

Student Conduct Code

[The following was approved on May 1991, with amendments on October 3, 1997, May 22, 2001, August 15, 2003, and August 10, 2008, in accordance with provisions set forth in SIU Board of Trustees 3 *Policies C.*]

I. INTRODUCTION

A. Preamble

Southern Illinois University Carbondale (SIUC) is dedicated not only to learning, research, and the advancement of knowledge, but to the development of ethical and responsible citizens. By accepting membership in SIUC, an individual joins a community characterized by free expression, free inquiry, honesty, respect for others, and participation in constructive change. All students are presented with rights, privileges, and opportunities by choosing to become a part of the SIUC community. Students, faculty, staff, and alumni make a commitment to furthering the missions of Southern Illinois University Carbondale. In order for SIUC community members to accomplish their goals and uphold the mission of the university, they must assume responsibility for their actions and respect the rights of others. As such, SIUC expects and requires all of its students upon admission to the University to develop, adhere to, and maintain high standards of scholarship and conduct. The *Student Conduct Code* is the guiding document for SIUC community standards, and outlines all rights and responsibilities afforded to SIUC students.

B. Southern Illinois University Carbondale Student

To be a Southern Illinois University Carbondale student, one is expected to respect the values of the university, while still recognizing the individual strengths and differences unique to each member of our community. While *The Saluki Creed* does not establish policy under the Student Conduct Code, it does establish expectations of students as members of the SIUC community, and reads as follows:

The Saluki Creed

The community of scholars at Southern Illinois University Carbondale is dedicated to personal and academic excellence. Choosing to join the community obligates each member to a code of civilized behavior. As members of our University community, we commit ourselves to the ideals of SIUC and express our commitment through the following creed:

As a Saluki, I pledge to exalt beauty.

I will celebrate the uniqueness of our campus, our region, and our people. I will revere and protect the natural and cultural environment that distinguishes the campus and the region of Southern Illinois.

As a Saluki, I pledge to advance learning.

I will practice personal and academic integrity. I will participate as an active learner to the maximum of my potential. I will demonstrate concern for others by developing, encouraging, and maintaining an environment conducive to learning.

As a Saluki, I pledge to forward ideas and ideals.

I will discourage bigotry and celebrate diversity by striving to learn from differences in people's ideas, and opinions. I will embrace the ideals of freedom of civilized expression, intellectual inquiry, and respect for others.

As a Saluki, I pledge to become a center of order and light.

I will respect the rights and property of others. I will know and understand the ideals and values of this community of scholars and will strive to incorporate them in my daily life. I will fulfill my responsibility as a citizen-scholar by striving to make this campus and community a better place.

C. Purpose and Application

Southern Illinois University Carbondale is charged by the State of Illinois and the Southern Illinois University Board of Trustees with the responsibility for the development and administration of institutional policies and rules governing the role of students and their behavior, pursuant to 3.C *Policies* of the Board of Trustees. These policies authorize the Chancellor of SIUC to develop standards for student rights and conduct. The *Student Conduct Code* contains statements of those University standards and policies relevant to the academic and co-curricular experience.

The University community is not a sanctuary from the law, and all students of the University are subject to federal, state, and local law. This document forms the basis for student behavioral expectations in the SIUC community and the greater community at large. The standards of conduct apply to students while on

University-owned or -controlled property, when attending University-sponsored events off campus, or when such conduct involves the security or integrity of the University community.

In addition, the University is a forum for the free expression of ideas. The development and enforcement of these standards of behavior is designed to foster students' personal, social, and ethical development. These standards serve to promote the protection of the rights, responsibilities, health and safety of the SIUC community, so that its members may pursue educational goals.

D. Student Rights and Responsibilities

The following statement of student rights and responsibilities is intended to reflect the base upon which the *Student Conduct Code* document is built.

Student Rights

- A student has the right to participate in a free exchange of ideas, and there shall be no University policy that in any way abridges the rights of free inquiry, expression, assembly, and procedural due process.
- A student has the right to freely examine all questions of interest and to express opinions.
- A student has the right to be free from discrimination, including harassment, on the basis of race, color, national or ethnic origin, religion, sex, disability, age, sexual orientation, or veteran status in accordance with applicable federal, state, and local laws.
- A student has the right to personal privacy except as otherwise provided by law and University policy.
- Each student subject to disciplinary action arising from alleged violations of the *Student Conduct Code* will be assured procedural due process.

Student Responsibilities

- A student has the responsibility to be fully acquainted and comply with the published *Student Conduct Code* in its entirety and to comply with the policies of the Code as well as all federal, state, and local laws, and all university policies and procedures.
- A student has the responsibility to recognize that student actions reflect upon the individuals involved and may have consequences for the entire University community.

E. Student Relation to University Community

Southern Illinois University Carbondale, as an institution of higher education, and any division or agency which exercises direct or delegated authority for the institution, have rights and responsibilities of their own, including:

- To provide opportunities for students of the University to present and debate public issues.
- To require persons on University-owned or -controlled property to present appropriate identification to authorized personnel.
- To establish reasonable standards of conduct for all persons on the campus in order to safeguard the educational process and to provide for the safety and welfare of students, visitors, faculty, staff, and University property.
- To restrict students of the University from using its name, finances, physical and operating facilities for commercial activities or other activities that may bring dishonor upon the institution.
- To provide, for registered student groups of the University, use of campus facilities under the approved policies of the University.

F. Student Relationships with the External Community

Students attending the University take on responsibilities not only of campus citizenship but also community citizenship. When community standards are not respected and upheld by students, conflicts between students and other community members may result. Such conflicts are destructive to relationships in the community and detrimental to the image of the University, as well as to the reputation of the student body.

G. Title and Enforcement

This document is titled the Student Conduct Code for Southern Illinois University Carbondale. The responsibility for the enforcement of this code rests with the Chancellor of Southern Illinois University Carbondale. Where appropriate and/or necessary, the university will cooperate fully with law enforcement and other agencies administering a rehabilitative or correctional program for any registered SIUC student.

H. Jurisdiction

The University community has a responsibility to provide its members those privileges, opportunities, and protections that encourage and maintain an environment conducive to educational development.

1. This policy applies to:
 - a. Conduct occurring on any property owned, operated or controlled by the university.

- b. Conduct occurring while using university-owned, leased or rented vehicles, or vehicles leased with student-appropriated funds.
- c. Conduct occurring off-campus, including by not limited to:
 - i. Events and meetings sponsored by university-recognized student organizations.
 - ii. Meetings or events when students represent the university or university-recognized organizations.
 - iii. Off-campus housing zoned by the City of Carbondale as a fraternity or sorority and displaying Greek letters or the name of the fraternal organization.
 - iv. Practicum, internship, student field trip, student teaching, clinical settings, extension centers, residence centers, and independent study settings.
 - v. Other off-campus conduct that substantially interferes with the mission of the university including interference with the educational pursuits of its students, faculty or staff. The appropriate Vice Chancellor will define any activity that falls into this category.
- 2. When officially notified, the university reserves the right to initiate disciplinary proceedings for violations of the Student Conduct Code where the university has jurisdiction under section H, even if criminal charges are brought forward by the appropriate authority. Disciplinary actions by the university are independent of any criminal or civil proceedings.
- 3. Academic dishonesty violations in the School of Law will be administered through the Professional Ethics Policy of the SIUC School of Law.
- 4. Academic dishonesty violations in the School of Medicine will be administered through the SIUC School of Medicine Student Progress System.
- 5. Law students and medical students on the Carbondale campus charged with other violations of this code will be subject to the disciplinary procedures outlined in the *Student Conduct Code*, in addition to being charged under their respective school-specific policies or systems outlined in H.3 and H.4.

I. Burden and Standard of Proof

- 1. The standard of proof used for conduct hearings shall be a preponderance of the evidence, or “more likely than not”.
- 2. The burden of proof will rest with the University, except on appeal. If a decision is appealed, the burden of proof rests with the student.

J. Definitions

- 1. “Academic Officer”: any instructor, department Chair, Dean, Director, or Coordinator within Academic Affairs or the Center for Academic Success.
- 2. “Accused Student”: any student or students who have had disciplinary charged filed against them.
- 3. “Address”: the local address on record with Records and Registration.
- 4. “Adjudication”: the formal resolution of disciplinary charges, including the appeal process.
- 5. “Admission”: admission, readmission, re-entry, registration, and re-registration as a student in any educational program at Southern Illinois University Carbondale.
- 6. “Advisor”: any person selected by the student, whether faculty, staff, student or non-university individual (including a lawyer) to assist the student in the preparation to address a charge(s). A principal or witness to an incident may not serve as an advisor.
- 7. “Advisory Review Board”: a panel of faculty, staff and students that hears appeals involving suspensions and expulsions and advises the Chancellor.
- 8. “Appeal”: a process for reviewing an earlier decision.
- 9. “Board”: the Board of Trustees of Southern Illinois University.
- 10. “Chancellor”: that individual appointed by the Board as the chief operating, administrative, and academic officer of Southern Illinois University Carbondale. Whenever the term Chancellor is used in the policy, the term shall apply not only to the person holding the title but also to designees.
- 11. “Charge”: an accusation of a violation of the Student Conduct Code of Southern Illinois University Carbondale.
- 12. “Code”: the Student Conduct Code for Southern Illinois University Carbondale.
- 13. “Complainant”: any university community member who brings forth documentation regarding possible violations of the Student Conduct Code.
- 14. “Condition”: an educational, learning or reparable activity assigned in conjunction with a formal sanction.
- 15. “Days”: all days when university offices are open for business.
- 16. “Formal” disciplinary procedures are disciplinary procedures used when the question of responsibility is contested or when the student accepting responsibility for the disciplinary charges prefers to have a full hearing on the sanction.
- 17. “Informal” disciplinary procedures are disciplinary procedures used when the question of responsibility is not contested and the student prefers to have an immediate decision on the sanction.
- 18. “Instructor”: any member of the faculty or teaching assistant.
- 19. “Members of the campus community”: the members of the Board of Trustees, employees, volunteers and students of Southern Illinois University Carbondale.
- 20. “Notification”: a method of contacting a student including telephone, mail service, hand delivery, and e-mail.

21. "Sanction": a formal measure imposed as a result of violation of this code.
22. "Standard of proof": a preponderance of the evidence.
23. "Student": all persons taking courses at the University, either full-time or part-time, pursuing undergraduate, graduate or professional studies. Persons who withdraw after allegedly violating the Student Conduct Code, who are not officially enrolled for a particular term but who have a continuing relationship with the University or who have been notified of their acceptance for admission are considered to be students as are persons who are living in University Housing, although not enrolled in this institution.
24. "Student Conduct Board": a panel of trained students convened to adjudicate cases of social misconduct.
25. "University": Southern Illinois University Carbondale.
26. "University official": any individual authorized or directed by the Chancellor to perform any delegated function.
27. "Vice Chancellor": the chief officer of the division of either Academic Affairs (also called the Provost) or Student Affairs. Whenever the term Vice Chancellor is used, the term not only applies to the person holding the position but also to designees.
28. "Violation": a breach of conduct governed by this code.

II. STANDARDS

Any student who has committed or has attempted to commit the following misconduct is subject to the disciplinary sanctions and conditions as outlined in Sections VI and VII.

A. Acts of Academic Dishonesty

In keeping with the principles and values of the University, students shall not:

1. Plagiarize or represent the work of another as one's own work;
2. Prepare work for another that is to be used as that person's own work;
3. Cheat by any method or means;
4. Knowingly or willfully falsify or manufacture scientific or educational data and represent the same to be the result of scientific or scholarly experiment or research;
5. Knowingly furnish false information to a university official relative to academic matters;
6. Solicit, aid, abet, conceal, or attempt acts of academic dishonesty.

B. Acts of Social Misconduct

In keeping with the principles and values of the University, Students shall not commit any of the following:

1. Violence
 - a. Sexual Misconduct (includes any form of coerced or unwanted sexual activity including, but not limited to, rape or unwanted touching).
 - b. Physical abuse
 - c. Direct threat of violence and/or intimidation
 - d. Participation in any activity to disrupt any function of the university by force or violence
 - e. Violent behavior representing a danger to person(s)
2. Property Damage
 - a. Arson
 - b. Willful or malicious damage or destruction of property
3. Reckless Behavior
 - a. Reckless behavior representing a danger to person(s) or property
4. Unauthorized Possession and/or Use of Weapons

Unauthorized possession on campus means possession without authorization from Director of Department of Public Safety or his/her designee. Weapons include but are not limited to:

 - a. Firearms
 - b. Explosives and explosive devices
 - c. Pellet guns, BB guns, air guns, and any other object a reasonable person may believe to be a gun
 - d. Switchblade knife, butterfly knife, taser or stun gun, or any other dangerous or deadly weapon.
 - e. Any object intended for use as a weapon.
5. Disobedience
 - a. Failure to comply with directions of university or public officials acting in the performance of their duty.
 - b. Trespassing
 - c. Unauthorized entry
6. Deception
 - a. Furnishing false information to the university with intent to deceive
 - b. Forgery, alteration or misuse of university documents, records and identification cards
 - c. Forgery or issuing a bad check with intent to defraud

7. Theft
 - a. Stealing
 - b. Attempted or actual misappropriation or theft of university funds, supplies, equipment, labor, material, space or facilities
 - c. Attempted or actual misappropriation or theft of identity
 - d. Possession of stolen property
8. Improper Computer Usage

Actual or attempted abuse of computer time, including but not limited to:

 - a. Unauthorized entry into a file to use, read, change, or transfer the contents or for any other purpose
 - b. Unauthorized use of another's identification and/or password
 - c. Use of computing facilities to interfere with the work of another student, faculty member or university official
 - d. Use of computing facilities to interfere with normal operation of the university computing system.
 - e. Knowingly causing a computer virus to become installed in a computer system or file
 - f. Violations of any computer use policies as established by the Department of Information Technology.
9. Threats to Safety

Any action that knowingly or intentionally endangers the lives of others, including but not limited to:

 - a. Intentionally entering false fire alarms
 - b. Bomb threats
 - c. Tampering with fire extinguishers, alarms or safety equipment
 - d. Engaging in any behavior which constitutes a significant fire hazard
 - e. Tampering with elevator controls or equipment
 - f. Failure to evacuate during a fire, fire drill, or false alarm
 - g. Possession and/or use of fireworks
10. Controlled substances

Controlled substances include, but not limited to: cannabis, cocaine, heroin, acid, LSD, methamphetamine

 - a. Manufacture
 - b. Sale or distribution
 - c. Unauthorized possession and/or use
11. Hazing

Any action required of or imposed on current or potential members of a group which produces or is reasonably likely to produce bodily harm, humiliation or ridicule, substantial interference with academic efforts, or significant impairment or endangerment of physical well-being, regardless of the consent of the participants.
12. Harassment

Harassment is knowing conduct that is not necessary to accomplish a legitimate purpose, would cause a reasonable person emotional distress, and does cause another person distress. It results from intentional acts that cause someone to be worried, anxious or uncomfortable and need not involved any overt act of violence. Information obtained with the consent of an individual which is subsequently disclosed without consent of the same individual shall constitute harassment in violation of this code if such disclosure results in the humiliation or ridicule of the same individual. Intentional obstruction or substantial interference with any person's right to attend or participate in any university function also constitutes harassment.
13. Stalking
 - a. A person commits stalking when he or she on at least two separate occasions, follows another person or places the person under surveillance, knowingly and without lawful justification; and
 - 1) at any time transmits a threat to that person of immediate or future bodily harm, sexual assault, confinement, or restraint; or
 - 2) places that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement, or restraint.
 - b. For the purpose of this section, a person "places a person under surveillance" by remaining present outside the person's place of residence, classroom, or other building on campus, or by utilizing electronic surveillance equipment for the same purposes.
 - c. For the purpose of this section, "follows another person" means
 - 1) to move in relative proximity to a person as that person moves from place to place, or
 - 2) to remain in relative proximity to a person who is stationary or whose movements are confined to a small area, or
 - 3) to utilize electronic surveillance equipment for tracking purposes.

- d. Exemption: This section does not apply to any exercise of the right of free speech or assembly that is otherwise lawful.
- 14. Disorderly Conduct
A person commits the offense of disorderly conduct when he/she knowingly does any act in such unreasonable manner as to alarm or disturb another and to provoke a breach of the peace.
- 15. Violations of University Housing standards as compiled in University Housing publications
A student present but not actively involved in an incident arising out of University Housing may be subject to disciplinary action.
- 16. Violations of Other University Policies or Regulation
This includes, but not limited to, alcohol, demonstrations, pets, smoking, solicitation, and guidelines for access to data and programs stored on the computer.
- 17. Acts against the Administration of this Code
This includes, but is not limited to:
 - a. initiating of a complaint or charge with knowledge that the charge was false or with reckless disregard of its truth;
 - b. interfering with or attempting to interfere with the hearing process including, but not limited to, intimidation or bribery or attempted bribery of hearing officer, hearing participants, board members or prospective witnesses, acceptance of bribes, dishonesty or disruption of proceedings and hearing held under this code;
 - c. failure to comply with terms or any disciplinary sanction or attached conditions imposed in accordance with this code;
 - d. retaliation against an individual due to their proper participation in, or use of, the student conduct system.

III. INTERIM SUSPENSION

If the Chancellor or Vice Chancellor for Student Affairs has reasonable cause to believe that a serious and direct threat to the safety and well-being of the members of the campus community will be present if an individual is permitted to remain an active member of the community, an interim suspension may be imposed. During the interim suspension, the student shall be denied access to the campus, and/or to classes, University Housing, and/or all other University activities or privileges for which the student might otherwise be eligible as the Vice Chancellor may determine to be appropriate.

An interim suspension meeting shall be afforded unless it is impossible or unreasonably difficult to conduct such a meeting prior to the interim suspension, in which case the individual shall be afforded the opportunity for such an interim suspension meeting at the earliest practical time. The issue at the interim suspension meeting shall be to determine if any condition specified in this paragraph is present and an interim suspension is warranted. During the interim suspension meeting, the student will be provided a statement of the reasons for interim suspension and will be afforded an opportunity to rebut. Interim suspension is temporary and shall be enforced only until the completion of a full disciplinary hearing. Following are the procedures for imposing and adjudicating an interim suspension.

A. Issuance of Interim Suspension

1. At any time following the submission of a written referral from the Director of Judicial Affairs or the Department of Public Safety, the Chancellor or Vice Chancellor for Student Affairs may alter or suspend the rights of a student to be present on campus, reside in University Housing, have access to different buildings, or to attend classes for an interim period prior to resolution of a disciplinary proceeding. The Chancellor or Vice Chancellor for Student Affairs will base the decision on available information and whether the continued presence of the student on campus reasonably poses a threat to the physical or emotional condition and welfare of any member of the campus community or to the safety and welfare of the university or any of its functions.
2. The decision to suspend the rights of a student for an interim period will be communicated in writing to the student and will become effective upon notification. Notification will be hand-delivered to the student. In cases where the student cannot be reached for hand delivery, notification will be made by registered mail at his/her current address as maintained by Records and Registration. Failure or refusal to accept receipt of notification will not negate or postpone this action.
3. Interim suspension will remain in effect until a final decision has been made on the pending charges or until the Chancellor or Vice Chancellor for Student Affairs determines that the reason for imposing the interim suspension no longer exists.

B. Interim Suspension Hearing

1. The Chancellor or Vice Chancellor for Student Affairs shall provide the suspended student with an opportunity to respond to the conditions which were alleged to have warranted the interim suspension no later than 2 days following the effective date of the interim suspension. The student has the right to an advisor and to present any argument and/or documentation disputing the appropriateness of the interim suspension.
2. The decision of the Chancellor or Vice Chancellor for Student Affairs may be rendered orally but shall be confirmed in writing within 2 days after the hearing with written notice provided to the student either delivered personally or, in cases where the student cannot be reached for hand delivery, by registered mail at his/her current address as maintained by Records and Registration.
3. If the Chancellor or Vice Chancellor for Student Affairs determines that conditions specified above are not present or that an interim suspension is not warranted, the case shall proceed as a formal adjudication as provided in section V.C.
4. When an interim suspension is imposed, a hearing on the underlying allegations of misconduct shall be held within 5 days of the imposition of the interim suspension unless the student agrees to a later date.

C. The decision of the Chancellor or Vice Chancellor for Student Affairs to impose an interim suspension in accordance with this section shall be final, pending resolution of the disciplinary charge.**IV. PROCEDURES APPLICABLE TO ACADEMIC DISHONESTY****A. Jurisdiction**

1. Department Level:

The department chair shall have initial jurisdiction over complaints of academic dishonesty and may resolve the case if the student accepts responsibility for the violation. In a case where the student does not accept responsibility for the violation, the chair shall review the complaint of alleged academic dishonesty and decide whether there are sufficient grounds to formally charge the student with a violation of this code. When social misconduct is also involved in an incident of academic dishonesty, the chair in consultation with the Director of Student Judicial Affairs may charge the student with all violations. All charges shall be adjudicated under the procedures for academic dishonesty.

2. College Level

Each Dean has the responsibility for the formal resolution of charges against a student. For the purpose of administering these standards, the Graduate School Dean shall operate at the level of other Deans. Charges of falsifying information on applications for admission shall originate from the Director of Admissions, but the appropriate Dean will have responsibility for adjudication.

B. Informal Resolution

1. Informal Hearing:

In cases where the student admits to a violation of the standards relating to academic dishonesty, the matter may be resolved at the department level. An informal discussion between the instructor and the student shall be held.

- a. If the student accepts responsibility, the instructor shall inform the department chair and the student whether, as a sanction for the violation, the instructor will assign a failing grade for the work and/or course. The instructor shall also recommend to the chair any other sanction that may be imposed, pursuant to IV.B.2.
- b. The chair shall meet with the instructor and the student, receive the acknowledgement of responsibility from the student, receive the recommendation from the instructor, and apprise the student of the sanction.

2. Sanctions:

The Chair shall consider the full disciplinary history of the student in determining sanctions. Sanctions which may be imposed when the student accepts responsibility for the conduct are as follows:

- a. The instructor may assign the student a failing grade for the work and/or course.
- b. The student may be placed on disciplinary probation.
- c. The student may be suspended from the class for the remainder of the semester.

- d. Any combination of the above.
 - e. The department Chair may recommend to the Dean that the student be suspended from the university.
 - i. If the Dean accepts the recommendation of the Chair, he/she will refer the recommendation to the Director of Student Judicial Affairs for final determination.
 - ii. The Director of Student Judicial Affairs will make the decision regarding university suspension after consultation with the Provost and Vice Chancellor.
 - iii. The department Chair shall also inform the student in writing that a disciplinary suspension is recommended as the appropriate sanction for the student's violation of this code.
 - f. If the student elects to challenge the recommended suspension, the student may request an informal hearing on the proposed sanctions before the Dean.
 - i. The student must submit a request in writing for an informal hearing on the proposed sanctions within 5 days of receipt of the chair's recommendation if personally served on the student or 7 days from the date of the decision if it was mailed to the student at the last known address.
 - ii. In such cases the Dean or his/her designee shall meet with the student, the chair, and/or instructor and apprise the student of the sanctions.
3. Notification
The department Chair shall send written verification of the sanctions to the student. Such notification will normally be sent within 5 days of the meeting with the instructor and the student.
4. Appeal
The student may appeal the severity of the sanction or failure to follow prescribed procedure, pursuant to Section VIII. A student may not appeal the question of responsibility.

C. Formal Disciplinary Procedures

1. Initiation of a Complaint
Any member of the University community may initiate disciplinary proceedings by filing a complaint within 90 days of discovery of an alleged violation of the Student Conduct Code.
- a. The complaint must be made in writing with all available evidence attached.
 - b. The complaint shall be filed with the department Chair of the unit in which the violation is alleged to have occurred.
 - c. The complaint may include a recommendation concerning the appropriate sanctions to be imposed if, following formal adjudication, the student is found in violation of the standards outlined in the Student Conduct Code.
 - d. In any case initiated by an instructor, the complaint shall state whether or not the instructor will assign a failing grade for the work and/or course if, following formal adjudication, the student is found in violation of this code in the manner alleged in the complaint. In any such case, the instructor shall assign an "Incomplete" in lieu of a letter grade pending adjudication and final resolution of the complaint.
2. Formal Charges
The department Chair shall review the complaint and, generally within 10 days, determine whether there are grounds to support that a violation may have occurred.
- a. If the chair finds sufficient grounds to believe a violation may have occurred, within 5 days of such determination the Chair shall notify the student in writing of the violation with which the student is charge. A copy of the charges shall be submitted to the appropriate academic Dean.
 - b. If the chair finds no grounds for disciplinary charges, the complainant shall be notified. If the complainant wishes to proceed with a disciplinary charge, a written request must be submitted to the appropriate academic Dean within 5 days. The Dean shall review the request, the complaint, and the department Chair decision and decide whether to allow the complainant to pursue formal charges of the alleged violation set forth in the complaint.
3. Formal Resolution
In cases of alleged academic dishonesty where responsibility is disputed by the student, the case will be adjudicated at the Dean's level with a formal hearing. The Dean shall notify the student in writing regarding the date, time, and place of the hearing. The notification will be considered

to have been delivered if the notice is sent to the current local address of the student as provided to Records and Registration by the student. Thus, failure to notify the university of changes of address could result in a hearing being held in the student's absence.

- a. The student has the right to
 - 1) be apprised of all evidence and view any and all supporting documents on the alleged violation;
 - 2) decline to offer evidence which may be self-incriminating;
 - 3) advisory assistance, at the expense of the student. The responsibility for selecting an advisor is placed on the charged student. The advisor may be any individual except a principal or witness in the hearing. The advisor shall be limited to advising the student and shall not participate directly in the hearing except by permission of the hearing agent and then only when the hearing agent finds special circumstances such as a party's inability or difficulty communicating;
 - 4) an open or closed hearing;
 - 5) hear and question available witnesses;
 - 6) have witnesses testify in his/her behalf. While sworn statements will be accepted from those persons unable to attend the hearing, they may not constitute the sole form of evidence offered. The student must provide, in addition to such sworn statements, substantial corroborating evidence, either in the form of testimony by live witness or in the form of circumstantial evidence. Character witnesses may be excluded by the hearing agent.
 - 7) receive a written decision specifying judicial actions; and
 - 8) appeal the decision, pursuant to Section VIII.
 - b. Hearing Agent: The charged student may submit a preference for a hearing before a Student Conduct Board or the Dean or his/her designee. The Dean shall decide the hearing agent.
4. Academic Conduct Board
- a. An Academic Conduct Board shall be composed of 7 members. A quorum required to conduct a hearing shall be 5 members. A decision shall be reached by majority vote.
 - b. Membership
 - 1) Student members shall meet the following standards:
 - a) Be full-time as defined by the Director of Records and Registration;
 - b) Be in good disciplinary standing since matriculation;
 - c) Have a minimum grade point average of 2.5 (undergraduate) or 3.0 (graduate), or be in good standing (professional student).

Full-time university employees who are enrolled in classes may not serve as student members. Graduate assistants and student workers in the department in which the incident occurred shall be excluded from the Academic Conduct Board.

 - 2) Faculty members may be any person with a faculty appointment, excluding administrators.
 - 3) All appointments shall be reviewed by Student Judicial Affairs to ensure that candidates meet the minimum requirements. A list of Academic Conduct Board members may be obtained from the Dean.
 - c. Administrative Advisors

Each Academic Conduct Board shall have an administrative advisor from Student Judicial Affairs. The advisor's role shall be limited to providing guidance and clarification. The advisor shall sit with the panel in both open and executive sessions.
 - d. Terms

Each Academic Conduct Board shall be in session for twelve weeks during the fall and spring terms and for four weeks during the summer term. A board is not expected to meet during the first two nor the last two weeks of a term. Disciplinary cases shall be adjudicated by an administrative hearing officer designated by the Dean when a board is not in session or is defunct.
 - e. Powers

An Academic Conduct Board shall make a decision of Responsible or Not Responsible and shall recommend appropriate sanctions to the Dean.
5. Academic Conduct Hearings
- a. Time Limitations

- 1) A student electing formal student conduct hearing shall be notified of the hearing date, which will occur no sooner than 5 days after receiving notice of a scheduled hearing or 7 days from the date of a mailed written notice.
- 2) A student shall have 7 days after receiving notification of the decision in which to submit an appeal.
- b. Failure to Appear
Hearings shall be held in the student's absence if the charged student fails to appear. An appeal shall be dismissed if the student fails to appear unless extenuating circumstances exist which requires documentation.
- c. Recordings
All formal hearings shall be recorded. After the appeal period has expired, the recording may be erased. Copies of hearing recordings will be made available to the charged student upon his/her request and at his/her expense.
- d. Challenge for Cause
A student may challenge Academic Conduct Board members for cause. The decision to remove an Academic Conduct Board member will be made by majority vote of the other members.
- e. Confidentiality
All evidence, facts, comments, and discussion at a closed hearing and all executive sessions shall be held in strict confidence. Failure to maintain confidentiality may result in removal of board members by the Dean.
6. Sanctions
A student's disciplinary history shall have no bearing on the question of finding them Responsible or Not Responsible. If, however, a student is found to be Responsible of violating the standards outlined in the Student Conduct Code, the full disciplinary history shall be considered in determining the sanction. The academic Dean shall request the student's disciplinary record from Student Judicial Affairs. The academic Dean and the Director of Student Judicial Affairs shall develop lines of communication to keep each other apprised of a student's disciplinary history, for this purpose. Sanctions which may be imposed are as follows:
 - a. The student may be assigned a failing grade for the work and/or course.
 - b. The student may be placed on disciplinary probation.
 - c. The student may be suspended from the class for the remainder of the semester.
 - d. The student may be suspended from the college.
 - e. The Dean may recommend to the Director of Student Judicial Affairs that the student be suspended from the university. The Director of Student Judicial Affairs will make the decision regarding university suspension after consultation with the Provost and Vice Chancellor.
 - f. The student may be expelled from the college.
 - g. The Dean may recommend to the Director of Student Judicial Affairs that the student be expelled from the university. The Director of Student Judicial Affairs will make the decision regarding university expulsion after consultation with the Provost and Vice Chancellor.
 - h. The student may be issued an educational condition of sanction.
 - i. any combination of the above.
 The Dean and Vice Chancellor and Provost must communicate the finding and sanction(s) imposed to the Director of Student Judicial Affairs.
7. Notification
The Dean shall send written notification of the results of the hearing and the sanctions to be imposed to the student. Such notification will normally be sent within 5 days of receipt of the Academic Conduct Board's recommendation or within 5 days of the administrative hearing.
8. Appeals
Any disciplinary determination or sanction relating to academic dishonesty may be appealed as outlined in Section VIII.
9. Implementation of Sanction
 - a. Sanctions shall be implemented when the student has waived or exhausted the right of appeal, or the appeal period has expired.
 - b. If an appeal is filed, any sanction(s) shall take effect as soon as the Vice Chancellor has issued his/her decision. On sanctions less severe than suspension from the university, the appropriate Vice Chancellor's decision is the final decision at the campus level.

- c. The sanction shall be specified by the final hearing agent. However, when the sanction relates to the assignment of a grade, the instructor has the responsibility for assigning the grade. In a case where an “Incomplete” was assigned for a course, pending adjudication of charges of academic dishonesty against the student, the instructor shall immediately change the “Incomplete” to an appropriate letter grade.
 - d. A student separated from the university for disciplinary reasons is subject to the normal guidelines for tuition and fee refunds, grades, and financial penalties for terminating a housing contract.
 - e. Following the implementation of the sanction, all records relating to the case will be filed with Student Judicial Affairs.
10. Time Extensions
- Either the student or the university may request an extension of time for the preparation of an appeal, the date of a conduct hearing, or for the preparation of any sanction or condition. These extensions must be made in writing prior to the original due date. For academic dishonest cases, this extension must be turned in to the Dean of the appropriate college, or his/her designee. The Dean of his/her designee has the final determination regarding approval of the extension.

V. PROCEDURES APPLICABLE TO SOCIAL MISCONDUCT

A. Jurisdiction

A case may be resolved informally by a university official in a department as authorized by the Director of Student Judicial Affairs or his/her designee, pursuant to V.B.1. All cases in which responsibility is disputed shall be referred to Student Judicial Affairs. The Director of Student Judicial Affairs has initial jurisdiction over social misconduct not handled by informal resolution.

B. Informal Resolution

1. Informal Hearing

In cases where the student accepts responsibility for the social misconduct, the matter may be adjudicated at the department level. An informal discussion between the university official and the student shall be held. If the student accepts responsibility for the social misconduct, the university official shall recommend a sanction to the Director of Student Judicial Affairs.
2. Sanctions

The full disciplinary history of the student shall be considered in determining the sanction. The university official may recommend to the Director of Student Judicial Affairs either a disciplinary reprimand or disciplinary censure. Conditions of sanctions may also be recommended.
3. Notification

The Director of Student Judicial Affairs shall send written verification of the sanction to the student within 5 days of the receipt of the recommendation.
4. Appeals

The student may not appeal the sanction imposed, if the sanction is either disciplinary reprimand or disciplinary censure. A student may not appeal the question of responsibility.

C. Formal Disciplinary Procedures

1. Hearing Agents
 - a. Administrative Hearing Officer

The administrative hearing officer will be the Director of Student Judicial Affairs or his/her designee.
 - b. Student Conduct Board
 - 1) The Student Conduct Board will adjudicate alleged violations of social misconduct under this code.
 - 2) Size

The Student Conduct Board shall be composed of 7 student members. A quorum required to conduct a hearing shall be 5 members. A decision shall be reached by majority vote and forwarded to appropriate staff with Student Judicial Affairs.
 - 3) Membership
 - a) Student members shall meet the following standards:
 - 1) Be full-time as defined by the Director of Records and Registration;
 - 2) Be in good disciplinary standing since matriculation;

- 3) Have a minimum grade point average of 2.5 (undergraduate), 3.0 (graduate), or be in good standing (professional student).
Full-time university employees who are enrolled in classes may not serve as student members.
 - b) Members are selected via a application and interview process conducted by Student Judicial Affairs. All members must successfully complete a training program prior to participating in Student Conduct Board hearings. A list of Student Conduct Board members may be obtained from Student Judicial Affairs.
 - 4) Student Conduct Board Operating Paper
The board may review and amend its own operating paper to ensure consistency with the provisions of this code. Any amendments to the operating paper are subject to the approval the Director of Student Judicial Affairs.
 - 5) Administrative Advisors
The Student Conduct Board shall have an administrative advisor from Student Judicial Affairs. The advisor's role shall be limited to providing guidance and clarification. The advisor may sit with the board in both open and executive sessions only at the request of the chairperson of the board.
 - 6) Terms
The Student Conduct Board shall be in session for 12 weeks during the fall and spring terms and for 4 weeks during the summer term. The board is not expected to meet during the first 2 nor the last 2 weeks of a term. Disciplinary cases shall be adjudicated by an administrative hearing officer when a board is not in session or is defunct.
 - 7) Powers
The Student Conduct Board shall make a decision of Responsible or Not Responsible and shall recommend the sanction to the appropriate administrator.
2. Initiation of a Complaint
Any member of the university community or law enforcement agencies may initiate disciplinary proceedings by filing a complaint and/or documentation with Student Judicial Affairs within 90 days of the discovery of an alleged violation of the Student Conduct Code. Cases involved sexual harassment or sexual assault will be granted 180 days for the filing of a complaint and/or documentation being received by Student Judicial Affairs. The complaint must be in writing with all available evidence attached.
- a. The Director of Student Judicial Affairs, or designee, shall make a preliminary review of the complaint.
 - b. If there are no grounds for disciplinary charges or if the complaint should be processed under another policy, the complainant shall be notified.
 - c. If the complainant wishes to proceed with a disciplinary charge, a written request must be submitted to the Vice Chancellor for Student Affairs within 5 days of the receipt of the Coordinator's notification.
 - d. The Vice Chancellor for Student Affairs shall review the request, the complaint, and the decision of the Director of the Student Judicial Affairs and decide whether to pursue formal charges.
3. Formal Charges
In cases of alleged social misconduct when responsibility is disputed by the student, the case will be adjudicated at the appropriate level with a formal hearing.
- a. The Director of Student Judicial Affairs, or designee, shall notify the student in writing regarding:
 1. The charges made against the student,
 2. Available information on which charges against the student and based,
 3. The relevant provisions of the Student Conduct Code,
 4. The witnesses, if any, who will be requested to testify, and
 5. The date, time, and place of hearing.
 - b. The student may elect to acknowledge the violation and may or may not have a sanction imposed by the Director of Student Judicial Affairs. If this option is chosen, the student may appeal only the severity of the sanction. If the student does not accept responsibility for the violation, the Director of Student Judicial Affairs may refer the matter to a formal hearing.

- c. The university will consider the notification delivered if the notice is sent to the current local address of the student provided to Records and Registration by the student. Failure to notify the university of changes of address could result in hearing being held in the student's absence.
4. Formal Adjudication
- a. The charged student has the right to
 - 1) Be apprised of all information and view any and all supporting documents on the alleged violation;
 - 2) decline to offer information which may be self-incriminating;
 - 3) Advisory assistance, at the expense of the student. The responsibility for selecting an advisor is placed on the charged student. The advisor may be any individual except a principal or witness in the hearing. The advisor shall be limited to advising the student and shall not participate directly in the hearing except by permission of the hearing agent and then only when the hearing agent finds special circumstances such as a party's inability or difficulty communicating;
 - 4) An open or closed hearing;
 - 5) Hear and question available witnesses;
 - 6) Have witnesses testify in his/her behalf. While signed statements will be accepted from those persons unable to attend the hearing, they may not constitute the sole form of evidence offered. The student must provide, in addition to such sworn statements, substantial corroborating evidence, either in the form of testimony by live witness or in the form of circumstantial evidence. Witnesses may be excluded at the discretion of the hearing agent.
 - 7) Receive a written decision specifying judicial actions;
 - 8) Appeal the decision, pursuant to Section VIII.
 - b. Hearing agent
The charged student may submit a preference for a hearing before a Student Conduct Board or the Director of Student Judicial Affairs or designee. The Director will decide the hearing agent. Factors to be considered by the Director include but are not limited to privacy and reasonable availability of a Student Conduct Board.
5. Student Conduct Hearings
- a. Time limitations
 - 1) A student electing formal adjudication shall be notified of the hearing date. The hearing will occur no sooner than 7 days from the date of a mailed written notice.
 - 2) A student shall have 7 days after notification of the decision in which to submit an appeal.
 - b. Failure to appear
Initial jurisdiction hearing shall be held in the student's absence if the charged student fails to appear. An appeal shall be dismissed if the student fails to appear.
 - c. Recorded Proceedings
All hearings shall be recorded. After the appeal period has expired, the recording may be erased. Copies of hearing recordings will be made available to the charged student upon his/her request and at his/her expense.
 - d. Challenge for cause
A student may challenge conduct board members for cause. The decision to remove a conduct board member will be made by the Director of Student Judicial Affairs or designee.
 - e. Confidentiality
All evidence, facts, comments, and discussion at a closed hearing and all executive sessions shall be held in strict confidence. Failure to maintain confidentiality may result in administrative removal of the conduct board members by the Director of Student Judicial Affairs.
6. Sanctions
A student's disciplinary history shall have no bearing on the question of Responsible or Not Responsible. If, however, a student is found to be responsible for violating the standards outlined in this code, full disciplinary history shall be considered in determining the sanction. Sanctions which may be imposed are:
- a. Disciplinary reprimand
 - b. Disciplinary censure
 - c. Disciplinary probation

- d. Disciplinary suspension
- e. Expulsion
- 7. Notification

The Director of Student Judicial Affairs shall send written notification of the results of the hearing and the sanctions to be imposed, if any, to the student. Such notification will normally be sent within 5 days of receipt of the Student Conduct Board's recommendation or within 5 days of the administrative hearing.
- 8. Appeals

Any disciplinary determination or sanction involving social misconduct may be appealed as set forth in Section VIII.
- 9. Implementation of Sanction
 - a. The disciplinary sanctions shall be implemented when the student has waived the right of appeal or the appeal period has expired.
 - b. If an appeal is filed, sanction(s) shall take effect as soon as the Vice Chancellor has issued his/her decision. On sanctions less severe than suspension from the university, the appropriate Vice Chancellor's decision is the final decision at the campus level.
 - c. The sanction shall be as specified by the final adjudicating agent.
 - d. A student separated from the university for disciplinary reasons is subject to the normal guidelines for the tuition and fee refunds, grades, and financial penalties for terminating a housing contract.
 - e. Any type of disciplinary separation from the university may be accompanied by a condition which bars the student from university property.
- 10. Time Extensions

Either the student or the university may request an extension of time for the preparation of an appeal, the date of a conduct hearing, or for the preparation of any sanction or condition. These extensions must be made in writing prior to the original due date. For academic dishonest cases, this extension must be turned in to the Dean of the appropriate college, or his/her designee. The Dean of his/her designee has the final determination regarding approval of the extension.

VI. SANCTIONS

The following are sanctions which may be imposed for a violation of the standards outlined in Section II of the Student Conduct Code. Conditions (Section VII) may accompany a sanction.

A. Failure of an assignment, quiz, test, examination or paper:

A failing grade (F) may be assigned for the work in connection with which the violation occurred.

B. Failure in a course:

A failing grade (F) may be assigned for the course in which the violation occurred.

C. Revocation of a Degree:

An academic degree previously awarded by the university may be revoked on proof that it was obtained by fraud or that a significant part of the work submitted in fulfillment and indispensable to the requirements of such a degree was obtained via academic dishonesty.

D. Disciplinary Reprimand:

In cases of minor violations and when the violation is acknowledged by the student, a written reprimand may be issued by the Director of Student Judicial Affairs or designee. The purpose of the reprimand shall be to call to the student's attention the responsibility of meeting certain minimal community standards. Since a reprimand is given only when the violation is acknowledged, the sanction may not be appealed.

E. Disciplinary Censure:

Disciplinary censure is a written warning to the student that the cited behavior is not acceptable in the campus community and that further misconduct may result in more severe disciplinary action. The student may appeal the finding of a violation but may not appeal the severity of the sanction.

F. Disciplinary Probation:

Disciplinary probation removes a student from good disciplinary standing. The probation shall last for a stated period of time and until conditions imposed have been met. Any misconduct during or after the probationary period will bring further disciplinary action and may result in suspension. Probationary

status prevents the student from representing the university in some extracurricular activities and may result in the loss of financial assistance.

G. Disciplinary Suspension: Disciplinary suspension is an involuntary separation of the student from the university for a stated period of time not to exceed three (3) years and until an imposed condition is met. A notation is entered on the student's transcript and will remain there for the duration of the suspension. When the suspension is concluded, the notation will be removed.

H. Expulsion: A permanent involuntary separation of the student from the university.

I. Additional Sanctions Associated with Suspension or Expulsion:

1. Students shall not be awarded degrees if, at the time of commencement, they are subject to disciplinary action or to charges under this code that could lead to suspension or expulsion.
2. A student separated from the university for disciplinary reasons is subject to the normal guidelines for the refund of tuition and fees, the issuance of grades, and the imposition of financial penalties for terminating a housing contract.
3. If the conduct which led to disciplinary separation constitutes an ongoing threat to the safety of the university, its employees, or its students, the sanction may be accompanied by a condition which bars the disciplined student from university property.

The Vice Chancellor for Student Affairs, with the approval of the Chancellor, may establish a system of cost recovery measures to be assessed to students who are found in violation of the Student Conduct Code. The purpose of the cost recovery measures is to offset the costs specific to a sanction or a condition of a sanction. The cost recovery measures shall not be used as a sanction itself.

VII. CONDITIONS

Conditions may accompany any of the aforementioned sanctions. Conditions include, but are not limited to, restitution of damages, community service hours, required counseling or therapy based upon an evaluation, required academic performance, etc. A condition may include loss of certain university privileges. If a condition accompanies a sanction, the condition must be educational or reparative and related to the standard violated by the student.

VIII. APPEALS

An appeal is not a rehearing; rather, it is a procedural safeguard. In an appeal, the burden of proof is shifted from the university to the student charged with the violation of the Student Conduct Code. The following are procedures necessary for the student to follow to initiate an appeals process:

Appeal Requests

Request for appeal must be submitted in writing within 7 days after receiving notification of the decision of a formal adjudication. Appeals must be addressed in writing to the Vice Chancellor for Student Affairs in cases of social misconduct or the Provost in cases of academic misconduct. The appeal should be turned in to Student Judicial Affairs for implementation of the appeal process.

Timeliness

Failure to request an appeal in a timely manner constitutes a waiver of any right to appeal.

Basis for Appeal

The basis of an appeal will be limited to one or more of the following grounds:

1. There was a procedural error which substantially affected the outcome of the hearing;
2. There is no evidence in the record to support a finding of violation of this code;
3. There is new or newly discovered evidence which may substantially affect the outcome of the hearing; and/or
4. The sanction is excessively severe.

Advisory Review Board

A student may appeal the decision of the Vice Chancellor, only with regards to suspension or expulsion, to the Advisory Review Board. The appeal shall be in writing and must be submitted within seven (7) days of receipt of the Vice Chancellor's decision. The Advisory Review Board shall act as an advisory board to the Chancellor. The Advisory Review Board may only review cases involving suspension or expulsion.

The Advisory Review Board shall consist of 8 voting members:

- 2 faculty members
- 2 staff members (1 Administrative/Professional and 1 Civil Service)
- 2 undergraduate students, and
- 2 graduate or professional students.

A non-voting representative from the Office of General Counsel shall sit on the board and act as the board's advisor. The members of the Advisory Review Board shall be appointed by the Chancellor. The members of the Advisory Review Board shall elect a faculty member to serve as chair of the board. In accordance with Board of Trustee policy, a student will not be eligible to graduate while an appeal is pending.

IX. INTERPRETATION AND REVISION

A. Interpretation

Any question of interpretation or application of the Student Conduct Code shall be referred to the Vice Chancellor or his or her designee for final determination.

B. Formal Review

The Student Conduct Code shall be reviewed in its entirety every five years. The Chancellor of Southern Illinois University Carbondale shall appoint a committee consisting of:

- i. 2 undergraduate students,
- ii. 1 graduate or professional student,
- iii. 2 faculty members,
- iv. 1 academic Dean,
- v. 1 representative from University Housing,
- vi. 1 representative from Student Judicial Affairs, and
- vii. 1 representative from the office of the General Counsel.

The student and faculty members shall be recommended by their respective constituencies. The Vice Chancellor for Student Affairs shall appoint a chair for the committee, who may be one of the members listed above.

C. Additional or Emergency Reviews

At any time prior to the next five-year review of the Student Conduct Code, a recognized constituency, the Provost and Vice Chancellor, or the Vice Chancellor for Student Affairs may request a review of portions of the Student Conduct Code. The request must stipulate in writing the specific portion(s) of the Student Conduct Code to be reviewed and sound reason(s) for the request. The Chancellor shall then authorize the review unless he or she states in writing sound reason(s) for denial.

D. Amendments

All Student Conduct Code review committees shall make recommendations to the Chancellor. The Chancellor may propose amendments of this code to the President of Southern Illinois University. Due consideration shall be given to the recommendations of the committee provided for in IX.B.

E. Notification

Following approval of any amendments by the President, the Chancellor's office shall give notice in the *Daily Egyptian* that the Student Conduct Code has been revised and is available in its entirety on the Student Affairs website (www.siu.edu/staffair/). Paper copies of the Student Conduct Code shall also be available at the office of Student Judicial Affairs, the office of the Vice Chancellor for Student Affairs, and all University Housing area offices. Any amendment of the Student Conduct Code shall become effective after such notice has been given to the campus community.