

STUDENT CODE OF CONDUCT



MORALITY

INTEGRITY

CIVILITY

HONOR

RESPECT



College of DuPage

A. Conduct which interferes with college purposes is not acceptable, yet a member of the college community can rightfully expect that the college will exercise with restraint its power to regulate student behavior and that rules and regulations will be adopted only when the educational process clearly and directly requires such action.

B. Students are accountable for their own conduct. Sanctions for violations of college rules and regulations for conduct which interferes with college affairs will be addressed by the college.

C. Student conduct which involves alleged violation of criminal law will be referred to appropriate civil authorities.

D. DEFINITIONS

1. The term college means College of DuPage.
2. The term student, for the purposes of this code, includes all persons applying for admission or taking courses provided by the college, for credit or non-credit, full-time or part-time.
3. The term faculty member includes all persons who are full- or part-time teachers, counselors or librarians.
4. The term official includes any person employed by the college performing assigned administrative or professional staff responsibilities.
5. The term members of the college community includes any person who is a student, faculty member, college official or any other person employed by the college. A person's status in a particular situation will be determined by the dean of student services.
6. The term college premises includes all land, buildings, facilities and other property in the possession of or owned, used or controlled by the college, including adjacent streets and sidewalks.
7. The term student judicial officer means dean of student services or someone authorized by the dean of student services to conduct a student judicial hearing and issue sanctions upon a student who has been determined to have violated the Student Code of Conduct.
8. The term organization means any number of persons who have complied with the formal requirements for college recognition.

9. The term judicial body means the dean of student services or the Judicial Review Board or any person or persons authorized by the dean of student services to determine whether a student has violated the student code of conduct and to recommend imposition of sanctions.
10. The term Judicial Review Board refers to the appeal board composed of college faculty, administrators and a student who are appointed by the college president.
11. The term will is used in the imperative sense.
12. The term may is used in the permissive sense.
13. The dean of student services is the person designated by the college president to be responsible for the administration of the Student Code of Conduct. The dean of student services may designate other college officials to conduct student judicial hearings, if appropriate.
14. The term policy is defined as the written regulations of College of DuPage as found in, but not limited to, the Student Code of Conduct, the college Catalog and Board Policy Manual.

E. JURISDICTION OF THE COLLEGE

Discipline may be imposed for conduct which occurs on college premises, off-campus instructional sites, off-campus college-sponsored events and for off-campus conduct which interferes with the college's operational and educational programs or the safety and welfare of the college community.

F. CONDUCT – RULES AND REGULATIONS

Students at College of DuPage are expected to demonstrate qualities of morality, integrity, honesty, civility, honor and respect. Behavior which violates these standards for which discipline may be imposed includes, but is not limited to, the following:

1. Cheating, plagiarism, forgery, misrepresentation and all forms of academic dishonesty (see Board Policy #5050, Course-Related Academic Integrity).
2. Purposely furnishing false information to any college official, faculty member or office.

3. Forgery, alteration or misuse of any college document, record, form or instrument of identification.
4. Failure to meet college financial obligations.
5. Verbal abuse, physical abuse, assault, threats, intimidation, harassment, sexual harassment, coercion or other conduct which threatens or endangers the health and safety of any person on college premises.
6. Intentional damage, destruction, attempt to damage or destroy or theft or attempted theft of college property or the property of college personnel, other students or any other person or the property of independent contractors maintained or stored on college premises.
7. Theft, attempted theft or mutilation of library materials.
8. Disruption or obstruction of any operation of the college, including, but not limited to, teaching, learning, disciplinary proceedings, college activities, public service functions on or off-campus or other authorized non-college activities when the act occurs on college premises.
9. Illegal or unauthorized use of computing resources as defined in information technology “electronic communication guideline” including, but not limited to:
 - A) Unauthorized entry into a file to use, read or change the contents or for any other purpose.
 - B) Unauthorized transfer of a file.
 - C) Unauthorized use of a computer account, identification number or password.
 - D) Use of computing facilities to interfere with any other person’s work.
 - E) Use of computing facilities to interfere with the operation of the college computing system or any other computing system.
 - F) Unauthorized use or copying of copyrighted software.
 - G) Use of computing facilities to send obscene or abusive messages or images.
 - H) The installation or use of a program whose effect is to damage computer systems, media or files.
 - I) Unauthorized use of computer time for personal or business purposes.

10. Unauthorized use of college telephones, facsimile (fax) machines or other college equipment.
11. Unauthorized possession, duplication or use of keys to any college premises or unauthorized entry or attempted unauthorized entry to, occupancy of or use of college premises.
12. Conduct, behavior or involvement in any activity which causes or may reasonably lead college authorities to anticipate substantial injury or disruption or material interference with college activities or the rights of others.
13. Possession, use, distribution or attempt to use or distribute an illegal or controlled substance or look-alike.
14. Possession, use, distribution or attempt to use or distribute alcoholic beverages.
15. Use of tobacco products is prohibited in all indoor college facilities, owned or leased, and in all college-owned vehicles. Refer to Board Policy #6512, Non-Smoking/Smoking Regulations.
16. Use or possession of a firearm, weapon or explosive, including, but not limited to, a pistol, revolver, switchblade knife, bomb or any object containing noxious or dangerous chemicals, unless such use or possession is authorized.
17. Gambling of any kind.
18. Violation of published college policies or procedures as stated in College of DuPage board policy, College of DuPage administrative procedures, departmental policies and procedures and public safety police department procedures.
19. Violation of federal, state or local law on college premises or at college-sponsored or supervised activities.
20. Abuse of the judicial system, including but not limited to:
 - A) Failure to obey the summons of a judicial body or college official.
 - B) Falsification, distortion or misrepresentation of information before a judicial body.
 - C) Disruption or interference with the orderly conduct of a judicial proceeding.
 - D) Initiation of a judicial proceeding knowingly without cause.
 - E) Attempting to discourage an individual's proper participation in or use of the judicial system.

- F) Attempting to influence the impartiality of a member of a judicial body prior to and/or during the course of the judicial proceeding.
- G) Influencing or attempting to influence another person to commit an abuse of the judicial system.

G. VIOLATION OF FEDERAL, STATE, OR LOCAL LAWS AND COLLEGE DISCIPLINE

1. College disciplinary proceedings may be initiated against a student charged with a violation of a federal, state or local law which is also a violation of this code, that is, if both violations result from the same factual situation without regard to pending civil litigation in court or criminal arrest and prosecution. Proceedings under this code may be carried out prior to, simultaneously with or following civil or criminal proceedings off-campus.

2. When a student is charged by federal, state or local authorities with a violation of law, the college will not request or agree to special consideration for that individual because of the individual's status as a student. If the alleged offense is also the subject of a proceeding before a judicial body under the Student Code of Conduct, however, the college may advise off-campus authorities of the existence of the Student Code of Conduct and how such matters will be handled internally within the college community. The college will cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus. Individual students and college employees, acting in their personal capacities remain free to interact with governmental representatives as they consider appropriate.

H. JUDICIAL PROCEDURES

1. Sanctions — the following sanctions may be imposed upon any student found to have violated the Student Code of Conduct:
 - A) Warning: A notice in writing to the student that the student is violating or has violated institutional regulations.
 - B) Probation: A reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any institutional regulation(s).
 - C) Loss of privileges: Denial of specified privileges for a designated period of time. This may include, but is not limited to, access to facilities, services or offices or participation in clubs, organizations or campus activities.
 - D) Restitution: Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
 - E) Withdrawal from class: Administrative withdrawal with consequent loss of tuition and fees from a class, classes or program.
 - F) Limited access: Administrative restriction to selected parts/locations of campus buildings.
 - G) Other penalties: The student may be denied a transcript or degree until all the obligations specified by a judicial body are met or other penalties as may be imposed as ones determined to fit the misconduct.
 - H) College suspension: Separation of the student with consequent loss of tuition and fees from the college for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified. This disciplinary action will become part of the student's academic transcript.

- I) College expulsion: Permanent separation with consequent loss of tuition and fees of the student from the college. This disciplinary action will become part of the student's academic transcript.
- J) Summary suspension: If, in the opinion of the student judicial officer and/or the chief of the public safety police department, a student's conduct poses an immediate threat to themselves, members of the college community, to school property or poses an on-going threat of disruption to the educational process, the student may be summarily suspended from the college without holding the student judicial hearing. In such an event, written notice sent by certified mail, return receipt requested, must be sent to the student on the date of the summary suspension. The notice will state the reason for the removal from the college and will request the student attend a conference within 48 hours after the notice is received or contact the judicial officer. The notice will also state that failure to respond to the letter within three calendar days of receipt will constitute waiver of the right to the conference. If the student fails to respond to the notice or fails to attend the conference, a waiver of such conference will be considered to have occurred. A student who presents such a threat to the educational process may also be suspended by the student judicial officer after an informal conference pending the review of the complaint by the Judicial Review Board.
2. Students may be requested to participate in counseling, educational seminars or seek medical attention in lieu of or in addition to the imposition of sanctions.
 3. More than one of the sanctions listed above may be imposed for any single violation.
 4. Other than college suspension or expulsion, disciplinary sanctions will not be made part of the student's permanent academic record, but will become part of the student's confidential record maintained by the dean of student services.

I. JUDICIAL POLICIES

1. Charges and hearings

- A) Any individual may file charges against any student for misconduct. Charges will be prepared in writing and investigated and then forwarded to the dean of student services, who is responsible for the administration of the college judicial system. Any charge should be submitted as soon as possible after the event takes place, preferably within 30 days. The dean of student services will determine if the conduct is serious enough to warrant disciplinary action. A further investigation may be initiated to determine if the charges have merit and, if the charges cannot be disposed by mutual consent, to hold a student judicial hearing.
- B) The student judicial officer will confer with the student against whom a disciplinary complaint is being filed in an informal student judicial hearing. The student will be advised of the alleged violation, the evidence pertaining to the allegation and will be questioned about the incident.
- C) Admittance of any person to the student judicial hearing will be at the discretion of the student judicial officer.
- D) In hearings involving more than one accused student, the student judicial officer may permit the hearings concerning each student to be conducted together.
- E) Upon the agreement of the initiator of the complaint and the student, the student judicial officer may act as conciliator/mediator to resolve the complaint. After review of the evidence, the student judicial officer may decide to drop the complaint. If so, the student judicial officer will inform the person who filed the complaint to explain the decision.
- F) If the student judicial officer determines the conduct of the student warrants a sanction, the student will be informed in writing of that decision within 10 calendar days after the student judicial hearing.

J. JUDICIAL REVIEW BOARD

- G) If a student fails to appear for a scheduled student judicial hearing, a hearing may be held without the student being present and sanctions imposed. The student will be advised of the sanctions in writing.
- H) Unless the student has been removed from the college pending the processing of the disciplinary complaint, the student may remain in college.
- I) If a student is charged with sexual harassment, the victim will be notified of the outcome of the hearing.

2. Appeals

A decision reached by the student judicial officer may be appealed by the student to the Judicial Review Board within 10 calendar days of the decision. Such appeals will be submitted in writing to the vice president of student affairs or designee.

1. A standing Judicial Review Board will hear the case and make recommendations on appropriate disciplinary cases referred to it by the vice president of student affairs or appealed to it by a student who is the subject of disciplinary actions involving disciplinary suspension and expulsion. The Judicial Review Board will be established each fall. It will be composed of the following persons:
 - A) Two members of the administrative staff appointed by the president of the college from a list of four administrators submitted by the chair of administrative council.
 - B) Two members of the faculty appointed by the president of the college from a list of five faculty members submitted by the president of the faculty senate.
 - C) One member of the student body appointed by the president of the college from a list of three students

submitted by the student body president.

- D) None of the above named persons who is a complainant or witness, has a direct or personal interest or has previously acted in an advisory capacity to the student may sit in any case. Decisions in this regard will be made by the Judicial Review Board as a whole. The president of the college may appoint interim members as required.

2. Hearing procedures for the Judicial Review Board

- A) The hearing will be held in closed session.
- B) If the student is unable to attend or for some reason is unable to participate fully in the hearing, a designated representative may speak for the student.
- C) An advisor to the student may be present to counsel the student and suggest questions. In no event may the advisor speak for the student or take over cross-examination of other witnesses or other students.

- D) The hearing will begin with the college and then the student making short statements on the charges of misconduct and on the recommended discipline.
- E) The college will present its information first, in oral or written form, by witnesses or through documents. The student will be given an opportunity to question witnesses.
- F) The student will present information in oral or written form, by witnesses or through documents. The college will be given an opportunity to question witnesses.
- G) The Judicial Review Board has the option to hear the testimony of witnesses separately so that they will not hear each other's testimony.
- H) Pertinent and relevant information will be reviewed by the Judicial Review Board without regard to the legal rules of evidence.
- I) The college and the student may make closing statements at the conclusion of the hearing on both the issue of misconduct and the issue of the recommended discipline.

- J) The hearing may be recorded by either party at its discretion. If either party has the proceedings recorded, it will make the recordings available to the other upon reasonable notice so that a copy may be made.
- K) The Judicial Review Board will render its written decision within 14 calendar days after the hearing. The decision will be either that the student has violated the Student Code of Conduct or has not. If the student is found to be in violation of one or more of the rules and regulations, the Judicial Review Board will then determine or recommend a disciplinary action.
- L) If the student is found not to be in violation of the Student Code of Conduct and coursework has been missed as a direct result of the action taken against the student, appropriate action will be taken in order to assist the student to complete the course, retake the course at no charge, reimburse the cost of tuition or other alternatives agreed upon between the student and the college.
- M) In all cases other than suspension or expulsion, the decision of the Judicial Review Board is final.
- N) If the decision of the Judicial Review Board is to suspend the student, that decision will be transmitted to the president and the student will have 14 calendar days after the decision to appeal to the president. The student's appeal will consist of the student's written statement of disagreement with the decision and argument for reversal, relevant documentation and the recording or transcript, if any, of the hearing. The president will review relevant information before making a decision and will render a decision to uphold the suspension or take other appropriate action within 21 calendar days after receiving the decision to suspend. If the president decides to impose a less severe sanction than suspension, the decision of the president is final. The president will not have the authority to increase the severity of the recommended sanction.

- O) If the decision of the college Judicial Review Board is to expel the student, that decision will be transmitted to the president and the student will have 14 calendar days after the decision to appeal to the president. The student's appeal will consist of the student's written statement of the disagreement with the decision and argument for reversal, relevant documentation and the recording or transcript, if any, of the hearing. The president will review relevant information before making a decision and will render a decision to uphold the expulsion or take other appropriate action within 21 calendar days after receiving the decision to expel. If the president decides to impose a sanction less severe than expulsion, the decision of the president is final.
- P) If coursework has been missed as a direct result of the action taken against the student, appropriate action will be taken in order to assist the student to complete the course, retake the course at no charge, and reimburse the cost

of tuition or other alternatives agreed upon between the student and the college.

- Q) Any and all costs involved, including the advisor and transcription, will be borne by the party requesting or requiring the service(s).

3. Interpretation

- A) Any question of interpretation regarding the student code of conduct will be referred to the dean of student services or a designee for final determination.
- B) The Student Code of Conduct will be reviewed periodically and amended as necessary under the direction of the dean of student services.

4. Readmission after suspension or expulsion

- A) Any student dismissed from the college may be considered for readmission only on written petition to the dean of student services. Such petition must indicate any reasons which support a reconsideration of the matter.

5. Disciplinary records

- A) Records of all cases in which disciplinary action has been taken will be kept by the dean of student services.

NON-DISCRIMINATION POLICY

College of DuPage is committed to affirmative action and equal opportunities. The college will not discriminate in its programs and activities on the basis of race, color, religion, creed, national origin, sex, age, ancestry, marital status, sexual orientation, arrest record, military status or unfavorable military discharge, citizenship status, physical or mental handicap or disability.

(Board Policy 5010)



COLLEGE OF DUPAGE
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