



## **Code of Student Conduct**

The Code of Student Conduct was established to ensure the safety and welfare of the entire College of DuPage community; to educate students as to their rights and responsibilities as members of the College community; and to facilitate students' understanding of the balance between individual and College rights.

College of DuPage recognizes the rights of its students guaranteed by the Constitutions of the United States and the State of Illinois, which include the rights within the institution to freedom of speech, inquiry, assembly, peaceful pursuit of an education, and reasonable use of College services and facilities. In addition to their inherent rights and privileges as members of the College community, students voluntarily assume the obligation to fulfill the responsibilities of all citizens and to bear personal responsibility for their actions. Students agree to adhere to the rules, regulations and policies set forth in this Code and to comply with the standards of classroom behavior as stated in their individual course syllabi.

All students at College of DuPage are expected to demonstrate qualities of morality, integrity, honesty, civility, tolerance and respect. These values are essential to the learning environment and should be exhibited in the conduct of the entire College community, both in and out of the classroom setting.

In the interest of maintaining civility on campus and guaranteeing the broadest range of freedom, the Code of Student Conduct reasonably limits some activities and reasonably prohibits certain behaviors which interfere with the classroom setting, the normal operation of the College, and the pursuit of the College's goals and core values of Integrity, Honesty, Respect, and Responsibility.

## **Jurisdiction of the College**

Disciplinary action may be imposed for conduct which interferes with the normal operational and educational process of the College or with the safety and welfare of the College community, whether that conduct occurs on College premises, at the Regional Centers, at any off-campus instructional sites, either owned, leased or rented, or at off-campus College-sponsored or supervised events.

Whenever possible, sanctions for violations of the Code of Student Conduct will be educational in nature. However, threats of violence are considered a serious infringement upon the learning environment and must be acted upon accordingly. Code violations that affect the safety and welfare of the College community are deemed to be the most serious. Thus, the College reserves the right to remove any individual from College premises who is physically or verbally disrupting a class or disturbing the peace. Acts of violence, threats or dangerous behavior may result in suspension or expulsion from the College.

Students should be aware that the Code of Student Conduct process is different from criminal and civil court proceedings. However, student conduct which involves an alleged violation of criminal law will be referred to the College of DuPage Police Department and appropriate civil authorities. Civil or criminal charges may occur concurrently with Code of Student Conduct charges.

## Definitions

1. The term *College* means College of DuPage.
2. The term *student*, for the purposes of this Board Policy, Administrative Procedure and Code includes all persons applying for admission or taking courses provided by the College, for credit or non-credit, full- or part-time whether in a classroom setting or online format.
3. The term *faculty member* includes all persons who are full- or part-time instructors, counselors or librarians.
4. The term *College official* includes any person employed by the College performing assigned administrative or professional staff responsibilities.
5. The term *member 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 Vice President of Student Affairs.
6. The term *complainant* means any person who submits a charge alleging that a student violated the Code of Student Conduct. When a student believes that he/she has been a victim of another student's misconduct, the student believing he/she has been a victim will have the same rights under this Code as those provided to the complainant, even if another member of the College community submitted the charge itself.
7. The term *accused student* means any student accused of violating the Code of Student Conduct.
8. The term *College premises* includes all land, buildings, facilities and other property in the possession of, owned, used, leased or rented, or controlled by the College (including adjacent streets and sidewalks).
9. The term *Student Judicial Officer* means the Dean of Students or designee, authorized to conduct student judicial hearings and issue sanctions upon a student who has been determined to have violated the Code of Student Conduct.
10. The term *organization* means any number of persons who have complied with the formal requirements for College recognition.
11. The term *formal student judicial hearing* means a meeting between the Student Judicial Officer and an accused student for the purpose of determining whether a violation of the Code of Student Conduct has occurred.
12. The *Case Resolution Form (CRF)* means the form completed by the Dean of Students and given to the accused student at the completion of the judicial hearing. The CRF delineates the sanction(s) imposed for violation of the Code of Student Conduct.
13. The term *judicial body* means the Dean of Students, the Judicial Review Board or any person(s) authorized by the Dean of Students or the Vice President of Student Affairs to determine whether a student has violated the Code of Student Conduct.
14. The term *Judicial Review Board* refers to the appeal board composed of College faculty, administrators and a student who are appointed by the Vice President of Student Affairs.
15. The term *appeal hearing* means a meeting with the Judicial Review Board requested by an accused student for the purpose of appealing the decision or sanctions imposed by the Dean of Students.

16. The term *Behavioral Intervention Team* refers to the multi-disciplinary assessment group formed to prevent escalation of concerning behaviors on College premises and, when necessary, implement interventions that are in the best interest of the individual and the College.
17. The term *will* is used in the imperative sense.
18. The term *may* is used in the permissive sense.
19. The term *policy* is defined as the written regulations of College of DuPage as found in, but not limited to, the Code of Student Conduct, the online College catalog, the College of DuPage website, and the Board Policy and Procedures Manuals.
20. The *Dean of Students* is the person designated by the Vice President of Student Affairs to be responsible for the administration of the Code of Student Conduct. The Dean of Students may designate other College officials to conduct student judicial hearings, if appropriate.

### **Student Rights and Responsibilities**

All college regulations and policies pertaining to student discipline shall be published, distributed, or posted in such a manner as to furnish adequate notice of their content to students or to student organizations. Regulations and policies can be found in, but not limited to, the Code of Student Conduct, the online College catalog, the College of DuPage website, and the Board Policy and Procedures Manuals.

Each student is responsible for reading and complying with the Code of Student Conduct. Students shall be held accountable for their own conduct.

The College recognizes each student's procedural right to due process, which includes providing written notice setting forth the alleged violation(s) of the Code of Student Conduct, a prompt and fair hearing, and an appeal process.

A student facing possible disciplinary action is entitled to the following procedural rights:

1. The right to be notified in writing of the specific charges against him/her, and his/her rights under this Code.
2. The right to know the nature of the evidence against him/her (unless the release of the evidence would endanger the safety or welfare of victim(s) or witness(es)).
3. The right to a prompt formal judicial hearing and to present information and witnesses relevant to his/her defense, except in cases where interim suspension is warranted for the safety and welfare of the College community.
4. The right to be provided a list of findings by the Dean of Students, including the sanctions imposed, if found in violation of the Code of Student Conduct.
5. The right to an appeal hearing by the Judicial Review Board (JRB) of the decision or sanctions imposed by the Dean of Students.

### **Code of Student Conduct Prohibited Behaviors**

Behavior which violates the aforementioned standards of morality, integrity, honesty, civility, tolerance and respect, and for which discipline may be imposed, includes, but is not limited to, the following:

Acts of dishonesty, including, but not limited to:

1. Cheating, plagiarism, forgery, misrepresentation and all forms of academic dishonesty. For greater detail, refer to Board Policy and Procedure 20-41, Code of Academic Conduct.
2. Purposely furnishing false information to any College official, faculty member or office.
3. Knowingly instituting a false charge against another person.

4. Forgery, alteration or misuse of any College document, record, form or instrument of identification.
5. Permitting another to use his/her College identification card, impersonating another, or misrepresenting authorization to act on behalf of another.
6. Unauthorized or fraudulent use of the college name, seal, emblem, nickname or motto.
7. Theft, attempted theft, or mutilation of Library materials.
8. Possession of stolen items or the sale of stolen items from any source whatsoever.
9. Tampering with or engaging in voter fraud in the election of any College recognized student organization or the election of the Student Trustee.

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, at the Regional Centers, at any off-campus instructional sites, either owned, leased or rented, or at off-campus College-sponsored or supervised events.

Participation in a campus demonstration, or unauthorized assembly, that disrupts the normal operations of the College and infringes on the rights of other members of the College community; leading or inciting others to disrupt scheduled and/or normal activities on College premises; or intentional obstruction that unreasonably interferes with freedom of movement, either pedestrian or vehicular, on College premises.

Failure to comply with directions of College officials, faculty members, College staff and law enforcement officers acting in performance of their duties, and/or failure to identify oneself to these persons when requested to do so by presenting a valid I.D.

Intentional damage, destruction, or attempt to damage, destroy or deface College property or the property of a member of the College community.

Unauthorized possession, duplication, or use of keys to any College premises, or unauthorized entry to, or use of, College premises.

Unauthorized use, alteration, or in any way tampering with fire equipment, safety devices or safety equipment. Any action that causes or attempts to cause a fire, explosion, including bomb threats, or any intentionally false reporting of a fire, or the failure to leave College buildings during a fire alarm.

Unauthorized occupancy of College buildings or facilities other than during hours of operation.

Use or possession of a firearm, weapon or explosives, including, but not limited to, a pistol, revolver, rifle, shotgun, ammunition, switchblade or other dangerous knife, fireworks, any incendiary device, bomb or any object containing noxious or dangerous chemicals on College premises, at the Regional Centers, at any off-campus instructional sites, either owned, leased or rented, or at off-campus College-sponsored or supervised events, unless such use or possession is authorized by the College of DuPage Police Department.

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.

Solicitation, distribution, selling or promotion of materials on College of DuPage owned or controlled property. Distribution or placement of advertising flyers and related literature onto parked vehicles on campus. Exceptions include recognized student organizations after registering with the appropriate College official.

Violation of published College Board Policies as stated in the College of DuPage Board Policy Manual, College of DuPage Administrative Procedures, departmental policies and procedures, and College of DuPage Police Department procedures.

Verbal abuse, threats, use of offensive language, intimidation, bullying (including cyber-bullying), stalking, hazing, hate speech, coercion, lewd or indecent conduct, or other conduct that creates a hostile environment which threatens or endangers the safety and welfare of any person on College premises.

Physical abuse, assault, battery, fighting, or other conduct resulting in bodily harm which threatens or endangers the safety and welfare of any person on College premises.

Harassment, including, but not limited to:

1. Any verbal or physical behavior, such as a disparaging comment, epithet, slur, insult, or other expressive behavior, that is directed at a particular person or a group of persons, and which creates an environment wherein the verbal or physical behavior is inherently likely to provoke a violent reaction, whether or not it actually does so.
2. Any act, display, or communication that would cause a reasonable person to fear for his/her personal safety. This includes, but is not limited to, physical coercion and/or restraint.
3. Any act, display, or communication that causes substantial injury and/or distress on the part of the person or persons to whom it is specifically directed that results in the individual being deprived of educational activities or opportunities.
4. Any attempt to repeatedly make contact with a person over his/her stated objections, when such contact serves no legitimate purpose.
5. Refer to Board Policy 15-10, Prohibition of Discrimination and Harassment, for greater detail.

Sexual discrimination, harassment and/or misconduct: See Board Policy and Procedure 15-11, Prohibition of Sexual Discrimination, Harassment, and Misconduct for definitions of and greater detail regarding such prohibited conduct.

The denial of services or access to activities to an individual because of his or her race, religion, age, national origin, gender, sexual orientation, marital status, or disability. Refer to Board Policy 20-5, Non-Discrimination Policy, for greater detail.

Use, possession, sale, attempted sale, barter, exchange, gift, or distribution of alcoholic beverages, except as expressly permitted by law and College regulations. Public intoxication while on College premises, at off-campus instructional sites, or at College-sponsored or supervised functions. Refer to Board Policy and Procedure 15-30, Drug and Alcohol Free College, for greater detail.

Use, possession, sale, attempted sale, barter, exchange, gift, or distribution of narcotic or other controlled substances, or drug paraphernalia, except as expressly permitted by law and College regulations. Refer to Board Policy and Procedure 15-30, Drug and Alcohol Free College, for greater detail.

Use of tobacco and tobacco-related products (including electronic cigarettes) on all College of DuPage premises, in all indoor College facilities, and in all College vehicles. Refer to Board Policy and Procedure 10-160, Tobacco-Free Campus, for greater detail.

Gambling of any kind, including unlawful games of chance for money or anything of value and the sale, barter, or other disposition of a ticket, order, or any interest in a scheme of chance by any name.

Participating in, making claims of, or claiming responsibility for terrorist activity (such as threats of bombs, biological weapons, et. al.), whether in fact or as a hoax.

Leaving minor children unattended on the College campus, at off-campus instructional sites, or at College-sponsored or supervised events. Children may not accompany students to class.

Deliberate attempts to use gang representation, signing, and recruitment.

Theft or abuse of College computers, facilities, network gear, applications, software, support systems, or data.

1. Abuses include (but are not limited to) unauthorized entry, access, or use of College networks, systems, applications, or transfer of data from College systems. Interfering with College security measures intended to protect data, systems, applications, and networks is also considered abuse.
2. Attaining unauthorized access to internet resources, disrupting the intended use of the internet, destroying the integrity of computer-based information, and/or compromising the privacy of users are abuses.
3. For Comprehensive Electronic Communications Guidelines which define the appropriate access, use, privacy, security, responsibilities, and limitations in the use of electronic communications at the College, including certain types of abuses that constitute criminal behavior, refer to "Electronic Communications Guidelines" located on the IT Security Website or Board Procedure 10-126, Electronic Communications Guidelines.

Unauthorized use of cellular phones, pagers, and other telecommunication/electronic devices in all instructional areas which include: all labs and classrooms during instructional sessions, the Library, Testing Center and other areas designated by the College of DuPage administration.

Unauthorized use of any form of technology for the purpose of photographing, videotaping, or audiotaping individuals in secured areas such as lavatories or locker rooms. Taking photographs, videos, or audio recordings of any individual while on College premises without his/her prior knowledge, or without his/her effective consent when such a recording is likely to cause distress or injury.

Behavior conducted online, such as harassment delivered by email. Blogs, web pages, social networking sites, and other modes of electronic communication are in the public sphere, are not private, and can subject a student to allegations of misconduct.

Abuse of the College of DuPage judicial system including, but not limited to:

1. Failure to obey the summons of a judicial body or College official
2. Falsification, distortion or misrepresentation of information before a judicial body
3. Disruption or interference with the orderly conduct of a judicial proceeding
4. Initiation of a judicial proceeding knowingly without cause
5. Attempting to influence the impartiality of a member of a judicial body prior to, and/or during, the course of, the judicial proceeding
6. Harassment (verbal or physical) and/or intimidation of a member of a judicial body prior to, during, and/or after a judicial proceeding
7. Failure to comply with the sanction(s) imposed under the Code of Student Conduct
8. Influencing or attempting to influence another person to commit an abuse of the judicial system

Violation of federal, state, or local law on College premises, at off-campus instructional sites or at College-sponsored or supervised activities.

1. When a student is charged by federal, state, or local authorities with a violation of law, College of DuPage will not request or agree to special consideration for that individual because of his or her status as a student.
2. However, if the alleged offense is also the subject of a proceeding before a judicial body under the Code of Student Conduct, College of DuPage may advise off-campus authorities

of the existence of the Code and of how such matters will be handled internally within the College community.

3. College of DuPage will cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators.
4. Individual students and faculty members, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

### **Standard of Behavior in Common Areas Outside of the Classroom**

Students must follow the rules posted in all Common Areas outside of the classroom. Common Areas include, but are not limited to, the Library, Student Services Center and Student Life Lounge. These rules are designed to maintain a comfortable environment where all students feel welcome and interact in a respectful manner, conducive to study, research or socialization. Failure to comply with the posted rules or the directions of College of DuPage officials is a violation of the Code of Student Conduct.

### **Charges and Hearings**

Any individual may file charges against any student for misconduct. Charges will be prepared in writing via the Code of Student Conduct Violation Incident Report and forwarded to the Dean of Students, who, as the Student Judicial Officer, 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 Students will determine if the conduct is serious enough to warrant disciplinary action. Further investigation may be initiated to determine if the charges have merit. If the charges cannot be disposed of by mutual consent, a formal student judicial hearing will be held.

#### *Notification to Student of a Formal Judicial Hearing*

1. In preparation for the formal judicial hearing, the Dean of Students will review the student's file to determine if this is a first offense.
2. The Dean will place the student's registration on temporary Hold, so that the student can neither withdraw from current courses nor register for future courses until the current matter is settled.
3. The Dean will notify the student in writing that the complaint has been filed:
  - a. The student will be required to attend a formal judicial hearing.
  - b. A copy of the Code of Student Conduct Violation Incident Report detailing the charges will be included with the hearing notice.
  - c. A copy of the Code of Student Conduct Procedures will be included with the hearing notice.
4. If the student fails to attend the formal judicial hearing or if the student does not respond to the hearing notice, the student's registration record will remain on hold until the matter has been formally resolved.

#### *Formal Student Judicial Hearing*

1. During the hearing, the Dean of Students will review both the complaint and the Code of Student Conduct Procedures with the student to ensure the student understands them clearly and is aware of the possible consequences.
2. The student will have an opportunity to present evidence and/or makes statements on his/her behalf. However, admission of any other person to the student judicial hearing will be at the discretion of the Dean of Students.
3. In hearings involving more than one accused student, the Dean of Students may permit the hearings concerning each student to be conducted together.
4. Upon the agreement of the complainant and the student, the Dean of Students may act as

conciliator/mediator to resolve the complaint. After reviewing the evidence, the Dean of Students may decide to drop the complaint. If so, the Dean of Students will inform the person who filed the complaint and explain the decision.

5. At the conclusion of the hearing, the Dean of Students will complete the Case Resolution Form, assigning the appropriate sanctions(s).
6. In the event the student has been found at fault in an earlier incident involving a Code of Student Conduct violation, the Dean will determine the appropriate sanction(s).
7. If the student fails to appear for a scheduled student judicial hearing, the hearing may be held without the student's presence, and sanctions may be imposed. The student will be advised of the sanctions in writing via the Case Resolution Form.
8. Unless the student has been removed from the College pending the processing of the disciplinary complaint, the student may remain in attendance at College of DuPage.
9. If coursework has been missed as a direct result of the action taken against the student, appropriate action will be taken to assist the student to complete the course(s).
10. The Hold will be removed from the student's record, unless additional action on the student's part is required, such as Community Service or Restitution. If additional action is required, the Hold will be removed at its completion.
11. If the student is charged with harassment, the victim will be notified of the outcome of the hearing.

### **Sanctions**

The following sanctions may be imposed upon any student found to be in violation of the Code of Student Conduct. More than one of the sanctions listed may be imposed for any single violation.

A student may be required to participate in counseling, educational seminars, or to seek medical attention in lieu of, or in addition to, the imposition of sanctions.

*Disciplinary Warning:* A notice in writing stating the student has violated the Code of Student Conduct.

*Disciplinary 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 again found to be in violation of the Code of Student Conduct during the probationary period.

*Disciplinary Loss of Privileges:* Denial of access to privileges commonly available to applicants, students and alumni of College of DuPage; these may include, but are not limited to, access to particular student employee positions on campus, access to the Library, access to computer facilities, access to career and placement services, access to scholarships, access to academic honors, participation in clubs, organizations, athletics or campus activities. This loss of privileges may stand alone, it may accompany suspension, and it normally accompanies extended suspension.

*Withdrawal from Class:* Administrative withdrawal from a class or classes in which a student is enrolled for the current and/or subsequent semester. Administrative withdrawals do not provide for the refund of tuition and fees.

*Limited Access:* Administrative restriction to selected areas/locations of College facilities.

*Restitution:* Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.

*Community Service:* A project to help make reparation to the community and demonstrate that learning has occurred.



*Other Penalties:* The student may be denied a transcript or degree until all of the obligations specified by the judicial body are met, or until other penalties are imposed as may be determined to fit the misconduct.

*Disciplinary Suspension:* Denial of permission to register for academic work at College of DuPage for a designated period of time, usually not more than one year. Conditions for readmission will be specified by the Dean of Students; students under this sanction must petition the Dean of Students in writing for readmission to College of DuPage.

*Extended Disciplinary Suspension:* Dismissal from College of DuPage for a designated period: students under this sanction must petition the Dean of Students in writing for readmission to College of DuPage.

*Summary Disciplinary Suspension:* If, in the opinion of the Dean of Students and/or the Behavioral Intervention Team (BIT), a student's conduct poses an immediate threat to him/herself, members of the College community or 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 student's removal from the College and will request the student contact or meet with the Dean of Students within three (3) business days after the notice is received. The notice will also state that failure to respond to the letter within three (3) business 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, it will be considered a waiver of the conference. A student who presents such a threat to the educational process may also be suspended by the Dean of Students after an informal conference, pending the review of the complaint by the Behavioral Intervention Team.

*Expulsion:* Permanent termination of student status from College of DuPage, with consequent loss of tuition and fees.

### **Appeals**

A student who wishes to appeal the decision reached by the Dean of Students at the conclusion of a Judicial Hearing must appeal to the Judicial Review Board (JRB) within ten (10) business days of the date recorded on the Case Resolution Form received from the Dean of Students. Such appeals will be submitted in writing to the Vice President of Student Affairs.

The appeal must be addressed to the Vice President of Student Affairs; it must be typewritten; and must state the grounds for appeal. If the student wishes to appear in person before the Judicial Review Board, this must be indicated in the appeal letter. The Vice President of Student Affairs will arrange a meeting convenient to all parties. In the event of an appeal, the decision(s) of the Judicial Review Board will be final in all cases, other than suspension or expulsion (See Hearing Procedures for the Judicial Review Board below). In the event the student does not appeal within the required ten (10) business day period, the decision of the Dean of Students will be final.

### **Student Records**

A student placed on Disciplinary Suspension, Extended Disciplinary Suspension or Summary Suspension from the College will have a statement attached to the transcript indicating the student has been found in violation of the Code of Student Conduct. This statement will remain in the student's file for up to seven years as determined by the Dean of Students. The student must petition the Dean of Students in writing to be readmitted.

A student who has been expelled from the College will not be readmitted.

Other than College Suspension and Expulsion, disciplinary sanctions will not be made part of the student's permanent academic record; however, a record of the judicial proceedings will become part of the student's confidential record maintained by the Dean of Students office for seven years.

### **Maintenance of Disciplinary Records**

Except as specified above, disciplinary matters are kept confidential to the extent required by law. Disciplinary records will become part of the student's confidential record maintained by the Dean of Students Office and will be maintained for a period of seven years.

### **Judicial Review Board (JRB)**

#### **Establishment of the Standing JRB**

A standing JRB will hear cases and make recommendations on appropriate disciplinary cases referred to it by the Vice President of Student Affairs or appealed to it by students who are the subject of disciplinary actions involving disciplinary suspension and expulsion. The JRB will be established each fall. It will be composed of the following persons:

1. Two (2) members of the administrative staff appointed by the Vice President of Student Affairs.
2. Two (2) members of the faculty appointed by the Vice President of Student Affairs.
3. One (1) member of the student body appointed by the Vice President of Student Affairs.

None of the above-named persons may sit in any case in which they have a direct or personal interest. Decisions in this regard will be made by the JRB as a whole. The Vice President of Student Affairs may appoint interim members as required.

#### **Hearing Procedures for the Judicial Review Board**

1. The hearing will be closed to the public.
2. The student shall be entitled to appear in person, present his/her defense to the JRB, and may call witnesses in his/her behalf.
3. 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.
4. The student may be accompanied by an advisor. An advisor is defined as a family member, peer, staff/faculty member of the College; it does not include legal counsel or an attorney at law.
5. The hearing will begin with a presentation by the College, followed by a presentation by the student.
6. The College and student may present information in oral and written form, by witnesses and/or through documents. The parties will be given an opportunity to question witnesses.
7. The JRB reserves the right to hear the testimony of witnesses separately, so that the witnesses will not hear each other's testimonies.
8. Pertinent and relevant information will be reviewed by the JRB without regard for the legal rules of evidence.
9. 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.
10. An audio recording of the proceedings will be created and will be made available to either party upon their request.
11. The JRB will render its written decision within ten (10) business days after the hearing. The decision will be either that the student has violated the Code of Student Conduct or has not. If the student is found to be in violation of the Code of Student Conduct, the JRB will then determine or recommend a disciplinary action.
12. If the student is found not to be in violation of the Code of Student Conduct, and if coursework has been missed as a direct result of the action taken against the student, appropriate action will be taken to assist the student in completing the course(s).

13. In all cases other than suspension or expulsion, the decision of the JRB is final.
14. If the decision of the JRB is to suspend the student, that decision will be transmitted to the Vice President of Student Affairs. The student will then have ten (10) business days after the decision to appeal to the Vice President of Student Affairs. The 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 of the JRB hearing. The Vice President of Student Affairs will review relevant information before making a decision. The Vice President of Student Affairs will render a decision to uphold the suspension or to take other appropriate action within fifteen (15) business days after receiving the student's written appeal. If the Vice President of Student Affairs decides to impose a less severe sanction than suspension, the decision of the Vice President of Student Affairs is final. The Vice President of Student Affairs will not have the authority to increase the severity of the recommended sanction.
15. If the decision of the JRB is to expel the student, that decision will be transmitted to the Vice President of Student Affairs. The student will then have ten (10) business days after the decision to appeal to the Vice President of Student Affairs. The 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 the transcript of the JRB hearing. The Vice President of Student Affairs will review the relevant information before making a decision. The Vice President of Student Affairs will render a decision to uphold the expulsion or to take other appropriate action within fifteen (15) business days after receiving the student's written appeal. If the Vice President of Student Affairs decides to impose a sanction less severe than expulsion, the decision of the Vice President of Student Affairs is final.

### Interpretation and Revision

1. This Code is designed to function in conjunction with other Board Policies and Procedures. Refer to the following Policies and Procedures for greater detail: **Board Policy and Procedure 10-126**, Electronic Communications Guidelines; **Board Policy and Procedure 10-160**, Tobacco-Free Campus; **Board Policy 15-10**, Prohibition of Discrimination and Harassment; **Board Policy and Procedure 15-11**, Prohibition of Sexual Discrimination, Harassment and Misconduct; **Board Policy and Procedure 15-30**, Drug and Alcohol Free College; **Board Policy and Procedure 20-5**, Non Discrimination Policy; and **Board Policy and Procedure 20-41**, Code of Academic Conduct.
2. Questions of interpretation regarding the Code of Student Conduct shall be referred to the Dean of Students.
3. The Code of Student Conduct shall be reviewed periodically under the direction of the Dean of Students.
4. If any provision in the Code of Student Conduct is, or shall be at any time, contrary to or unauthorized by federal or state law, then such provisions(s) shall not be applicable, performed, or enforced except to the extent permitted by law.

### Policies are subject to change

All policies found in the Board Policy Manual are subject to change from time to time, as approved by the College Board of Trustees. The Dean of Students Office publishes revisions in Code of Student Conduct Policy and Procedures in the online College catalog, the College of DuPage website, and the Board Policy and Procedures Manuals.

Adopted: 10/01/09	Reviewed:	Amended: 4/07/14, 2/24/15
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