

Article IV - Regulations Concerning Student Behavior

Section 1 - General Administrative Responsibility

The primary responsibility for the administration and supervision of student conduct at John A. Logan College has been designated to the Office of the Vice-President for Administration. This office will establish such administrative procedures as may be necessary to fulfill and enforce the intent of this code. These procedures will be available on request from the vice-president for administration.

Section 2 - Offenses

A. Any of the offenses listed below may result in expulsion, suspension, probation or reprimand by the vice-president for administration. In addition, criminal charges may be filed when appropriate. Any observed violation of this College code of conduct should be reported to the vice-president for administration (see Article IV, Section 3 - Penalties and Sanctions).

1. Academic dishonesty or plagiarism or willful falsification of scientific educational data that is represented as scientific or scholarly research.

Note: Appendix C defines intentional and unintentional plagiarism and offers a form for its remediation.

2. Furnishing false information to John A. Logan College with the intent to deceive, including, but not limited to, incidents of embezzlement and fraud.
3. Forging, alteration or misuse of documents, records, or identification cards; forgery may also result in criminal penalties.
4. Assaulting or threatening in a menacing manner, striking or wounding another person.
5. Willful indecent exposure of one's person in a place where there are other persons to be offended or damaged thereby.
6. Intentional destruction of, damage or injury to, or unauthorized use of property not one's own.
7. Theft, burglary or breaking and entering.
8. Unauthorized carrying or possession of weapons, ammunition, or other explosives, or creating a clear and present danger to persons or property by the misuse of combustible material; pellet and/or look-alike weapons.
9. To assemble with one or more persons with the intent to violate any provisions of this code, or with the purpose of, or which results in, disrupting the educational, research or service goals of the College.

10. Possession, use, furnishing on the campus or at any College-owned or College-supervised property, function or activity or in settings where the College has a contractual agreement for education, housing or transportation, any drugs or controlled substances which the possession, use, or furnishing of is illegal by municipal, state or federal law.
 11. Intentional obstruction or disruption of teaching, research, administration, disciplinary proceedings or other John A. Logan College activities, including its public service functions or other authorized activities on John A. Logan College premises.
 12. Intentional and unauthorized obstruction of a free flow of pedestrian or vehicular traffic.
 13. Intentional and unauthorized entry into any premises owned or controlled by John A. Logan College.
 14. Failure to comply with directions of identified John A. Logan College officials acting within the scope of duty, or of any law enforcement officer acting in the performance of his or her duties.
 15. Conduct of any nature which would be deemed illegal harassment under state or federal law including sexual harassment and sexual violence (see Article II, Sections 2 and 3, Harassment and Corrective Actions) directed at a person while on John A. Logan College property, attending a College-sponsored event or in settings where the College has a contractual arrangement for education, housing or transportation.
 16. Intentional violation of regulations regarding the use of electronic information systems not otherwise covered in this section.
 17. Two or more (or the repetition of) offenses listed in Paragraph B below.
- B. Any of the following offenses may result in probation or reprimand, with or without the loss of privileges (see Article IV, Section 3 - Penalties and Sanctions).
1. Violating appropriate use of college information systems.
 2. Possession of stolen goods.
 3. Gambling on John A. Logan College-owned or -supervised property or in settings where the College has a contractual arrangement for education, housing or transportation.
 4. Participation in hazing as defined by Illinois State Statutes.
 5. Failure to comply with John A. Logan College Board of Trustees policy and/or state regulations regarding the use of intoxicating liquor while on the campus, at any John A. Logan College supervised activity or in settings where the College has a contractual

arrangement for education, housing or transportation, as indicated under Article III, Section 7.

6. Intentionally disturbing the peace and good order of John A. Logan College by fighting, quarreling, wrangling or intoxication.

Section 3 - Penalties and Sanctions

A. Penalties and Sanctions that Require Automatic Hearings

1. Expulsion. This sanction is one of involuntary separation of the student from John A. Logan College. The separation is permanent in the sense that it does not project a definite time of eligibility to return. Students dismissed shall be assigned the grades which would be appropriate if they were withdrawing voluntarily, except in those cases of academic dishonesty, which carry a failing grade as part of the disciplinary action. Students dismissed under this code can be reinstated only upon the favorable action on a petition for reinstatement by the president or his or her designee. The president of John A. Logan College and/or his or her designee shall establish the necessary administrative procedures to affect this.
2. Suspension. This sanction is one of involuntary separation of the student from John A. Logan College for a definite period of time, after which the student is eligible to return. Students suspended shall be assigned the grades which would be appropriate if they were withdrawing voluntarily, except in those cases of academic dishonesty which carry a failing grade as a part of the disciplinary action. The Disciplinary Hearing Committee may establish additional requirements in individual cases, and these requirements must be fulfilled to the committee's satisfaction or its designee prior to reinstatement.

B. Penalties and Sanctions that Do Not Require Automatic Hearings, but which May be Appealed to the Disciplinary Hearing Committee

1. Probation. This is a sanction that precludes the individual from representing John A. Logan College in any official capacity, such as intercollegiate activities, including athletics or student office, and it may include loss of privileges. It is invoked for a specific period of time, which shall be not less than three (3) months nor for more than one (1) calendar year. A student is liable to dismissal or suspension if involved in any act of misconduct, including violation of the terms of probation, while on this probation.
2. Reprimand. This is a sanction imposed with or without loss of designated privileges for a definite period of time not to exceed one calendar year. A reprimand may include the loss of such privileges as may be consistent with the offense committed. The violation of the terms of a reprimand while under a reprimand may lead to the student being placed on probation.

C. Authority of Vice-President for Administration to Impose Penalties and Sanctions

Formal disciplinary action shall be instituted against a student after it is determined that such action rather than medical or counseling referral is appropriate. The sanctions outlined below may be imposed upon a student by, or in the name of, John A. Logan College only as stipulated by this code.

1. Temporary Suspensions from Classes. The vice-president for administration may temporarily suspend a student from a class for a period not to exceed three (3) consecutive school days if the student is reported by an instructor to be guilty of an offense as outlined in Article IV, Section 2 – Offenses. Such temporary suspensions may be a prelude to the imposition of formal penalties or sanctions as indicated below. The vice-president for administration may take this action with or without the opportunity for the student to make up missed class work and assignments.
2. Formal Penalties and Sanctions. The vice-president for administration may impose the following penalties and sanctions: expulsion, suspension, probation, reprimand (see Article IV, Section 3 - Penalties and Sanctions).

D. President's Authority to Impose Interim Suspension from the College

If the presence of any person is an immediate and serious threat to the persons or property lawfully on John A. Logan College campus, the president of John A. Logan College or his designees may impose an interim suspension from the College against any person in cases in which there is reasonable cause to believe that such person has created an act that is in violation of Article IV, Section 2 – Offenses, of this code of student conduct. A person so placed on interim suspension shall be given a prompt notice of charges and a hearing before the Disciplinary Hearing Committee within 10 calendar days after the imposition of the interim suspension. During the period of the interim suspension, the person shall not, without prior written permission of the president or his or her designated representative, enter or remain upon the campus of John A. Logan College other than to attend his or her hearing. Violation of any condition of the interim suspension shall be grounds for dismissal from John A. Logan College.

E. Instructor Authority to Remove Students from Classroom

An instructor may temporarily remove a student from a class if it is determined by the instructor that the student's continued presence would unduly disrupt the learning process or endanger the physical well-being of other persons lawfully in the area. If feasible, a temporary removal of a student from a class should be communicated orally and in writing simultaneously to the student. The reasons for the removal actions should be clearly stated. If prompt action makes it difficult to communicate orally and in writing simultaneously, then such removals should be followed by a written communication as soon as possible. All such incidents must be reported to the vice-president for administration and the dean for instruction in writing as soon as possible. Any student removed from a class may be readmitted to that class by the vice-president for administration and the vice-president for

instruction. Under normal circumstances, these two will render a decision within 48 hours (see also Article III, Section 2 regarding classroom decorum; and Appendix A, Classroom Conduct).

F. Sanctions Against Student Organizations

Sanctions which may be imposed by the vice-president for administration in the case of offenses by student organizations are:

1. Temporary or permanent suspension of charter recognition.
2. Loss of privileges as a recognized organization and the use of John A. Logan College facilities.

All sanctions against student organizations may be appealed to the Disciplinary Hearing Committee. Organization representatives should file a written request for a hearing with the vice-president for administration.

G. Application of Rules and Regulations to Student Athletes Participating in Athletic Events

John A. Logan College will not tolerate unsportsmanlike behavior by athletes typified by fights or brawls at athletic contests. Such behavior is not only a violation of the standards of conduct expected of all students, but also places other persons at risk of injury. In addition to any sanction taken by the coach to discipline the student athlete (up to and including suspension or dismissal from the team), such conduct may subject the student to sanctions pursuant to this student code of conduct.

Section 4 - Disciplinary Procedures

A. Jurisdiction

This code shall apply to conduct in connection with all academic, educational, extracurricular, athletic, and other programs of the College, whether those programs take place in College facilities, at a class or training program sponsored by the College at another location, or elsewhere. Additionally, the College will respond to sexual harassment complaints where the alleged conduct initially occurred off campus to determine whether the conduct has created a hostile environment on campus.

1. The regulations herein shall apply to all students of John A. Logan College.
2. All student organizations are responsible for compliance with John A. Logan College regulations. Upon satisfactory proof that an organization has violated a regulation, the organization may be subject to disciplinary action.
3. Nothing in this code is intended to limit the authority of law enforcement officers acting in the line of duty.

B. Definitions

Code. The term "code" as used herein refers to specific rules and regulations used to govern student conduct at John A. Logan College.

Student. A student at John A. Logan College is any person who is officially enrolled and accepted as a participant in any College credit course, non-credit course or public service activity sponsored by the College, on- or off-campus.

College, Refers to Board of Trustees of Community College District 530, Counties of Williamson, Jackson, Franklin, Perry, Randolph and State of Illinois, commonly called John A. Logan College.

Members of College Community. Any resident of John A. Logan College, District 530.

Committee. Any special group named by the Board of Trustees or the president of John A. Logan College or their designees for the purpose of considering some designated and specific item or items of College business, College-related problems, special College projects or to hear, report and/or render an opinion and recommendation on some problem, procedure, grievance appeal, or difference of opinion between two or more persons or groups associated with the College.

Unsafe Performance in Clinical or Practicum Situations. Conduct which might negatively affect a patient's level of well-being; is in specific violation of established written clinical procedures, which have been approved by the College; or is in violation of a written hospital rule or an oral order issued by a doctor or nurse employed by the clinical facility.

Academic Progress Review Committee. A five-member committee appointed annually by the president to hear student appeals of academic sanctions and to hear grade appeals.

Health Professions Review Committee. A five-member committee appointed annually by the president to hear student appeals of suspension from clinical situations.

Open Hearing. Any committee hearing that is open to any interested person. Open hearings may be closed on action of the committee chairperson if such action is considered by the chairperson to be in the best interest of the College, students, and committee members. It should be noted that the College reserves the right to have an advisor of equal peer to that of the student or organization.

Closed Hearing. A hearing by any designated hearing committee that is open only to the members of the committee, the student or organization under sanction, the person designated by the student as his or her advisor for the hearing, any appropriate witnesses as designated by the committee chairperson and the appropriate College representative. It should be noted that the College reserves the right to have an advisor of equal peer to that of the student or organization.

Disciplinary Hearing Committee. A five-member committee appointed annually by the president to hear appeals relating to student conduct.

Sanction. A penalty imposed as a result of behavior that is in violation of this code.

Privilege. A right to participate in College-sponsored functions not related directly to instruction.

C. Hearing Committee

1. The Disciplinary Hearing Committee shall have original jurisdiction for hearing all disciplinary cases in which the sanction should be disciplinary suspension or disciplinary dismissal from John A. Logan College. This committee will also hear all appeals involving other sanctions except temporary class suspension and interim suspension from the College. The committee shall have five members to be appointed annually by the president of John A. Logan College.
2. The vice-president for administration shall establish such administrative procedures as will enable the committee to carry out its duties.

D. Appeals

1. Right to Appeal. Students and student organizations have the right to appeal decisions in all disciplinary cases. The appeal must be made in writing within five (5) calendar days. A hearing must be held within 10 calendar days of receipt of the notice of appeal. While an appeal is pending, all sanctions imposed, unless a temporary class suspension from the College has been ordered, shall be held in abeyance, and the student's status on campus shall in no way be affected.

As previously stated, all sanctions involving expulsion or suspension are automatically heard by the Disciplinary Hearing Committee. Other sanctions may be appealed to the Disciplinary Hearing Committee on written request to the vice-president for administration. Final written appeal for the sanctions of expulsion or suspension may be made within five (5) calendar days to the president of John A. Logan College and the Board of Trustees. The president must respond to the appeal within 10 calendar days. The Board of Trustees may or may not respond within 30 calendar days.

E. Judicial Procedures Involving Student Conduct Matters

1. General. The following is the format of rights and responsibilities to be utilized during judicial proceedings unrelated to academic conduct. Any exclusions, modification and or deletion of the following must be requested from, and approved by, the president of John A. Logan College.

2. Prior to Hearing. A student charged in violation of the student conduct code is entitled to:
 - a. A notice of charges.
 - b. An appraisal of all relevant evidence.
 - c. A choice between open or closed hearing.
 - d. A notice of time, place, and format of the hearing:
 - (1) The hearing will be held no sooner than five (5) school days after notification of the charges.
 - (2) Under exceptional circumstances, changes in the hearing date may be granted by petitioning the vice-president for administration.

Any student charged with a violation of the student code of conduct is expected to participate fully in the established judicial program. Prompt response to all delivered correspondence is necessary in order to expedite judicial matters and result in the most efficient application of the adjudication process.

Notice of charges will be considered to have been delivered if the notice has been sent to the current local address of the charged as provided to the admissions and records office of the college by the student. Thus, failure to notify the college of change of address could result in a hearing being held in absentia.

Failure to respond to delivered correspondence regarding the hearing option will result in referral of the charges to the Disciplinary Hearing Committee. The Disciplinary Hearing Committee may hear such cases in absentia. The hearing shall be closed, an official record kept, and may be tape recorded.

3. During a Hearing. The charged is entitled to:
 - a. Advisory assistance. The advisor may be an individual of the student's choice. The role is advisory in nature, and the advisor may not directly participate in the proceedings as a principal. The College reserves the right to have an advisor of equal peer to that of the student or organization.
 - b. Present witnesses and any information relevant to the case.
 - c. Present written statements or depositions which may be taken from person(s) who are unable to attend hearings.
 - d. Hear and question all witnesses and have access to all relevant information and evidence.

- e. Have the option to have the hearing tape recorded in all cases of initial jurisdiction. However, official records will be made of all hearings. All appellate cases and open hearings shall be tape recorded.
- f. Challenge hearing committee members for cause. The removal of a hearing committee member will be at the discretion of the remaining panel members.
- g. Remain silent.

The College is entitled to challenge hearing committee members for cause. The removal of a panel member will be at the discretion of the remaining panel members.

It is the policy of all hearing agents that statements, evidence, or comments given during hearings will be held in strictest confidence by members of the hearing committee and its advisor(s), the president or any other individuals involved in a hearing or hearing appeal. No statements will be made to the general public by the members of the hearing committee before or during the hearing, or before, during or after deliberation. In all hearings at all levels, no individual will be required to offer evidence which may be self-incriminating.

- 4. Waiving Right to a Hearing. A student may waive a right to a hearing through failure to appeal an imposed sanction within the designated time limits.
- 5. After the Hearing. The charged is entitled to a written statement, within a reasonable time, of the decision of the hearing body, and all judicial actions will be specified. Such notice shall include the options and procedures for making an appeal.
 - a. If the hearing was closed, the decision of the hearing committee and any recommended sanctions will be available only to the student or organization involved and the appropriate College officials.
 - b. If the hearing was open, the decision of the hearing committee and any recommended sanctions will be available to interested individuals for a reasonable time after the hearing.
- 6. Appeal of Decision and/or Sanction. Any decision or sanction may be appealed to the next higher level of the judicial structure. However, the right to appeal does not entitle a student to a full rehearing of his case. Rather, the appeal individual or board should limit its review of the hearing board's record to four issues:
 - a. Were the judicial procedures correctly followed?
 - b. Did the accused have an adequate opportunity to prepare and present a defense?
 - c. Did the evidence presented at the hearing justify a decision against the student?

d. Was the sanction imposed in keeping with the gravity of the violation?

An appeal may be denied for insufficient grounds to request an appeal. However, if the appeal is granted, the appeal agent may:

- a. accept the report and decision of the hearing agent.
- b. reverse the hearing agent's decision and dismiss the case or remand the case for receipt of additional evidence or allow an opportunity for the student to prepare and present a defense.
- c. accept the decision of the hearing board but reduce the sanction imposed.

The appeal agent may not increase the sanction.