The Dean or designee shall review the information provided by the appellant, as well as all case information. In some cases, the Dean or designee may invite the appellant to provide additional information in person or by telephone. The Dean or designee will respond to all appeals within ten

- University business days of receipt. The Dean's or designee's decision is final, subject to no further route of appeal.
- C. Appeals of administrative hearing decisions, UHP decisions, and case management conferences involving Disciplinary Suspension and Disciplinary Dismissal shall be reviewed the by the University Appeals Board. The Chair of the UAB will review the request for appeal submitted by the appellant, as well as all case information, to ensure that the appeal meets the criteria for appeal. In some cases, the Chair may invite the appellant to provide additional information in person or by telephone. The Chair will respond to all requests for appeals within five University business days of receipt.
- D. If the Chair of UAB denies the appeal hearing, the case is closed, subject to no further route of appeal.
- E. If the Chair grants the appeal hearing, the hearing will be convened within ten University business days to review the case.
- F. In cases involving an aggrieved party, both the responding party and the aggrieved party shall be given the opportunity to appeal at the same appeals hearing. Whether or not both the responding party and the aggrieved party appeal, both shall be provided the opportunity to attend a hearing.
- G. In cases involving allegations of academic dishonesty, the UAB shall include at least one faculty member and one student. The UAB Chair will make every effort to ensure that graduate students are utilized on the UAB when the case involves an allegation against a graduate student.
- H. Proceedings of all appeal hearings shall abide by the following protocol:
- i. All hearings are closed to the public.
 - ii. The representative from SCCR offers a brief overview of the facts of the case to date.
 - iii. The appellant offers a summary of their cause for appeal, providing any relevant information. Both the UAB and the representative from SCCR (generally the case manager or hearing officer) shall both have the opportunity to ask questions.
 - iv. The representative from SCCR offers a response to the appellant's case, providing any relevant information. Both the UAB and the appellant shall have the opportunity to ask questions.
 - v. Optional final statements can be made by both parties, beginning with the appellant.
 - vi. In the event that there is a responding party, an aggrieved party, and a representative of SCCR present, the appellant shall proceed first, the counter party second, and SCCR third. In cases where both the responding student and aggrieved party file appeals, the responding student shall proceed first, the aggrieved party second, and SCCR third.
 - vii. Upon conclusion of the hearing, deliberations will take place in closed session to reach a decision, by consensus. In UAB hearings, the Chair shall observe the proceedings and aid in the authoring of a decision, but shall not participate in the deliberations.
 - viii. Appeal hearings shall result in one of the following outcomes:
 1. Affirm the original finding and sanction.
 2. Affirm the finding and modify the sanction. In cases where the accused student is the appealing party, the sanction may not be increased. In cases where the aggrieved party is the appellant, the sanction may be increased or reduced as deemed appropriate.

3. Remand the case for a new hearing or case management conference.
- ix. Written findings shall be conveyed to all parties within five business days of the hearing. Findings shall not be verbally provided at the time of the hearing.

IX. Sanctions

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

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

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

A. Inactive Sanctions

Inactive sanctions include those sanctions that determine a student or group's standing at the University. Sanctions for Student Groups may differ from what is listed below depending on the nature of their association with the University or each other. These sanctions include:

1. Censure

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

2. Disciplinary Probation

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

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

3. Restrictive Disciplinary Probation

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

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

4. Disciplinary Suspension

Disciplinary Suspension establishes a fixed period of time during which the student or group may not participate in any academic or other activities of the University. At the end of the suspension period, the student may apply for reinstatement and be readmitted only upon the approval of the Assistant Vice President/Dean of Students or designee. Groups may be reinstated through a process determined at the time of suspension.

5. Disciplinary Dismissal

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

6. Restrictions

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

B. Active/Educational Sanctions

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

Among the previously established educational sanctions are:

- i. Alcohol Education Program
- ii. Attendance at Educational Programs
- iii. Conflict Management Training
- iv. Educational Service Hours
- v. Ethics Workshop
- vi. Reflective Exercises
- vii. Restitution

C. Conduct Fines and Fees

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

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

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

X. Conduct Records

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

1. Records of students placed on disciplinary probation or restrictive disciplinary probation are maintained for a period of seven years after the date by which the student completes their probationary status.
2. Records of students who are subject to disciplinary suspension or disciplinary dismissal are maintained permanently.
3. Records of groups are maintained permanently.

B. In compliance with the Family Educational Rights & Privacy Act, all student conduct proceedings and student conduct records are considered confidential, except as otherwise provided by law. Only those persons authorized by the student or by the Dean of Students Office may have access to these records.

C. Exceptions for parental and public notification are provided in Section XI.

XI. Parental and Public Notification

- A. In cases where a student who is found in violation of University regulations is under the age of twenty-one and is also financially dependent (as noted on federal tax forms), parents and legal guardians will be notified when:
1. The student is found in violation of alcohol or drug related regulations and is given the sanction of Disciplinary Dismissal, Disciplinary Suspension, Restrictive Disciplinary Probation, or if the student accrues more than one semester of Disciplinary Probation.
 2. The student is found in violation of physical misconduct or the Anti-Harassment & Non-Discrimination Policy towards another person and is given the sanction of Disciplinary Dismissal, Disciplinary Suspension, Restrictive Disciplinary Probation, or if the student accrues more than one semester of Disciplinary Probation.
- B. Parents and legal guardians will be notified of such decisions only after the conclusion of all appropriate appeal processes.
- C. In some cases, students may offer reasons why parental notification would be detrimental to their emotional and/or physical well-being. In such cases, the Assistant Vice President/Dean of Students or designee will review the request and issue a final determination.
- D. Parents and legal guardians will be notified via a letter sent to the student's permanent address.
- E. Once notified, parents and legal guardians will be provided full disclosure of the specific incident leading to the sanction upon written request. Requests for access to previous or subsequent student conduct history (except for those meeting the criteria outlined in Section XI.A above) will require a signed consent from the student.
- F. At no time will SCCR provide any information that divulges to the public the name, address, or other identifying personal information of anyone involved in the student conduct process.
- G. SCCR will maintain a public online summary of the disciplinary status of groups that have been sanctioned through the student conduct process. Additionally, the Assistant Vice President/Dean of Students may authorize the notification of all parents of student members of a group with respect to the actions of the group and the sanctions imposed.

XII. Conduct Bodies

A. Case Managers

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

1 B. Student Conflict Specialists
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3 Student conflict specialists are undergraduate or graduate student staff member assigned by SCCR
4 to assist students in a conflict resolution intake process. They shall receive training and supervision
5 from SCCR professional staff.
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7 C. Conduct Consultants
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9 Conduct consultants are faculty, staff, and student volunteers who have received basic training in
10 the student conduct process. These volunteers are an optional resource open to any student
11 involved in the student conduct process.
12

13 D. Administrative Hearing Officers
14

15 Administrative hearing officers are full-time employees of the University (typically from the Dean of
16 Students Office and University Housing Services) who are trained and empowered to hear formal
17 cases involving allegations of student misconduct. The Assistant Vice President/Dean of Students or
18 designee shall be responsible for approving the selection of hearing officers, and the Assistant Dean
19 of SCCR shall be responsible for providing appropriate training. Administrative hearing officers may
20 also serve as arbiters when a case is referred to arbitration.
21

22 E. University Hearing Panel
23

24 The University Hearing Panel shall consist of students, faculty, and staff who are trained and
25 empowered to hear formal cases involving allegations of student misconduct. All recruitment and
26 selection of University Hearing Panel members is conducted at the start of the fall semester.
27 Vacancies are filled on an as-needed basis. The following rules apply to the UHP:
28

- 29 1. Students serving on the UHP are first nominated by the Assistant Dean of SCCR
30 following a recruitment and selection process conducted by SCCR. They must be in both
31 good academic and disciplinary standing with the University at both the time of their
32 selection and throughout their term of service. The Assistant Vice President/Dean of
33 Students or designee reserves the right to establish more stringent requirements. A
34 student's application will authorize the release of necessary records for verification
35 purposes. Nominations are forwarded to the Student Government Association for
36 approval. Students may serve until graduation, at the discretion of the Assistant Dean of
37 SCCR. A comprehensive recruitment campaign will be conducted at least once annually,
38 with special recruitment campaigns being implemented as necessary to maintain an
39 appropriate pool of members.
40
- 41 2. Those students selected for UHP membership must complete an initial course of training
42 before their service may begin. Additional training may be offered as needed each
43 semester.
44
- 45 3. Faculty/staff members serving on the UHP are first nominated by the Rules Committee
46 of the Academic Senate. They are then elected by the Faculty Caucus. Faculty and staff
47 serve two-year terms. Faculty and staff may be reappointed.
48

4. Those faculty/staff appointed to UHP membership must complete an initial course of training before their service may begin. Additional training may be offered as needed each semester.
5. Staff members serving on the UHP are recruited and selected by the Assistant Dean of SCCR, subject to approval by the Vice President for Student Affairs or designee.
6. Those staff members appointed to UHP membership must complete an initial course of training before their service may begin. Additional training may be offered as needed each semester.
7. All members of the UHP may be removed from membership at the discretion of the Assistant Dean of SCCR for any of the following reasons: failure to participate in training activities, failure to attend scheduled hearings, poor performance appraisals, termination or expiration of employment, violation of University regulations, failure to uphold confidentiality requirements, or other issues as specified by the Assistant Dean.
8. The Assistant Dean of SCCR will notify the Academic Senate of vacant faculty seats, and the Senate will provide replacement appointments as necessary. SCCR may conduct recruitment and selection processes to nominate faculty members to the Academic Senate for approval.
9. The UHP reports annually to the Academic Affairs Committee.

F. University Appeals Board

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

1. The members of the UAB shall be five faculty members nominated by the Faculty Caucus, five students nominated by the Student Government Association, and five staff members nominated by the Vice President for Student Affairs, all appointed by the President. A faculty member or professional staff member not employed by the Dean of Students Office shall be appointed by the Vice President of Student Affairs to serve as the non-voting Chair of UAB. Faculty and staff members are appointed for three-year staggered terms. Students are appointed on an annual basis. Student members must be admitted to an authorized degree or credential program.
2. Two students, two faculty members, and one staff member shall be assigned to each appeal hearing. A quorum will consist of three members, of which at least two will be faculty and/or staff.
3. As noted in Section VIII.H.3.C, the Chair shall be given the authority to screen appeals to ensure that they meet the criteria for filing an appeal. The Chair shall supervise all hearings of the UAB including deliberations.

4. All UAB members must complete an initial course of training before their service may begin. Additional training may be offered as needed each semester.
5. All members of the UAB may be removed from membership at the discretion of the UAB Chair for any of the following reasons: failure to participate in training activities, failure to attend scheduled hearings, poor performance appraisals, termination or expiration of employment, violation of University regulations, failure to uphold confidentiality requirements, or other issues as specified by the Chair.

G. Mediators

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

H. Restorative Conference Facilitators

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

XIII. References

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

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

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