

General Provisions

Disciplinary action is construed as an educational function of the College for the protection and safety of the people and property at the College and to instill those minimal forms of social behavior which are essential to the educational process, and which are identified in the Illinois College Blue Book (student handbook).

1. The Executive Director of Residential Life and Campus Safety, Dean of Students, the Provost, and their designees are authorized by the President, acting in authority of the Illinois College Board of Trustees, to invoke for cause, the judgments listed as classification of consequences.
2. The designated hearing official will investigate and resolve disciplinary issues.
 - a. Incidents shall be investigated and resolved by the Executive Director of Residential Life and Campus Safety or designee.
 - b. He/She/They will provide the student with written notification of the disciplinary action taken against him/her/them.
 - c. The Executive Director of Residential Life and Campus Safety may inform the Dean of Students of offenses and disciplinary actions taken.
 - d. In situations where the Executive Director of Residential Life and Campus Safety determines that a student's conduct may warrant his/her/their suspension or dismissal, the Executive Director of Residential Life and Campus Safety shall:
 - i. Investigate the alleged incident and make a preliminary determination as to whether a punishable offense has been committed.
 - ii. If the Executive Director of Residential Life and Campus Safety determines there is a sufficient factual basis to conclude that a punishable offense has been committed, a meeting will be scheduled with the alleged student offender(s).
 - iii. Written notice of the date, time and location of meetings will be given to the student. The notice will apprise the student of the charges against him/her/them.
 - iv. During the meeting the Executive Director of Residential Life and Campus Safety and the student will discuss the information known, context of the situation, and why it is sufficiently serious to warrant deferred suspension/suspension/dismissal.
 - v. At the meeting the student will have the option to accept the determinations made by the Executive Director of Residential Life and Campus Safety or designee. If the student chooses not to accept the determination, the matter will be resolved through a Conduct Hearing. The student will be given a notice of the time, date, and location of the hearing at least three (3) business days in advance of the hearing.
 - e. A student facing violations sufficiently serious to warrant deferred suspension/suspension/dismissal may choose to have the matter resolved through a conduct hearing. The Executive Director of Residential Life and Campus Safety or designee will serve as the hearing chair. The hearing chair serves to make sure that process is followed.
 - The Hearing Panel will be made up of 3-5 faculty/staff/students.
 - The hearing panel may elect to call and question witnesses as necessary, including the investigator(s) who compiled the investigative report. The RSO/GLO may question any witnesses called by submitting written questions to the hearing chair.
 - The RSO/GLO will be given the opportunity, in person to submit or give an opening statement to the hearing panel and to respond to any information provided by witnesses.
 - The hearing panel may question the RSO/GLO representative.
 - The RSO/GLO may bring an advisor of their choosing to the hearing. The RSO/GLO advisor may not speak on behalf of the RSO/GLO, question witnesses, or actively participate in the hearing other than to advise the RSO/GLO representative.
 - The hearing panel will make determination of responsibility using a preponderance of evidence (more likely than not) standard of evidence.

3. Students wanting to contest disciplinary action by the Executive Director of Residential Life and Campus Safety, designee and/or conduct hearing panel may appeal to the Dean of Students.
 - a. The grounds for appeal are:
 - **Procedural Error:** A procedural error or omission occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.).
 - Any challenge for bias must include: a) what the bias was, b) how the bias manifested itself, and c) how the bias significantly impacted the outcome. A mere allegation or determination of bias will not be sufficient to meet this ground for appeal.
 - **New Evidence:** New evidence is information that was unknown or unavailable during the original hearing or investigation that could substantially impact the original finding or sanction. A summary of this new evidence, how it was previously unknown or unavailable, and its potential impact must be included.
 - If a person refused to testify or participate in the investigation and now wishes to submit their testimony as new evidence at the appellate level, that testimony will not be considered “new evidence” under this ground. The Dean of Students or designee serving as the reviewer of requests for appeal may determine if the matter will be sent back for further investigation based on this request for appeal.
 - **Appeal of the Sanction:** The sanction(s) imposed is clearly outside the parameters for the violation(s) or are of such nature that the student could not reasonably complete them within the allotted timeframe.
 - b. The appeal shall be emailed or delivered to the Executive Director of Residential Life and Campus Safety within five calendar days of receiving the decision. The Associate Dean will forward the appeal to the Dean of Students/Designee
 - c. The Dean of Students/Designee will review the matter and may meet with the student to discuss the matter if necessary.
 - d. The student may provide written and/or oral statements of witnesses to the Dean of Students/Designee during the meeting.
 - e. After the meeting, the Dean of Students/Designee will notify the student in writing of his/her/their decision within five business days. The decision of the Dean of Students/Designee shall be final.