

John A. Logan College

Board of Trustees Policy Manual

College Mission Statement:

*We are a diverse learning and teaching community
committed to improving individual life and society through
high-quality, accessible educational programs and engaged learning opportunities.*

TABLE OF CONTENTS

Section 8000

Article VIII – Students	8000
1. Admission Policies	8100
A. Admission to John A. Logan College	8110
B. Satisfactory Academic Progress, Probation, and Suspension	8151
C. Financial Aid Standards of Progress	8152
2. Earning College Credit	8200
A. College Level Examination Program	8210
B. Proficiency Credit	8220
C. Credit Hour Determination	8230
D. Grading System	8231
E. Acceptance of Vocational Credit by Evaluation	8240
F. Accepting Advanced Placement Credit	8241
G. Transferring Credit to John A. Logan College	8242
H. Dual Credit and Dual Enrollment Courses	8243
I. General Program and Residency Requirements for Graduation	8244
3. Student Rights and Responsibilities Policies	8300
A. Student Rights and Responsibilities (Handbook and amendments)	8310
B. Removal from Clinical	8311
C. Sexual Harassment of Students	8312
D. Academic Honor Code	8313
E. Withdrawal from Class	8314
F. Student Disciplinary Action	8315
G. Student Grievance/Complaint	8316
H. Sexual Assault, Domestic Violence, Dating Violence and Stalking Prohibition	8317
4. Student Records	8400
A. Student Attendance	8410
B. Retaining Examinations and Other Evaluation Materials	8420
C. Release of Student Information and Access to Student Records	8430
D. Administration of the Freedom of Information Act	8431
5. Miscellaneous	8500
A. Board Scholarships	8510
B. Continuing Education	8520
C. Expenses for Off-Campus Trips	8530
D. Vacant – previous 8540 deleted	8540
E. Emergency Military Service	8550
F. Involuntary Medical Withdrawal	8560

John A. Logan College has established the following criteria for full admission to the College:

1. By providing an official transcript certifying graduation from a secondary school. John A. Logan College reserves the right to evaluate the validity and accreditation of all high school transcripts submitted for admission and financial aid purposes

- A. A home school diploma will be considered equivalent to a high school diploma if the state in which the home school curriculum was completed recognizes home school diplomas.

OR

- B. By providing an earned general equivalency diploma (GED).

OR

- C. By providing an official transcript from all attended accredited post-secondary institution.

Transfer students that attended a non-regionally accredited post-secondary institute will need to submit high school transcripts and possibly complete the JALC placement test.

2. Placement scores are required for all students that have an ACT English and Math subtest score below 20.
3. Residency Verification

CONDITIONAL ADMISSION

Applicants who do not meet the criteria for full admission will be conditionally admitted. Applicants will be granted full admission at the time all three criteria for regular admission has been met. A student admitted conditionally is not eligible for federal or state financial aid.

1. Non-high school graduate 18 years or older
2. Student whose connection with a secondary school is severed
3. Any student who is 16 years of age or over and has severed connection with a secondary school, as certified in writing by the chief executive officer of the secondary school in which the student has legal residence.
4. Students currently enrolled in a secondary school or home school program may enroll in courses at John A. Logan College with prior approval of the chief executive officer of the secondary school district.

5. Undocumented Student Admission

Illinois Law 110 ILCS 305/7e-5 (HB60) allows admission to the College and in-state or in-district tuition for those applicants to John A. Logan College (U.S. citizens and non-citizens) who meet the following criteria:

- Attended an Illinois school for at least three years of high school prior to graduating or receiving the equivalent of a diploma;
- Graduated from an Illinois high school or received the equivalent of a diploma in Illinois;
- Resided with parents or guardians while attending an Illinois high school; and
- For those applicants who are not U.S. citizens or permanent residents of the U.S., provide the College with a notarized affidavit stating the applicant will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

The president may waive the above restrictions and limitations to accommodate students with special needs or to provide for the convenience of the College.

TRANSFER STUDENT ADMISSION

Students transferring to John A. Logan College from another college or university will be admitted in good standing without regard for their past academic status. Once enrolled, all transfer students must adhere to the guidelines regulating satisfactory academic progress at John A. Logan College.

Any student expelled or suspended from another college or university for disciplinary reasons will not be eligible for admission to John A. Logan College for a minimum of one semester from the date of that suspension or expulsion, or the length of the suspension if it is more than one semester. After this date, the applicant for admission will be granted a decision on an individual basis by the dean for student services.

After admission, any transfer student who is found to have been expelled from another college or university for disciplinary reasons, which was not disclosed to John A. Logan College prior to enrollment at John A. Logan College, and whose enrollment was not the result of an individual decision by the dean for student services, shall be subject to immediate suspension. The suspended transfer student shall be entitled to an automatic hearing before the Disciplinary Hearing Committee, as provided in the student code of conduct, at which time the student may present evidence as to why the student should be permitted to remain enrolled at John A. Logan College.

Concealment of or failure to disclose a prior expulsion or suspension for disciplinary reasons shall be independent grounds for immediate suspension from John A. Logan College. Any student suspended for concealment of a prior expulsion shall likewise be entitled to an automatic hearing before the Disciplinary Hearing Committee.

INTERNATIONAL STUDENT ADMISSION

John A. Logan College will admit international (foreign) students on a basis to include the following:

- A. International students who have completed the equivalent of a high school (secondary) education.
- B. International students who have mastery of the English language as demonstrated by an acceptable score on the TOEFL test.
- C. International (foreign) students from Southern Illinois University at Carbondale who are in valid visa status there and attend John A. Logan College on special arrangement.
- D. International students who can provide the necessary admission credentials.

The president may waive the above restrictions and limitations to accommodate students with special needs or to provide for the convenience of the College.

ADOPTED: JANUARY 10, 1974
AMENDED: APRIL 1, 1980; MARCH 11, 1985; NOVEMBER 9, 1992; JUNE 24, 1997; JUNE 23, 2009; SEPTEMBER 22, 2009; FEBRUARY 26, 2013; FEBRUARY 25, 2014
(INCORPORATED FORMER BOARD POLICIES 8170, 8150, AND 8171 INTO THIS POLICY)
JANUARY 24, 2017
REVIEWED: **NOVEMBER 7, 2016**
LEGAL REF.: 110 ILCS 805/3-17; 110 ILCS 305/7E-5
CROSS REF.:

SATISFACTORY ACADEMIC PROGRESS REQUIREMENTS

A student is considered to be making satisfactory academic progress if the following conditions are met:

1. Maintain regular class attendance as determined by the instructor.
2. Maintain a cumulative GPA of at least 2.0. A student who fails to maintain the required cumulative GPA will be placed on probation for one semester. Probation is only a warning status. While on probation, the student is eligible for Pell Grants, ISAC monetary awards, scholarships, outside awards, or veteran benefits. If, after the probation semester, the student does not have the required cumulative GPA of 2.0, the student may remain on probation if the *semester* GPA is at least 2.0. If, after the probation semester, the student does not return to satisfactory academic standing or qualify to remain on probation, the student will be placed on academic suspension.

ACADEMIC SUSPENSION

Failure to meet any of the aforementioned procedures will result in academic suspension subject to appeal to the Academic Progress Review Committee. Academic suspension is a state of involuntary separation of the student from the institution for a period of one calendar year.

APPEALS INVOLVING THE PLACEMENT OF STUDENTS ON ACADEMIC SUSPENSION

Decisions involving the placement of students on academic suspension, based on the requirements of this section, may be appealed as follows:

1. Instances involving academic suspension may be appealed in writing to the Academic Progress Review Committee through the dean for student services within ten (10) calendar days of the notification by the dean for student services.
2. Appeals shall be heard by the Academic Progress Review Committee.
3. Further appeals may be made within ten (10) calendar days to the **vice president for instructional services** of the College who may consider the appeal further.

ADOPTED: MARCH 12, 1984
AMENDED: SEPTEMBER 24, 1996; MAY 26, 2009; NOVEMBER 24, 2009; MAY 27, 2014
SEPTEMBER 30, 2016; **JANUARY 24, 2017**
REVIEWED: **NOVEMBER 7, 2016**
LEGAL REF.:
CROSS REF.:

John A. Logan College will follow The Code of Federal Regulations – Title 34: Education, Part 668 – Student Assistance General Provisions Subpart C – Student Eligibility to develop financial aid standards of progress for students receiving Title IV funds. The College shall maintain reasonable satisfactory academic progress procedures for determining whether an otherwise eligible student is making satisfactory academic progress in his/her educational program and may receive assistance under the Title IV HEA programs. The procedures for standards of progress are published in the College Catalog and in Administrative Procedure 833.

ADOPTED: MARCH 12, 1984
AMENDED: AUGUST 23, 1994; JUNE 23, 1998;
APRIL 30, 2002; JANUARY 31, 2006; MAY 26, 2009; **MARCH 22, 2016**
REVIEWED: JANUARY 29, 2016
LEGAL REF.:
CROSS REF. ADMINISTRATIVE PROCEDURE 833 (NEW, PENDING APPROVAL)

College credit may be awarded through the College Level Examination Program (CLEP).

There are two (2) types of CLEP examinations available: The CLEP General Examinations, which provide a comprehensive measure of undergraduate achievement in five (5) basic areas of liberal arts and the CLEP Subject Examinations designed to measure achievement in specified undergraduate courses offered at John A. Logan College.

All high school graduates (or the equivalent) who reside in the John A. Logan College district are eligible to participate.

CLEP examination credit will not be awarded for any course in which the student is presently enrolled. CLEP credit will also not be awarded for any equivalent course in which the student has previously received a grade or which he/she has audited.

Information on fees and testing dates and locations may be obtained from the **Southern Illinois University Testing Center**.

ADOPTED: OCTOBER 7, 1975
AMENDED: APRIL 1, 1980; MARCH 11, 1985; **JUNE 23, 2009**
LEGAL REF.:
CROSS REF.: ADMINISTRATIVE PROCEDURE 803

Proficiency exams are available in **certain subject areas**. A student wishing to make application to take a proficiency examination should follow the instructions outlined within Administrative Procedure.

ADOPTED: OCTOBER 7, 1975
AMENDED: JUNE 7, 1977; JUNE 23, 1998; APRIL 24, 2001; SEPTEMBER 22, 2009;
JANUARY 24, 2017
REVIEWED: **NOVEMBER 7, 2016**
LEGAL REF.:
CROSS REF.: ADMINISTRATIVE PROCEDURE 804

In order to award credit for successful completion of course work, John A. Logan College complies with the Illinois Community College Board's Administrative Rules and Procedures for credit hour determination.

ADOPTED: JULY 27, 1971
AMENDED: JUNE 23, 2009; **NOVEMBER 24, 2015**
REVIEWED: OCTOBER 12, 2015
LEGAL REF.: ILLINOIS COMMUNITY COLLEGE BOARD ADMINISTRATIVE RULES 1501.309
CROSS REF.:

The academic year is divided into two semesters. The College also has a shortened summer term. Course credits are recorded in semester hours. The number of credit hours in each course is shown in the course descriptions in the *College Catalog*. For enrollment verification purposes, a student must be enrolled in twelve credit hours (six hours during the summer term) to be classified as a full-time student. To be classified as part-time, a student must be enrolled in at least six credit hours (three hours during the summer term). In order to enroll in more than eighteen credit hours during a semester (eight hours during the summer term) a student must have permission from the dean of student services.

Grading System

- A Excellent.....4 grade points
- B Good.....3 grade points
- C Average2 grade points
- D Poor.....1 grade point
- F Failing**0 grade points

- INC Incomplete. May be made up at the discretion of the instructor. The maximum time for making up an “INC” is one semester; otherwise, the student must repeat the course in order to gain credit. The incomplete grade will convert to an **F** if not completed by the end of the following semester, excluding summer semester.
- W Authorized withdrawal no later than the last day of the fifteenth week of the semester. No grade points/no credit.
- AU Audit. No credit.
- R Denotes repeat course.
- P Pass (credit but no grade points).
- CR Denotes credit earned but no grade points awarded.

COURSE REPEAT POLICY

A student may repeat a course only one time in an attempt to improve a grade for a given course. In instances where a student repeats a given course, both courses will be recorded on the student’s transcript. The higher of the two grades will be recorded on the transcript and used in computing the cumulative grade-point average.

ADOPTED: MAY 22, 2012
AMENDED: MAY 27, 2014; SEPTEMBER 30, 2016; FEBRUARY 28, 2017;
SEPTEMBER 26, 2017; **AUGUST 28, 2018**
REVIEWED: FEBRUARY 17, 2017; JULY 24, 2017; **JULY 18, 2018**
LEGAL REF.:
CROSS REF.:

Students enrolling in vocational programs may earn credits based on prior experience as follows:

Work Experience

Appropriate work experience in which a body of knowledge or skill that is parallel to John A. Logan College vocational courses will be evaluated. Credit will be awarded when **such work experience is approved** by the **vice-president for instructional services**.

Technical and/or Vocational Training

A course or courses successfully completed at technical, vocational, and/or military institutions may be transferred to John A. Logan College. **Credit will be awarded after review and approved by the vice-president for instructional services.**

Experiential Credit

John A. Logan College will, upon request, evaluate formalized learning outside of the College which has been documented by an outside accrediting body (e.g., apprentice counsels, local labor unions, American Medical Association). Credit will be awarded when properly documented and **approved by the vice-president for instructional services.**

Forms and procedures for initiating requests for acceptance of vocational credit by evaluation are available **in the office of the vice-president for instructional services.**

ADOPTED: MAY 8, 1989
AMENDED: MAY 27, 2014; SEPTEMBER 30, 2016; **JANUARY 24, 2017**
REVIEWED: **NOVEMBER 7, 2016**
LEGAL REF.:
CROSS REF.:

Accepting Advanced Placement Credit

8241

A student may earn a maximum of 15 credit hours through Advanced Placement Examinations. To receive credit, a student must earn a minimum score of 3, 4, or 5. The credit does not carry a grade or grade points and is not calculated into the student's grade point average. It is the student's responsibility to submit his/her scores to the **Office of Admissions and Records**. **It is up to the College to determine if the awarded credit is used to satisfy elective, general education, or major credit.**

The credit and advanced placement will be granted **in accordance with the College Board and National Merit Scholarship's AP scoring guidelines.**

ADOPTED: OCTOBER 14, 1991
AMENDED: APRIL 24, 2001; JUNE 23, 2009; SEPTEMBER 30, 2016; **FEBRUARY 28, 2017**
REVIEWED: **FEBRUARY 17, 2017**
LEGAL REF.:
CROSS REF.: **BOARD POLICY 8242, TRANSFERRING CREDIT TO JOHN A. LOGAN COLLEGE**

Accepting Transfer Credit:

- John A. Logan College will only accept college-level credits from regionally accredited institutions as recognized by the American Association of Collegiate Registrars and Admission Officers (AACRAO) and the Transfer Credit Practices guide. **Regionally Accredited Institutions in this case includes institutions in candidacy status.**
- **The State Seal of Biliteracy posted to a student's high school transcript will be evaluated as equivalent to two years of foreign language coursework at the college level. Credit granted will be based on foreign language course equivalencies. The student must formally request credit be awarded and applied to the college transcript within three academic years of high school graduation.**
- **A student may earn a maximum of 15 credit hours through Advanced Placement Examinations. To receive credit, a student must earn a minimum score of 3, 4, or 5. It is up to the College to determine if the awarded credits are used to satisfy elective, general education, or major (program) credit.**
- University/college coursework completed outside the United States must be submitted to an organization that specializes in evaluating foreign transcripts. John A. Logan College recommends use of Educational Credential Evaluators (www.ece.org) or Educational Perspectives (www.edperspective.org) from an official evaluation of earned foreign credentials.
- **International Baccalaureate (IB) test scores may be accepted for advanced credit. Students who have taken tests may submit their scores to the Office of Admissions and Records for evaluation by appropriate departments. For scores of 4 or higher for IB diploma program subjects, credits will be accepted and evaluated to determine applicability toward degree requirements as elective, general education or major (program) credit. The amount of credit that may be awarded is subject to the same limitations as credit for advanced placement.**

Accepting Military Credit:

- Credit hours will be granted for military service according to the guidelines established by American Council on Education (ACE). **ACE publishes evaluations and recommendations for credit for Ratings or Military Occupational Specialties (MOS) training.**
- **Decisions concerning acceptance of military credit as equivalent to a John A. Logan College courses will be determined by the Office of Admissions and Records. When necessary, a military course or prior learning experience credit(s) will also be reviewed by a faculty member responsible for instruction in the appropriate academic disciplines to determine credit to be awarded.**
- **Articulation decisions will be recorded on the official student record to ensure consistency in application of military credit.**

- **When the curriculum of an articulated course is updated, the military equivalencies will be reviewed and updated accordingly. Factors such as course content will be considered when making or updating articulation decisions, for example, with regard to technology or medical courses.**

Evaluation of Accepted Transfer Credit:

- If a transfer course from another accredited institution earned more credit hours than the equivalent course at John A. Logan College, the student is given full credit for the hours earned at the former institution.
- If a transfer course has fewer credit hours than the equivalent at John A. Logan College, the student will be granted only the number of credit hours earned at the other institution.
- If a course has no John A. Logan College equivalent, the hours earned will be granted as elective hours.
- John A. Logan College acknowledges developmental courses taken at other regionally accredited institutions for prerequisite and placement purposes only.

ADOPTED: MAY 22, 2012;

AMENDED: FEBRUARY 26, 2013; JANUARY 24, 2017; **FEBRUARY 28, 2017**

REVIEWED: NOVEMBER 7, 2016; **FEBRUARY 17, 2017**

LEGAL REF.:

CROSS REF.: **BOARD POLICY 8241, ACCEPTING ADVANCED PLACEMENT CREDIT**

Enrollment in dual credit and/or dual enrollment courses is limited to students attending a John A. Logan College district public or private school, and homeschooled students residing in the district. Students must be juniors or seniors or complete the additional requirements for sophomores. Dual credit and dual enrollment definitions are as follows and in accordance with ICCB rules:

Dual Credit – An instructional arrangement where an academically qualified student currently enrolled in high school enrolls in a college-level course and, upon successful course completion, concurrently earns both college credit and high school credit.

Dual Enrollment – An academically qualified student who is still enrolled in high school also enrolls in a college level course at the community college. Upon successful course completion, the student exclusively earns college credit. No high school credits are earned.

Eligible high school students who desire to enroll in dual credit and/or dual enrollment classes for college credit must: (1) complete a dual credit/dual enrollment form each semester signed by the high school principal or guidance counselor, (2) attach a copy of high school transcripts, and (3) take the appropriate placement tests.

High school students enrolled in dual credit/dual enrollment courses must follow the same course enrollment and withdrawal policies as post-secondary students.

A. Location

Dual credit classes are generally offered at the high school and are taught by college qualified high school instructors. High school and college credit are awarded for these courses. Classes taught at JALC, its extension centers, and on-line may be dual credit (receiving both college and high school credit) or dual enrollment (receiving only college credit).

B. Tuition

Students enrolling in dual credit taught at their high school will have tuition and fees waived. Students enrolling in dual credit or dual enrollment classes taught at JALC, its extension centers, or on-line will pay all fees—tuition is waived for 8 credit hours each semester. Students wishing to enroll for additional course hours beyond those for which tuition is waived shall be required to pay all tuition and fees associated with the course(s).

Dual Credit and Dual Enrollment Courses, continued

8243

Time eligibility chart for qualified students entering the Dual Credit/Dual Enrollment Program:

Entering the program fall of sophomore year	6 consecutive semester eligibility(does not include summer)
Entering the program spring of sophomore year	5 consecutive semester eligibility(does not include summer)
Entering the program fall of junior year	4 consecutive semester eligibility(does not include summer)
Entering the program spring of junior year	3 consecutive semester eligibility(does not include summer)
Entering the program fall of senior year	2 consecutive semester eligibility(does not include summer)
Entering the program spring of senior year	1 semester eligibility(does not include summer)

This chart is informational and may be modified if the Illinois Community College Board changes enrollment status requirements for additional student groups.

ADOPTED: JULY 22, 2014
AMENDED:
LEGAL REF.:
CROSS REF.: ICCB ADMINISTRATIVE RULES 1501.507B

General Program and Residency Requirements for Graduation 8244

Minimum enrollment residence requirements must be satisfied for graduation from John A. Logan College. To be awarded an Associate in Applied Science (AAS), Associate in Arts (AA), Associate in Engineering Science (AES), Associate in Fine Arts (AFA), Associate in General Studies (AGS) or Associate in Science degree, a student must:

- complete at least twelve (12) semester hours of credit from John A. Logan College with an overall grade-point average of 2.0;
- satisfactorily complete all specific degree requirements; and
- make application for graduation and pay the required graduation fee.

To be awarded an Associate in Arts in Teaching (AAT) degree, a student must:

- complete at least twelve (12) semester hours of credit at John A. Logan College with at least a grade-point average of 2.5;
- satisfactorily complete all specific degree requirements;
- pass the Illinois Basic Skills Test; and
- make application for graduation and pay the required graduation fee.

To be awarded a Certificate of Achievement, the student must:

- complete at least nine (9) semester hours of credit at John A. Logan College (excluding CLEP and proficiency credits). If the certificate is less than fifteen (15) semester hours, three (3) semester hours of credit must be completed at John A. Logan College;
- satisfactorily complete all certificate program requirements with a 2.0 overall grade-point average; and
- make application for graduation and pay the required graduation fee.

ADOPTED: SEPTEMBER 23, 2014
AMENDED:
LEGAL REF.:
CROSS REF.:

Recognizing the value of studying abroad, John A Logan College endorses and supports educationally sound international programs in compliance with College policies, and those of our accrediting and governing boards.

ADOPTED: FEBRUARY 28, 2017
AMENDED: **APRIL 27, 2021 (MOVED TO 8000 SECTION)**
REVIEWED: JANUARY 11, 2017; **MARCH 11, 2021**
LEGAL REF.:
CROSS REF.:

Student Rights and Responsibilities Handbook

8310

The John A. Logan College Board of Trustees' policy on student rights and responsibilities is embodied in the latest edition of Rights & Responsibilities: A Student Code of Conduct. Each edition of Rights & Responsibilities: A Student Code of Conduct is authorized by the Board of Trustees and is designated by Board Policy 3350 as an official publication of the College.

All information contained in this document must be in compliance with federal and state law, and current John A. Logan College Board Policies and Administrative Procedures.

ADOPTED: APRIL 1, 1980

AMENDED: NOVEMBER 9, 1992; SEPTEMBER 24, 1996; SEPTEMBER 22, 2009;
JUNE 24, 2014

LEGAL REF.:

CROSS REF.: BOARD POLICIES 3350, 3372, 8315, 8560; ADMINISTRATIVE PROCEDURE
832

**Removal from Clinical for Unsafe Clinical Practice and/or Violation
of Health Care Facility Rules, Regulations or Policies**

GENERAL POLICY STATEMENT

John A. Logan College Allied Health programs have a professional responsibility to remove a student from his/her clinical experience who demonstrates unsafe clinical practice. Further, a student must be removed from his/her clinical experience, when requested by the health care facility, for having violated the rules, regulations or policies of the health care facility.

UNSAFE CLINICAL PRACTICE**Sanction**

A student may be removed for the remainder of a clinical rotation, **or permanently**, for demonstrated unsafe clinical practice. When a student is removed for more than one clinical day, he/she **will** receive a failing grade for that course (**see course syllabus**).

Definition

The definitions of an unsafe clinical practice which may give rise to removal from a clinical experience are:

1. Displaying a lack of knowledge or skill in the basic care of a patient (or patients) to such a degree that the student's conduct has injured, or may if it continues, injure a patient or jeopardize their recovery; and/or
2. While having the necessary knowledge and skills to participate in the clinical experience, the student's actions, either by their intentional conduct or gross negligence, has injured, or may if it continues, injure a patient or jeopardize their recovery; and/or
3. Where the student's general conduct is such that he or she is an immediate danger to patients, other students or employees of the health care facility.

While it is impossible to list all of the possible circumstances giving rise to unsafe clinical practice, examples of the same include, but are not limited to the following:

1. **Failure to identify correct patient;**
2. **Unsafe performance. Please refer to the *Rights and Responsibilities: A Student Code of Conduct*;**
3. **Abusive treatment of others including physical/psychological abuse of another person and abuse, damage, or misuse of another's property;**
4. **Improper administration of medications or intent to administer improper medication to wrong patient;**
5. **Improper performance of sterile technique, via dressings, catheterization, etc.;**

6. **Illegal, indecent, or obscene conduct;**
7. Reporting to a clinical experience under the influence of alcohol, drugs, narcotics, **or a positive drug screen;**
8. Failure to maintain appropriate personal cleanliness and hygiene during a clinical experience.
9. **Gross interpersonal communication deficiency among faculty, students, patients and health care facility employees.**

As previously stated, the list of examples stated above are not considered all inclusive, and a student's actions will be **assessed** on the basis of the definitions of unsafe clinical practice given in this section.

Procedure

Detailed procedures for removal from clinical are outlined in Administrative Procedure 830.

VIOLATION OF HEALTH CARE FACILITY RULES, REGULATIONS OR POLICIES

Each health care facility where a student may receive their clinical experience, reserves that right to require removal of a student for violating the health care facility's rules, regulations, or policies. It is the duty and responsibility of the student to become aware of, and follow, all of the rules, regulations and policies of the health care facility where he/she is receiving the clinical experience.

The College does not guarantee or take responsibility in locating other health care facilities wherein a student may complete his/her clinical requirements.

ADOPTED: JULY 11, 1988
AMENDED: **OCTOBER 27, 2009**
LEGAL REF.:
CROSS REF.: **ADMINISTRATIVE PROCEDURE 830**

Refer to Board Policy 8317 – Title IX.

ADOPTED: AUGUST 24, 1993
AMENDED: JUNE 23, 1998; OCTOBER 27, 2009; AUGUST 23, 2011; NOVEMBER 26, 2013
SEPTEMBER 30, 2016: **APRIL 27, 2021** (*CONTENT MERGED INTO BOARD POLICY 8317, TITLE IX*)
REVIEWED: **MARCH 11, 2021**
LEGAL REF.:
CROSS REF.: BOARD POLICIES 3510; 3512; 8310; 3372

John A. Logan College is committed to the academic, ethical and social development of our students. We strive to uphold the College's core values of, **service**, responsibility, **integrity**, respect, and compassion. In addition, we strive to foster a learning environment that is both challenging and supportive of all our students. In an effort to accomplish this task, we hereby establish this Honor Code.

I. OFFENSES UNDER THE ACADEMIC HONOR CODE:

ACADEMIC DISHONESTY: It is the responsibility of every student enrolled at John A. Logan College to avoid all forms of academic dishonesty including, but not limited to, the following:

1. **PLAGIARISM:** The intentional or unintentional use of another source of written words or ideas as one's own. Please see Appendix C for definitions of intentional and unintentional plagiarism.
2. **CHEATING:** Any act or attempt to gain an unfair advantage in academic endeavors, or to assist or protect someone else who has done so.
3. **FALSIFICATION, FABRICATION or MISREPRESENTATION:** The creation or alteration of data, research, or resources/citations in connection with an academic assignment or records.
4. **COPYRIGHT INFRINGEMENT:** The unauthorized use of copyrighted work. Such as when a copyrighted work is reproduced, distributed, performed, publicly displayed, or made into a derivative work without the permission of the copyright owner. For more information, please see Board Policy 3361 – Copyright Policy.
5. **LYING:** Intentionally making false or misleading statements in verbal, written, visual, electronic, or other forms.
6. **COMPLICITY IN or AID OF ACADEMIC DISHONESTY:** Intentionally or knowingly helping or attempting to *assist* another person in activities such as: allowing other students to copy from one's works, assisting in cheating, sharing test questions/answers, taking an examination for another student, selling/offering course materials such as term papers, essays, projects, etc., and any other act that would assist another student in engaging in academic dishonesty.
7. **SUBMISSION OF PAPER OR ACADEMIC WORK PURCHASED OR OBTAINED FROM AN OUTSIDE SOURCE:** Submitting any paper or academic work that was purchased or otherwise obtained from an outside source. An outside source includes (but is not limited to) a commercial vendor of research papers, a file of research papers or tests

maintained by a student organization or other body or person, or any other source of papers or of academic work that was authored or prepared by a person other than the student who submits it.

8. **BRIBERY:** Providing or offering favor or reward, in exchange for a grade, credit, or other item of academic value.
9. **HARRASSMENT:** To create an unpleasant or hostile situation for another person, especially by uninvited and unwelcome verbal, electronic, or physical conduct.
10. **THREATS:** to express the intention to inflict evil, injury, or damage to someone or something.
11. Any other behavior which disrupts the educational process within the classroom.

II. RESOLUTION

When an instructor identifies any form of academic dishonesty (as defined above), the instructor will inform the student of the violation by completing the *Notification of Academic Dishonesty* form.

The instructor shall determine the appropriate sanction(s) for the particular offense.

The following three sanctions, alone or in combination, may be imposed by the instructor for offenses or violations of the Academic Honor Code:

1. Reprimand/Warning
2. Rewriting/Redoing the assignment
3. Failing Grade. Student may receive a failing grade on the assignment, for a component of the course, or the entire course.

More serious sanctions may be recommended by the instructor; these include:

4. Probation
5. Suspension from online, hybrid or face-to-face classes
6. Suspension from the College
7. Expulsion

If the student acknowledges his/her actions and accepts the instructor-imposed sanctions (items 1 – 3), the matter shall be resolved and documentation of the incident will be forwarded to the Dean of Student Services for record keeping.

If the student chooses to appeal the instructor's determination, the student should meet with the instructor's department chair to discuss the matter. If the student disagrees with the decision of the department chair, he/she can appeal the matter according to *Article V – Regulations Concerning Student Behavior, Section 3 – Penalties & Sanctions*.

If one or more of sanctions 4 – 7 is recommended by the instructor, the student should refer to *Rights and Responsibilities: A Student Code of Conduct* - Regulations Concerning Student Behavior, Penalties & Sanctions.

ADOPTED: JANUARY 24, 2012

AMENDED: **JANUARY 11, 2017**

REVIEWED: JANUARY 11, 2017

LEGAL REF.:

CROSS REF.: BOARD POLICY 8310; RIGHTS AND RESPONSIBILITIES: A STUDENT CODE OF CONDUCT

Withdrawal from Class

8314

Procedures for withdrawing from classes are set forth in the College Catalog and outlined in Administrative Procedure.

ADOPTED: MAY 22, 2012
AMENDED: MARCH 22, 2016; **JANUARY 11, 2017**
REVIEWED: JANUARY 29, 2016
LEGAL REF.:
CROSS REF.: ADMINISTRATIVE PROCEDURE **821**

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 **instructional services**. This office will establish such procedures as may be necessary to fulfill and enforce regulations concerning student behavior.

Offenses or violations which may result in expulsion, suspension, probation or reprimand are listed in the current publication of *Rights and Responsibilities: A Student Code of Conduct*. Any observed violation of this code of conduct should be reported to the vice-president for student affairs and community education.

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.

AUTHORITY OF VICE-PRESIDENT FOR INSTRUCTIONAL SERVICES 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 **instructional services** 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 *Rights and Responsibilities: A Student Code of Conduct*. Such temporary suspensions may be a prelude to the imposition of formal penalties or sanctions as indicated below. The vice-president for **instructional services** 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 **instructional services** may impose the following penalties and sanctions: expulsion, suspension, probation, reprimand as outlined the "Penalties and Sanctions" section of this policy.

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 the code of student conduct contained in *Rights and Responsibilities: A Student Code of 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 ten (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/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.

APPEALS

Students and student organizations have the right to appeal decisions in all disciplinary cases. Processes for student appeals are outlined in Administrative Procedure 832.

ADOPTED: JUNE 24, 2014
AMENDED: SEPTEMBER 30, 2016
LEGAL REF.:
CROSS REF.: BOARD POLICIES 3372, 8310; ADMINISTRATIVE PROCEDURES 361, 832

John A. Logan College is committed to continuously improving academic and non-academic support services and recognizes that student grievances/complaints are helpful in fulfilling this commitment. The College systematically addresses and documents student grievances/complaints in a timely manner.

ADOPTED: NOVEMBER 22, 2016
AMENDED: **FEBRUARY 28, 2017**
REVIEWED: SEPTEMBER 21, 2016; FEBRUARY 17, 2017
LEGAL REF.:
CROSS REF.: **BOARD POLICIES 3372, 3510, 3512, 8312, 8317**
ADMINISTRATIVE PROCEDURES 832, 807
RIGHTS AND RESPONSIBILITIES: A STUDENT CODE OF CONDUCT

I. PURPOSE

In accordance with the Violence Against Women Reauthorization Act of 2013, Title IX of the Education Amendment of 1972, Title VII of the Civil Rights Act of 1964, the Illinois Human Rights Act, the Clery Act and the Illinois Preventing Sexual Violence in Higher Education Act, all of which prohibit discrimination based upon sex, including but not limited to sexual assault and other forms of sexual misconduct and/or reporting of such acts. John A. Logan College (College) is committed to maintaining a safe and healthy educational and employment environment that is free from sexual misconduct sexual assault, domestic violence, dating violence and stalking and adopts the following standards of conduct for all members of the College community, including employees, students, contractors and visitors.

II. STATEMENT OF POLICY

Our community expects that all interpersonal relationships and interactions – especially those of an intimate nature – be grounded in mutual respect, open communication, and clear consent.

To this end, Sexual Assault, Domestic Violence, Dating Violence and Stalking, are unacceptable and are not tolerated at John A. Logan College. These terms are defined below in “Definitions of Prohibited Conduct.” Retaliation, as defined below, is also prohibited.

The College encourages anyone who has been subjected to Sexual Assault, Domestic Violence, Dating Violence and/or Stalking to seek appropriate help and to report the incident promptly to the police and/or College officials. The College has professional staff that will assist students, faculty and/or staff members to get help, including immediate medical care, counseling and other essential services. Specific policies, methods for reporting, including confidential reporting, and resources are described below.

As a general matter, The College will take prompt action to investigate reports of Sexual Assault, Domestic Violence, Dating Violence and/or Stalking and, where appropriate, to impose sanctions. The applicable procedures will depend on whether the alleged offender is a student, faculty, or staff member.

Students, faculty, and staff who violate this Policy may face discipline up to and including expulsion or termination as outlined below.

The College's Policy applies to students, employees, contractors, or third parties whenever the misconduct occurs:

- A. On College property; or
- B. Off College property if;
 - 1. The conduct was in connection with a College or College-recognized program or activity; or
 - 2. Otherwise has a connection to the College.

Sexual Assault is an extreme form of sexual harassment. For more information about sexual discrimination and harassment, which is also prohibited by the College's policies, please see the Policy on Sexual Harassment. If a report includes allegations of Sexual Assault, Domestic Violence, Dating Violence or Stalking, then the process and procedures set forth in this Policy will be followed in the assessment, investigation and resolution of the complaint. In no event shall a complaint proceed simultaneously through more than one internal College procedure.

III. DEFINITIONS

- A. **Consent:** Consent is knowing, voluntary and clear affirmative permission by word or action, to engage in mutually agreed upon sexual activity. Consent may not be inferred from silence, passivity, or a lack of active resistance. Past consent to sexual activities, or a current or previous dating relationship, does not imply ongoing or future consent. Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). Consent may be withdrawn at any time. A person may be incapable of giving consent due to the person's age, use of drugs or alcohol, or because an intellectual or other disability prevents the person from having the capacity to give consent. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred. Coercion, force or the threat of either invalidates consent.
- B. **Dating Violence:** The term dating violence means violence committed by a person 1) who is or has been in a social relationship of a romantic or intimate nature with the victim, and 2) where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- C. **Domestic Violence:** Includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of Illinois, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Illinois.
- D. **Incapacitated or Incapacitation:** An individual who is incapacitated is unable to give consent. States of incapacitation include sleep, unconsciousness, intermittent consciousness, or any other state where the individual is unaware that sexual contact is occurring. Incapacitation may also exist because of a mental or developmental disability that impairs the ability to consent to sexual contact.

Alcohol or drug use is one of the prime causes of incapacitation. Where alcohol or drug use is involved, incapacitation is a state beyond intoxication, impairment in judgment, or "drunkenness." Because the impact of alcohol or other drugs varies from person to person, evaluating whether an individual is incapacitated, and therefore unable to give consent, requires an assessment of whether the consumption of alcohol or other drugs has rendered the individual physically helpless or substantially incapable of:

- Making decisions about the potential consequences of sexual contact;
- Appraising the nature of one's own conduct;
- Communicating consent to sexual contact; or
- Communicating unwillingness to engage in sexual contact.

Where an individual's level of impairment does not rise to incapacitation, it is still necessary to evaluate the impact of intoxication on consent. In evaluating whether consent was sought or given, the following factors may be relevant:

- Intoxication may impact one's ability to give consent and may lead to incapacitation (the inability to give consent).
- A person's level of intoxication is not always demonstrated by objective signs; however, some signs of intoxication may include difficulty walking, poor judgment, difficulty communicating, slurred speech, or vomiting.
- An individual's level of intoxication may change over a period of time based on a variety of subjective factors, including the amount of substance intake, speed of intake, body mass, and metabolism.

No matter the level of an individual's intoxication, if that individual has not affirmatively agreed to engage in sexual contact, there is no consent.

Anyone engaging in sexual contact must be aware of both their own and the other person's level of intoxication and capacity to give consent. The use of alcohol or other drugs can lower inhibitions and create an atmosphere of confusion about whether consent is effectively sought and freely given. If there is any doubt as to the level or extent of one's own or the other individual's intoxication or incapacitation, the safest course of action is to forgo or cease any sexual contact. An individual's intoxication is never an excuse for or a defense to committing sexual assault and it does not diminish one's responsibility to obtain consent.

- E. **Retaliation**: Any form of retaliation, including intimidation, threats, harassment and other adverse action taken or threatened against any complainant or person reporting or filing a complaint alleging sexual discrimination, harassment or misconduct or any person cooperating in the investigation of such allegations (including testifying, assisting or participating in any manner in an investigation) is strictly prohibited. Action is generally deemed adverse if it would deter a reasonable person in the same circumstances from opposing practices prohibited by the College's Policy. Retaliation may result in disciplinary or other action independent of the sanctions or interim measures imposed in response to the allegations of sexual discrimination, harassment or misconduct.
- F. **Sexual Assault**: Any nonconsensual sexual act proscribed by Federal, tribal, or State law including when the victim lacks capacity to consent, including both sexual intercourse without consent and sexual contact without consent.
- Sexual Intercourse without Consent means having or attempting to have sexual intercourse with another individual without consent as defined below. Sexual intercourse means vaginal or anal penetration, however slight, with any body part or object, or oral penetration involving mouth to genital contact.
- Sexual Contact without Consent means having sexual contact with another individual without Affirmative Consent, as defined below. Sexual contact means the touching of the person's breasts, anal, groin or genital areas, or other intimate body parts for the purpose of sexual gratification.
- G. **Sexual Exploitation**: Occurs when a person takes non-consensual or abusive sexual advantage of another for anyone's advantage or benefit other than the person being exploited, and that behavior does not meet the definition of sexual assault. Sexual exploitation includes prostituting another person, non-consensual visual or audio recording of sexual activity, non-consensual distribution of photos or other images of an individual's sexual activity or intimate body parts with an intent to embarrass such individual non-consensual voyeurism, knowingly transmitting HIV or a sexually transmitted disease to another, or exposing one's genitals to another in non-consensual circumstances.
- H. **Sexual Misconduct**: Includes sexual assault, sexual exploitation, dating violence, domestic violence, sexual violence and stalking.
- I. **Sexual Violence**: Physical sexual acts perpetuated against a person's will or where a person is incapable of giving consent (e.g. due to the person's age, use of drugs or alcohol, or because an intellectual or other disability prevents the person from having the capacity to give consent). Sexual violence includes, but is not limited to, rape, sexual assault, sexual battery, sexual abuse and sexual coercion.
- J. **Stalking**: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to: 1) fear for his or her safety or the safety of others; or 2) suffer substantial emotional distress.
- K. **Threat**: Any oral or written expression or gesture that could be interpreted by a reasonable person as conveying intent to cause harm to persons or property.

IV. ADMINISTRATIONA. Title

1. The College has designated the **following** Title IX Coordinators:

Title IX Coordinator for Students

Dean of Students
Address: 700 Logan College Road
Carterville, IL 62918
Telephone: 618-985-2828, Ext. 8101
Email: titleixforstudents@jalc.edu

Title IX Coordinator for Faculty and Staff

Vice-President for Administration
Address: 700 Logan College Rd, Carterville,
IL 62918
Telephone: 618-985-2828, Ext. 8589
Email: titleixforstaff@jalc.edu

2. Responsibilities of the Title IX Coordinator include:

- Overseeing the College's response to all Title IX reports and complaints and identifying and addressing any patterns or systemic problems revealed by such reports and complaints.
 - A Title IX complaint includes complaints alleging sexual discrimination, including sexual harassment as well as sexual misconduct, sexual violence, sexual assault, domestic violence, dating violence and stalking (as those terms are defined herein) which involve a College student, visitor or employee.
 - Being informed of all reports and complaints raising Title IX issues, including those initially filed with another individual or office or if the investigation will be conducted by another individual or office.
 - Ensuring that adequate training is provided to students, faculty and staff on Title IX issues.
 - Coordinating Title IX investigations, involving employees and students, including overseeing the investigation of facts relative to a complaint and recommending appropriate sanctions against the perpetrator and remedies for the complaint.
 - With respect to complaints that involve a College employee, vendor or visitor, the Department of Human Resources will manage the investigation into the allegations and will recommend appropriate sanctions against the employee and interim measures, if any, for an employee.
 - With respect to complaints that involve a student, the Vice President for Administration or the Vice President of Student Engagement (both Deputy Title IX Coordinators) will manage the investigation and recommend appropriate sanctions against the student and interim measures, if any, for a student.
 - With respect to complaints that involve both a student and an employee, the Title IX Coordinator, the Department of Human Resources and the Deputy Title IX Coordinators shall jointly coordinate the investigation and interim measures.
 - Ensuring appropriate interim measures for a student victim and/or complainant upon learning of a report or complaint of sexual misconduct.
 - Ensuring that appropriate policies and procedures are in place via campus police for working with law enforcement and coordinating services with local victim advocacy organizations and services providers, including rape crisis centers.
3. Promoting an educational and employment environment which is free of sexual discrimination, harassment and gender bias.
 4. The College has designated **Title IX Deputy Coordinators provided in Appendix A.**

5. Responsibilities of the Title IX Deputy Coordinators:
 - Working in conjunction with the Title IX Coordinator to ensure compliance for matters involving students, including assistance with coordination of training, education, communications, and administration of complaint procedures for complaints against students.
6. Inquiries concerning the application of Title IX may be referred to the Title IX Coordinator or to the United States Department of Education's Office for Civil Rights:

Office for Civil Rights, Chicago Office U.S. Department of Education Citigroup Center
500 W. Madison Street. Suite 1475
Chicago. IL 60661-4544
Telephone: (312) 730-1560 Email OCR.Chicago@ed.gov

V. OPTION FOR ASSISTANCE FOLLOWING AN INCIDENT OF SEXUAL ASSAULT

A. Immediate Assistance

1. On and Off-Campus Counselors and Advocates. Attached as Appendix A – Resource and Referral Options, find a list of on and off-campus counselors and advocates that can provide an immediate confidential response for employees and students in an emergency situation.
 2. Emergency Response. Anyone who experiences or observes an emergency situation should immediately call 911 and/or the College Police Department at 618-985-5550.
 3. Off-Campus Health Care Options. Victims may seek treatment for injuries, preventive treatment for sexually transmitted disease, and other health services by contacting the providers identified on Appendix A - Resource and Referral Options.
- B. Ongoing Off Campus Counseling, Advocacy and Support for Students and Employees. This information can also be found at Appendix A - Resource and Referral Options.

VI. REPORTING AND CONFIDENTIALLY DISCLOSING SEXUAL ASSAULT

The College encourages all victims of sexual assault (and bystanders), to talk to somebody about what happened so that victims (and bystanders) can get the support they need and so that the College can respond appropriately. Different employees on campus have different abilities to maintain a victim's confidentiality:

- Some employees are required to maintain complete or near complete confidentiality,
- Some employees are required to report all the details of an incident (including identities of the victim and alleged perpetrator) to the Title IX Coordinator. A report to these employees, called "Responsible Employees," constitutes a report to the College and generally obligates the College to investigate the incident and take appropriate steps to address the situation.

The various reporting and confidential disclosure options available are set forth in further detail below:

A. Privileged and Confidential Communications

Confidential Counselors. Professional, licensed counselors who provide mental-health counseling (including those counselors who act in that role under the supervision of a licensed counselor (referred to as Counselors) are not required to report any information about an incident to the Title IX Coordinator without a victim's permission. Contact information for such confidential Counselors is included in Appendix A-Notification of Rights and Options.

A victim who speaks to a confidential Counselor must understand that, if the student victim wants to maintain confidentiality, the College's ability to conduct an investigation into the particular incident or pursue disciplinary action against the alleged perpetrator(s) may be diminished.

Even so, these Counselors will still assist the victim in receiving other necessary protection and support, such as student victim advocacy, academic support or accommodations, disability, health or mental health services, and changes to living, working or course schedules. A student victim who at first requests confidentiality may later decide to file a complaint with the College or report the incident to law enforcement, and thus will have the incident fully investigated. These counselors will provide the victim with assistance if the victim wishes to do so.

Note: While these Counselors may maintain a victim's confidentiality vis-a-vis the College, they may have reporting or other obligations under state law. Any College employee who suspects or receives knowledge that a minor student may be an abused or neglected child or, for a student aged 18 through 21, an abused or neglected individual with a disability, is required to: 1) immediately report or cause a report to be made to the Illinois Department of Children and Family Services (DCFS) on its Child Abuse Hotline; and 2) follow directions given by DCFS concerning filing a written report within 48 hours with the nearest DCFS field office. Also note: If the College determines that the alleged perpetrator(s) pose(s) a serious and immediate threat to the College community, College Police may be called upon to issue a timely warning to the community. Any such warning will not include any information that identifies the victim.

B. Reporting to "Responsible Employees"

A College employee who has the authority to redress sexual harassment, including sexual assaults, who has the duty to report incidents of sexual misconduct, or who an individual could reasonably believe has this authority or duty is a Responsible Employee. Most College employees, including but not limited to supervisors, managers, coaches and faculty are responsible employees. A list of Responsible Employees is available through the Title IX Coordinators. When a victim tells a Responsible Employee about an incident of sexual harassment including sexual assault, the victim has the right to expect the College to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably. A Responsible Employee must report to the Title IX Coordinator and, if applicable, all relevant details about the alleged sexual misconduct shared by the victim so that the College can determine what happened, including the names of the victim and alleged perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident.

To the extent possible, information reported to a Responsible Employee will be shared only with people responsible for handling the College's response to the report and those with a "need to know." The following categories of employees are the College's Responsible Employees:

- College Administrators
- Title IX Coordinators and Deputy Coordinators
- Supervisors and Managerial Staff
- Faculty
- Campus Police
- Coaches

A complete list is available through the Title IX Coordinators.

Before a victim or bystander reveals any information to a Responsible Employee, the employee should ensure that the victim understands the employee's reporting obligations and, if the victim wants to maintain confidentiality, direct the victim to the confidential resources referenced above.

If the victim wants to tell the Responsible Employee what happened but also maintain confidentiality, the employee should tell the victim that the College will consider the request, but cannot guarantee that the College will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the Responsible Employee will also inform the Title IX Coordinator of the victim's request for confidentiality.

C. Student Requesting Confidentiality from the College: How the College Will Weigh the Request and Respond

If a victim discloses an incident to a Responsible Employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the College must weigh that request against the College's obligation to provide a safe environment for all students and employees including the student victim.

If the College honors the request for confidentiality, a victim must understand that the College's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be diminished. The College may not be able to honor a victim's request in order to provide a safe environment for all students and employees.

The College has designated the following individual(s) to evaluate requests for confidentiality:

- Title IX Coordinator
- Vice-President for Instructional Services
- Director of Campus Police
- Legal Counsel

If the College determines that it cannot maintain a victim's confidentiality, the College will inform the student victim at the earliest point possible and will, to the extent possible, only share information with people responsible for handling the College response and those with a "need to know."

If the College determines that it can respect a victim's request for confidentiality, the College will also take immediate action as necessary to protect and assist the student victim. If a victim's request for confidentiality limits the College's ability to formally investigate a particular allegation, the College may take steps to limit the effects of the alleged sexual discrimination, misconduct and prevent its recurrence without initiating formal action against the alleged perpetrator or revealing the identity of the student complainant. Such action may include, but is not limited to providing increased monitoring, supervision or security at locations or activities where the alleged misconduct occurred.

VII. EMPLOYEE REPORTING AND DISCLOSING SEXUAL MISCONDUCT OF A STUDENT OR EMPLOYEE

In addition to the reporting requirements for Responsible Employees, all College employees who have information regarding sexual misconduct of a student or employee are encouraged to report it to the Title IX Coordinator or any Responsible Employee. Failure of a College employee to report sexual misconduct will subject the employee to discipline, up to and including discharge, except where the victim has requested confidentiality and reporting is not otherwise legally required.

VIII. OTHER PROCEDURES FOR MAKING A REPORT OF SEXUAL ASSAULT OR OTHER SEXUAL VIOLENCE, DATING VIOLENCE, DOMESTIC VIOLENCE OR STALKING

Although the College strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the local police. Campus Police will assist any victim who wants to make an investigative report. Campus Police will also assist any victim with notifying the police department where the incident occurred if they so desire. A victim can contact the Campus Police Department by calling 618-985-5550 or dial "0" from a campus phone. In the event of any emergency situation, a victim or observer should call 911 for assistance.

Campus Police has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of medical, counseling and support services, and additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. Victims should contact the Title IX Coordinator or a Deputy Title IX Coordinator.

After an incident of sexual assault, the victim should consider seeking medical attention as soon as possible at the nearest hospital or medical facility. Victims can contact Campus for assistance if needed. Medical attention is available 24 hours a day to assist sexual assault victims. See Appendix A – Resource and Referral Options.

In Illinois, evidence may be collected even if the victim chose not to make a report to law enforcement. If the complainant desires full confidentiality he/she should speak with a confidential Counselor, a clinic nurse or an off campus victim advocate. The College provides confidential individual counseling for students and employees. Individuals may choose to make a confidential report with them. Campus Police does take third party reports. With the victim's permission, the confidential Counselor may file a report on the details of the incident without revealing the victim's identity to the Campus Police. The purpose of a confidential report is to attempt to comply with the victim's wish to keep the matter confidential while taking steps to ensure the safety of the victim and others. If the College honors the request for confidentiality, the victim must understand that the College's ability to meaningfully make accommodations, investigate the incident and pursue disciplinary action against the alleged offender(s) may be limited. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence to prove the criminal activity may be preserved. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to investigators or the police.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with someone and taking steps to preserve evidence in the event that the victim changes his/her mind at a later date.

IX. INTERIM MEASURES

The College will remain ever mindful of the victim's well-being, and will take ongoing steps to protect the victim from retaliation or harm and work with the victim to create a safety plan. Retaliation against the victim, whether by students or College employees, will not be tolerated. The College will also:

- Assist the victim in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance both on and off campus.
- Provide other security and support, which could include the College obtaining a no-contact order, helping to change working arrangements or course schedules (including for the alleged perpetrator(s) pending the outcome of an investigation) or adjustments for assignments or tests; and
- Inform the victim of the right to report a crime to campus or law enforcement and provide the victim with assistance if the victim wishes to do so.

The College may not require a victim to participate in any Title IX investigation or in a disciplinary proceeding.

Because the College is under a continuing obligation to address the issue of sexual misconduct campus-wide, reports of such incidents (including non-identifying reports) will also prompt the College to consider broader remedial action- such as increased monitoring, supervision, or security at locations where the reported incident occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments/victimization surveys; and/or revisiting its policies and practices.

X. MISCELLANEOUS

- A. Take Back the Night and other public awareness events, such as candlelight vigils, protests, survivor "speak outs" or other forums in which students disclose incidents are not considered notice to the College of sexual discrimination, harassment or misconduct for purposes of triggering its obligation to investigate any particular incident(s). Such events may, however, inform the need for campus-wide education and prevention efforts, and the College may provide information about students' Title IX rights at these events
- B. Electronic Reporting: Although the College encourages victims to talk to someone, the College provides for an online system for electronic reporting for use by victims or bystanders. The system will notify the user (before s/he enters information) that entering personally identifying information may serve as notice to the College for the purpose of triggering an investigation. Electronic reports can be filed via the College's email system and callers will generally receive a response within 12 hours with a list of available resources absent an emergency. See Appendix A – Resource and Referral Options for email address.
- C. Anonymous Reporting: The College also provides for an anonymous reporting system for victims or bystanders. See Appendix A - Resource and Referral Options for phone number.
- D. Off-Campus Counselors and Advocates: Off-campus counselors, advocates, and health care providers will also generally maintain confidentiality and not share information with the College unless the victim requests the disclosure and signs a consent or waiver form. Contact information for such off-campus resources is at Appendix A - Resource and Referral Options.

Note. While off-campus counselors and advocates may maintain a victim's confidentiality vis-a-vis the College, they may have reporting or other obligations under state law. Clery Act Reporting Obligations: Pursuant to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act," 20 USC 1092(f)). The College maintains a public crime log and publishes an Annual Security Report ("ASR") available to all current students and employees. The ASR documents three calendar years of select campus crime statistics (including statistics regarding incidents of dating violence, domestic violence, and stalking). Security policies and procedures and information on the basic rights guaranteed to victims of sexual assault. The Clery Act also requires the College to issue timely warnings to the campus community about crimes that have already occurred but may continue to pose a serious or ongoing threat to students and employees.

XI. TITLE IX COMPLAINT INVESTIGATION PROCEDURES

A. Formal Investigation Process

1. Initiation of Investigation by Title IX Coordinator: Upon receipt of a complaint of sexual misconduct under this Policy by a student victim or complainant, the Title IX Coordinator will appoint a trained investigator who will initiate a prompt, fair, and thorough investigation. The investigation will be coordinated by the Title IX Coordinator and/or one of the Deputy Coordinators (if a student), and the College will generally conclude the investigation within 60 calendar days or less. Where the allegations are complex or other factors delay the investigative process an extension may be granted by the Title IX Coordinator.

With respect to sexual misconduct complaints that relate to a College employee, the Title IX Coordinator and Department of Human Resources will manage the investigation into the allegations made against the College employee and will recommend appropriate sanctions against the College employee. If the investigation involves both an employee or third party and a student, the Title IX Coordinator, Department of Human Resources and a Deputy Coordinator will jointly manage the investigation.

2. Interim Measures Provided: During the investigation, the Title IX Coordinator and/or a Deputy Coordinator (as applicable) will determine whether the victim and/or complainant receives interim measures as set forth above, and will advise the victim and/or complainant of the right to file a complaint with College Police or law enforcement agencies.
3. Notice to Respondent of Allegations: Generally, within 10 business days of receipt of a complaint by the Title IX Coordinator, the respondent will be given written notice of the general allegations against him/her (unless release of the evidence would endanger the health or safety of victim(s) or witness(es)).
4. Due Process Rights of Victim and/or Complainant and Respondent
 - a. The victim and/or complainant and respondent will each be afforded the right to present information and witnesses relevant to his or her case.
 - b. When the victim and/or complainant or respondent is requested to appear at an investigatory meeting or proceeding related to a complaint, he or she may be accompanied by an advisor. An advisor is defined as a family member, peer, staff/faculty member of the College, or a union representative. It does not include legal counsel or an attorney at law.
 - c. If the respondent is a College employee, then the College may follow any employee misconduct investigation procedures outlined in other applicable employee policies or collective bargaining agreement.
 - d. Evidence Considered: A trained investigator(s) will interview and receive evidence from the victim, complainant, respondent and any witnesses identified during the course of the investigation. The victim's prior sexual history with anyone other than the respondent will not be considered during the investigation or any proceeding related to a complaint. The mere fact of a current or previous consensual dating or sexual relationship between the victim and respondent does not itself imply consent.
5. Preservation of Evidence: Any physical evidence gathered by the investigator will be preserved by Campus Police.
6. Concurrent Criminal Investigation: The existence of a concurrent criminal investigation by law enforcement agencies will not necessarily delay or interrupt the investigation procedures outlined herein. However, the law enforcement agency may request that the College investigation be temporarily suspended. In such cases, the College will evaluate the law enforcement agency's request to determine whether and for how long to suspend its investigation.
7. Report of Investigation: At the conclusion of the investigation, the trained investigator will prepare a thorough report outlining the complaint, investigation conducted and all relevant evidence obtained; the investigator's conclusions with an explanation of reasoning and/or support for such conclusions; and recommendations for sanctions or other remedial action as appropriate. The investigator will submit his/her report to the Title IX Coordinator and a Deputy Coordinator (if a student is involved).

B. Determination

1. Determination: For student cases, the Title IX Coordinator and/or Deputy Coordinator (as appropriate) shall review the investigator's report and all evidence gathered to determine whether the student engaged in sexual misconduct in violation of College policy. The determination of violations shall be made based on the preponderance of evidence, meaning whether it is more likely than not that this policy was violated.

For employee cases, the Title IX Coordinator will determine whether the employee engaged in sexual misconduct in violation of College policy.

2. Notice to Respondent: Generally, within seven (7) business days after receipt of the investigator's report (or some reasonable extension thereof), the Title IX Coordinator or the Deputy Coordinator will notify the student via certified mail, return receipt requested, of his/her determination. If the Title IX Coordinator or Deputy Coordinator determines that the respondent has violated the College's prohibition of sexual misconduct, this notification will also advise the student respondent of

- a. Disciplinary sanctions; and
- b. If a student, the right to appeal the determination and sanctions in accordance with the Appeal Procedures set forth below.

Employee respondents may follow any appeal or grievance process under any other applicable College Policies.

3. Notice to Victim and/or Complainant: Concurrently with the notice provided to respondent, the Title IX Coordinator or Deputy Coordinator (for students) will notify the victim and/or complainant of his/her determination. If the Title IX Coordinator or Deputy Coordinator determines that the respondent has violated the College's prohibition of sexual misconduct this notification will also advise the victim and/or complainant of:

- a. Any individual remedies offered or provided to the victim and/or complainant,
- b. Disciplinary sanctions imposed on the respondent that directly relate to the victim and/or complainant,
- c. The right to appeal the determination and sanctions in accordance with the Appeal Procedures below: and

C. Sanctions, Protective Actions, and Remedies

1. Sanctions: Students who have violated the College's prohibition on sexual misconduct are subject to any sanctions set forth in the College's Code of Student Conduct or other Program policies, up to and including expulsion.

College employee respondents who have violated the College's prohibition of sexual misconduct will be subject to disciplinary action up to and including termination.

2. Protective Actions: The College may take protective measures as appropriate, including no-contact orders, trespass notices, or other protective measures. College Police will enforce court ordered no-contact, restraining and/or protective orders to the fullest extent.
3. Remedies: The College will administer remedies for the victim and/or complainant depending upon the specific nature of the complaint. In addition, the College may administer remedies for the College community as a whole.

Remedies for the victim and/or complainant may include, but are not limited to:

- Assisting the victim and/or complainant to change his/her academic and/or work environment if requested and if reasonably available;

- Providing an escort to ensure that the victim and/or complainant can move safely between classes, work and/or activities;
- Ensuring that the victim and/or complainant and the respondent do not attend the same classes;
- Identifying counseling services;
- Identifying medical services;
- Providing academic support services, such as tutoring;
- Arranging for the victim and/or complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the victim and/or complainant's academic record; and
- Reviewing disciplinary actions taken against the victim and/or complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the victim and/or complainant being disciplined.

Remedies for the College community as a whole may include, but are not limited to.

- Offering counseling, health, mental health, or other holistic and comprehensive victim services to all students and employees affected by sexual discrimination, harassment, and/or misconduct;
- Designating an individual from the College's counseling center to be available to assist victims of sexual discrimination, harassment and/or misconduct whenever needed;
- Developing materials on sexual discrimination, harassment and misconduct for campus-wide distribution to students, employees, and/or third-parties;
- Creating a committee of students and College officials to identify strategies for preventing and addressing sexual discrimination, harassment and misconduct; and
- Conducting periodic climate surveys to identify how students and employees perceive and experience sexual discrimination harassment and misconduct at the College.

XII. TITLE IX APPEAL PROCEDURES FOR STUDENT VICTIMS AND/OR COMPLAINANTS AND STUDENT RESPONDENTS

A. Appeal Request

A victim and/or complainant or a student respondent who wishes to appeal the decision reached by the Title IX Coordinator or his/her designee at the conclusion of a formal investigation must submit a written request for appeal to the Appeal Board (AB). This request must be submitted to the Title IX Coordinator within 10 business days after receipt of the Title IX Coordinator/Deputy Coordinator's letter of determination. The appeal request must be typewritten, must indicate if the requestor wishes to appear in person before the AB, and must state the grounds for appeal. Appeals must be made on the basis of one or more of the following grounds:

1. Procedural error was committed.
2. The finding of facts contained in the decision included inaccurate information.
3. Specific evidence considered during the investigation is objectionable
4. Evidence not offered during the investigation is now available. In such cases, the new evidence must be described.
5. The sanction imposed is lenient, excessive, or otherwise inappropriate.

Within 10 business days after receipt of the appeal request, the Title IX Coordinator or his designee will decide whether to grant the appeal based on whether the appeal meets one of the above enumerated grounds for appeal and shall inform the appellant by certified mail, return

receipt request. If the appeal is granted, the matter will be referred to the AB, and the Hearing Procedures for the AB set forth below will be followed. In the event of an appeal, the decision(s) of the AB will be final in all cases, other than for cases resulting in a recommendation for suspension or expulsion.

In the event a student victim and/or complainant or a student respondent does not appeal within the required 10 business day period, the decision of the Title IX Coordinator and/or Deputy Coordinator will be final.

If the victim or respondent is a College employee, then any employee misconduct appeal procedures are as outlined in other applicable College policies, including grievance procedure.

B. Establishment of the Standing AB

A standing AB will hear cases and make recommendations on appropriate disciplinary cases referred to it or appealed to it by student victims, complainants and/or students who are the subject of disciplinary actions involving disciplinary suspension and expulsion. The AB will be established each fall and each member shall receive training as required by law. It will be composed of the following persons to be appointed by the College President:

- Dean for Student Services
- Dean for Academic Affairs
- Dean for Financial Operations
- Associate Dean for Admissions (alternate)
- Associate Dean for Education Technology (alternate)

None of the above-named persons may sit in any case in which they have a direct personal interest or played a role in the underlying investigation. Decisions in this regard will be made by the AB as a whole. The College President may appoint interim members as required.

C. Hearing Procedures for the AB

1. The hearing will be closed to the public.
2. The victim and/or complainant and respondent shall each be entitled to appear in person with an advisor (as defined above) and present his/her case to the AB, and call witnesses in his/her behalf. When requested by the victim, the AB shall make arrangements so that the victim and respondent do not have to be in the same room at the same time (such as by arranging for participation via videophone, closed circuit television, video conferencing, or other means).
3. The hearing will begin with a presentation by the Title IX Coordinator/Deputy Coordinator of his/her determination, followed by a presentation by the appellant. The appellee may present his/her case as well.
4. The Title IX Coordinator/Deputy Coordinator, appellant and appellee may present information in oral and written form, by witnesses and/or through documents. The parties will be given an opportunity to question witnesses, except that the respondent may under no circumstances personally or through his/her advisor question the victim.
5. The AB reserves the right to hear the testimony of witnesses separately, so that the witnesses will not hear each other's testimonies.
6. Pertinent and relevant information will be reviewed by the AB without regard for the legal rules of evidence.
7. The Title IX Coordinator/Deputy Coordinator, appellant and appellee may make closing statements at the conclusion of the hearing on both the issue of misconduct and the issue of the recommended discipline.

8. An audio recording of the proceedings will be created and a record will be made available to either party upon request.
9. The AB will render its written decision within 10 business days after the hearing, absent extenuating circumstances. The decision will be to affirm, reverse or modify the Title IX Coordinator/Deputy Coordinator's determination as to the violation of College policy and the sanction imposed (if any).
10. If a student respondent is found not to have engaged in sexual misconduct in violation of College policy, and if coursework has been missed as a direct result of the action taken against the student respondent, appropriate action will be taken to assist the student respondent in completing the course(s).
11. In all cases other than suspension or expulsion, the decision of the AB is final.
12. If the decision of the AB is to suspend or expel the student respondent, that decision will be transmitted to the Vice President for Instructional Services. The student respondent will then have two business weeks after the decision to appeal to the Vice President for Instructional Services via the grievance procedure. The appeal/grievance will consist of the student respondent's written statement of disagreement with the decision and argument for reversal, relevant documentation and the recording or transcript of the AB hearing. The Vice President for Instructional Services will review relevant information before making a decision. The Vice President for Instructional Services will render a decision to uphold the suspension or expulsion or to take other appropriate action.

XIII. PROCEDURES GOVERNING COMPLAINTS SOLELY INVOLVING EMPLOYEES AND/OR THIRD PARTIES

An employee or third party should notify the Title IX Coordinator/Vice President for Instructional Services if he or she believes that the College, its employees or agents have engaged in sexual misconduct in violation of Board Policy.

The Title IX Coordinator/Vice President for Instructional Services will address the complaint promptly and thoroughly as follows:

A. Filing a Complaint

An employee or third party (hereinafter "Complainant") who wishes to avail him or herself of this procedure may do so by filing a complaint with the Title IX Coordinator Vice President or his or her designee. The Title IX Coordinator/Vice President will request the Complainant to provide a written statement regarding the nature of the complaint and will request a meeting with the Complainant. The Title IX Coordinator/Vice President shall assist the Complainant as needed.

B. Investigation

Each complaint shall be investigated promptly, thoroughly, impartially, and as confidentially as possible. The Title IX Coordinator/Vice President for Instructional Services or his or her designee will investigate the complaint or appoint a qualified person to undertake the investigation on his/her behalf. As a general rule, all complaints will be investigated, even when the Complainant requests that nothing be done. The investigator will inform potential complainants, complainants, and witnesses that the College prohibits any form of retaliation against anyone who, in good faith, brings a complaint or provides information to the individual investigating a complaint.

XIV. TRAINING, PREVENTION AND EDUCATION**A. For Students and Employees**

The College will review on an ongoing basis, its sexual misconduct prevention and education programming to ensure students and employees are provided substantive opportunities for training annually to learn about sexual misconduct including primary prevention, bystander intervention, risk reduction, consent, reporting methods, relevant College policies and procedures, retaliation, survivor strategies, the impact of trauma relevant definitions, and other pertinent topics. Students will also receive a copy of this Policy and the related protocols.

B. For Employees

The College will also provide annual survivor-centered and trauma-informed training to employees involved in: the receipt of a report of a student sexual violence; referral or provision of services to a survivor; any campus complaint resolution procedure for sexual violence.

XV. TRAINING FOR DESIGNATED EMPLOYEES

The Title IX Coordinator, Deputy Coordinators, College Police, Responsible Employees, investigators, victim advocates, counselors, legal counsel and anyone else involved in responding to, investigating or adjudicating sexual misconduct incidents must receive education and training on primary prevention, bystander intervention, risk reduction, consent, reporting obligations, investigation procedures confidentiality requirements relevant College policies and procedures, retaliation the impact of trauma, relevant definition, and other pertinent topics. The College will annually review its training offerings to identify ways in which to enhance its effectiveness.

XVI. PUBLICATION

The College shall prominently publish on its website, timely update and make available: its comprehensive policy; student notification of rights, contact information for Title IX coordinators; confidential resources and advisors and counseling services; and an explanation of responsibilities of Title IX coordinators, responsible employees; campus Police officials and mandated reporters.

XVII. TASK FORCE

The College will also establish a campus-wide task force or participate in a regional task force focused on improving coordination between community leaders and service providers to prevent sexual violence. The task force shall meet a minimum of twice per year.

XVIII. REPORTING

The College will comply with all reporting requirements established by the Board of Higher Education Act and the Preventing Sexual Violence in Higher Education Act.

ADOPTED: JANUARY 24, 2017
AMENDED: **APRIL 27, 2017**
REVIEWED: NOVEMBER 7, 2016; **MARCH 11, 2021**
LEGAL REF.: 110 ILCS 155/1 ET.SEQ.
CROSS REF.:



**APPENDIX A
TITLE IX RESOURCE AND REFERRAL OPTIONS**

It is always your right to decide to choose whether or not you report to the police and/or College Officials

CONFIDENTIAL REPORTING	VICTIM ASSISTANCE AND ADVOCACY	MEDICAL ASSISTANCE	CONTACT LAW ENFORCEMENT OR CAMPUS POLICE	FILE A COMPLAINT/ASK FOR ACCOMMODATIONS
<p>Nikki Brooks Student Success Center Room C218A, Ext. 8290</p> <p>Donald Winget Student Success Center Room C218A, Ext. 8030</p> <p>-----</p> <p>Optional: The Women's Center 24-Hour Crisis Hotline 800.334.2094 TTY: 866.979.6636</p> <p>Carbondale Office 618.549.4807</p> <p>Marion Satellite Office 618.993.0803</p>	<p>The Women's Center www.thewomensctr.org</p> <p>24-Hour Crisis Hotline 800.334.2094 TTY: 866.979.6636</p> <p>Carbondale Office 618.549.4807</p> <p>Marion Satellite Office 618.993.0803</p> <p>Benton Office 618.438.4118</p> <p>National Sexual Assault Hotline 800.656.4673</p> <p>National Domestic Violence Hotline 800.799.7233</p>	<p>Heartland Regional Medical Center, Marion, IL 618.998.7000</p> <p>Herrin Hospital 618.942.2171</p> <p>Marshall Browning Hospital Du Quoin, IL 618.542.2146</p> <p>Memorial Hospital of Carbondale 618.549.0721</p>	<p>JALC Campus Police Room E120 618.985.5550</p> <p>Du Quoin Police Department 618.542.2131</p> <p>West Frankfort Police Dept. 618.435.6112</p> <p>Williamson Co. Sheriff's Dept. 618.998.2247</p> <p>IN THE EVENT OF IMMEDIATE ASSISTANCE, DIAL 911</p>	<p>Title IX Coordinator for Faculty/Staff Clay Brewer Room C116, Ext. 8589</p> <p>Deputy Title IX Coordinators:</p> <p>Christina Loyd Room E120, Ext. 8218</p> <p>Johnna Herren Room C116, Ext. 8473</p> <p>Title IX Coordinator for Students Tim Williams Room E202B, Ext. 8101</p> <p>Deputy Title IX Coordinators:</p> <p>Adrienne Barkley Giffin Room B29, Ext. 8287</p> <p>Jordan Hicks Room C235H, Ext. 8478</p>

The student attendance policy for each class will be determined by the instructor and it will be the student's responsibility to comply with the policy for each class and/or program. No central attendance records, other than those required by state and federal regulations, are reported.

ADOPTED: AUGUST 3, 1976
AMENDED: MARCH 13, 1989; MARCH 22, 2016; **JANUARY 17, 2017**
REVIEWED: JANUARY 29, 2016
LEGAL REF.:
CROSS REF.: **ADMINISTRATIVE PROCEDURE 805**
RIGHTS AND RESPONSIBILITIES: A STUDENT CODE OF CONDUCT

All examinations, records, and other materials relevant to grades awarded will be kept for 45 calendar days following the beginning of the next 16-week semester.

Material relevant to an appeal case will be kept until the student has exhausted all appeal remedies.

ADOPTED: JUNE 4, 1974
AMENDED: MARCH 13, 1989
LEGAL REF.:
CROSS REF.:

John A. Logan College maintains individual records and information about students for the purpose of providing educational, vocational, and personal services to the student. For the purpose of complying with federal regulations regarding the access to student records, as indicated in the Family Educational Rights and Privacy Act of 1974 as amended, the following regulations and procedures are effective. These policies shall be printed on an annual basis in the school newspaper and/or in the College catalog.

Release of Student Records

- A. Release of student records or their respective parts or of any personally identifiable information, with exceptions as noted below, is restricted to the following:
 1. Any student upon reaching age 18 or attending postsecondary institutions will be permitted to inspect and review his/her own education records, to the exclusion of his/her parents. (There are no rights guaranteed under the Act for parents of students attending a postsecondary institution.)
 2. College personnel who have a legitimate educational need to permit their necessary functioning or research.
 - a. A student's academic record is not deemed necessary for faculty member to determine the competency of a student in his/her class.
 - b. A student's academic record is not deemed necessary for a faculty member to make a recommendation for a student except that part of the record which was created by the faculty member making the request.
 - c. Student information supplied to the college agencies is provided on the basis that it is needed to permit their necessary functioning. All members of the faculty, administration, and clerical staff must respect confidential information about students which they require in the course of their work. They are bound by the conditions outlined in this policy statement relative to the release of student information. All instructional personnel should be alert to promptly refer to the appropriate office requests for transcripts, certifications or other information which that office typically provides. They should restrict their responses for student information or limit their response to that information germane to their sphere of responsibility.
 4. Faculty conducting student characteristic research, providing the research project has written approval of the academic unit executive officer sponsoring the research and providing that guarantees are made that no personally identifiable information will be published or released.
 5. Certain state and federal representatives specified by law for the sole purpose of evaluation and auditing governmental funded programs in which the College participates.

6. State and local officials as directed by state statute adopted prior to November 19, 1974, with certain restrictions.
 7. Organizations conducting studies for, or on behalf of, state or federal educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, improving instruction, and auditing.
 8. Accrediting organizations.
 9. Appropriate persons in connection with an emergency, if knowledge of such information is necessary to protect the health or safety of a student or other persons.
 10. Where such records are to be furnished in compliance with a judicial order or pursuant to a lawfully issued subpoena, the student shall be notified of such order or subpoena by personal service or certified mail to the last known address prior to their release.
- B. Access or release may be granted in instances other than those stated above only with the student's prior written authorization.
1. Except as listed above, all requests for student information other than directory information must be made in writing by the student.
 2. Population or summary data may be supplied to legitimate organizations or individuals for the purpose of research studies.
 3. Directory information pertaining to students, as defined below, may be released by the College at any time provided that it publishes this definition at least once each academic year in the campus student newspaper or college catalog and the individual student is given a reasonable period of time to inform the College in writing through the Office of Admissions and Records that he/she does not wish such information concerning himself/herself to be released without his/her prior consent. The Office of Admissions and Records will be responsible for identifying or deleting all information which the student desires not to be released outside the College and for informing all College recipients that such information is not to be released. All recipients of student information will be bound by this policy. Student information is never knowingly provided any requestor for a commercial or political purpose.
- C. The student has the right to review his/her records in the presence of a designated College representative. Requests for review must conform with established College procedures and the right of review granted within a reasonable time (not to exceed 45 days) following the request. Where necessary, interpretation of the record shall be provided by qualified College personnel. Original records cannot be removed from College premises. A copy will be provided if requested and a copy charge will be assessed.

1. The student may not inspect the following records:
 - a. Financial records and statements of their parents.
 - b. Potential students making application to the institution or programs of study within the institution will not have access to records and recommendations pertaining to this admission until the prospective student has been admitted to the institution or the program of study.

A student has the right to challenge the content of a record on the grounds that it is inaccurate, misleading, or otherwise in violation of his/her privacy or other rights and to have inserted in the record his/her written explanation of its contents.

To initiate such a challenge, the student shall, within 45 days after he/she has inspected and reviewed the record in question for the first time, file with the College office responsible for maintaining such record a written request for a hearing on a form specified by the College.

Within 30 days following receipt of such request, the head of such office, or the designated representative, shall review the record in question with the student and either order the correction or deletion of such alleged inaccurate, misleading, or otherwise inappropriate data as specified in the request or notify the student of the right to a hearing at which the student and other persons directly involved in the establishment of the records shall have an opportunity to present evidence to support or refute the contention that the data specified in the request are inaccurate, misleading, or otherwise inappropriate.

The student shall be given written notice of the time and place of such hearing not less than ten (10) days in advance. The hearing will be conducted by a College representative who does not have direct interest in the outcome. The student shall have the right to attend the hearing. The student may be represented and advised by an individual of his/her choice, at his/her own expense, including an attorney. The student or the representative may call witnesses in his behalf. The student shall be notified in writing of the decision within ten (10) days following the hearing or within five (5) days of a decision without a hearing. Such decision is final.

Release of Directory Information

The College may make accessible to certain persons, businesses, and organizations external to the College certain directory information concerning a student, unless that student notifies the Office of Admissions and Records that he/she objects to the release of such information. Directory information is considered to be public in nature and will be released at any time upon request without prior approval from the student. Directory information will be available to parents, spouses, legal guardians, newspapers, radio, legislators, high schools, institutions of higher education, potential employers, civic organizations, and other legitimate groups and individuals as determined by the College, unless the student files with the Office of Admissions and Records a written request to restrict release of student directory information to external sources.

Any student enrolled for the fall semester who does not wish to have released any or all directory information should contact, in person, the Office of Admissions and Records by October 1 of each year. Students who elect to restrict release of student information must sign a statement to that effect. The restriction on the release of student information will be valid through September 1 of each year and must be renewed annually each fall semester.

Students who wish to verify or correct the existing student directory information must also contact, in person, the Office of Admissions and Records at John A. Logan College.

The following definitions apply:

- A. Student: "Student" is defined as a person who is or has ever been enrolled at John A. Logan College in a regular course of study either on campus or off campus. Any student attending an institution of higher learning will be considered, for the purpose of this policy only, to be an adult and to have sole control over the release of his information except as defined in this policy.
- B. Personally identifiable information: "Personally identifiable" means that the data or information includes (a) the name of a student, the student's parent, or other family member, (b) the address of the student, (c) a personal identifier such as the student's social security number or student number, (d) a list of personal characteristics which would make the student's identity easily traceable, or (e) other information which would make the student's identity easily traceable.
- C. Record: Those records, files, documents, and other materials which contain personally identifiable information directly relating to a student or a group of students except those records of instructional, supervisory, and administrative and educational personnel which are in the sole possession of that person and which are not accessible or revealed to any other person except a substitute.
- D. Directory Information: Student name, student local and home address, enrollment status (full or part-time), classification (freshman, sophomore, etc.), major, dates of attendance, degrees and honors earned and dates, participation in officially recognized activities or sports, and height and weight, as well as pictures of members of athletic teams or students participating in academic or extracurricular activities at John A. Logan College.
- E. Student Rights: Whenever a student is attending the College he shall be accorded the sole right or consent, except as otherwise provided herein, to access to or release of his record to conform to this policy, except as otherwise provided.
- F. Population data. Information on any group of students which does not identify the student by name, number, or any other personal data which could be used to identify a student.

Identification and Description of Student Information

- A. Academic Records: The Office of Admissions and Records retains the official academic record of a student. It is a cumulative history of a student's admission, registration, and academic participation and performance. Certain biographic and demographic information is also kept for identification purposes.
- B. Financial Records: Offices within the business area maintain certain financial records which relate to the payment and accounting of tuition, fees, and other charges. They also maintain records which record student's loans and grants.

The Business Office maintains a record of billing for tuition and fees and scholarships.

The Office of Student Work and Financial Assistance maintains records of student receiving loans, grants, and aid along with scholarship information. It also maintains records pertinent to student employment including family financial statement.

- C. Medical/Counseling Records: The Office of Admissions and Records retains health information submitted by the student and also retains counseling records of services rendered.
- D. Disciplinary Records: The Office of Student Services maintains records of disciplinary action which has been taken against a student with documentation pertaining thereto.
- E. Placement Records: The Career Planning and Placement Center creates a record for those persons who wish to avail themselves of its services, with student's voluntary participation. This information is distributed to potential employees. It consists of self-completed resumes and various personal references.
- F. Certain records within the College community are exempt from federal legislation: records of instructional, supervisory, and administrative personnel which are the possession only of the maker and not accessible nor revealed to any other person except a substitute and files within the College's Security Office.

Holding College Records

- A. On occasion it is necessary for the College to place an administrative hold on a student's ability to request a transcript, to register for a subsequent term, to re-enter the College after a period of attendance interruption, or to be officially graduated. The principals involved in this type of action are as follows:
 - 1. A request to place an administrative hold on a student's reentry, registration, transcript, or diploma for indebtedness to the College will be honored when the proper document is received from the Business Office, Student Work and Financial Assistance Office, or the

Office of Student Services. The hold will be released only upon notification from the initiating office.

2. A request to place an administrative hold on a student's record for reasons other than indebtedness will normally be initiated by the Office of Admissions and Records or the Office of Student Services. Other agencies within the College should channel their requests for hold through one of these offices. Ordinarily, the reason must involve a matter sufficiently grave that the College needs to impose such a restrictive step.

Appeal Procedures

Complaints regarding violations of rights accorded eligible students by the Family Educational Rights and Privacy Act of 1974 and the regulations and procedures outlined in this document shall be submitted in writing to the Family Educational Rights and Privacy Act Office, Department of Health, Education, and Welfare, 330 Independence Avenue, S.W., Washington, D.C. 20201.

ADOPTED: JANUARY 7, 1975
AMENDED: APRIL 1, 1980; APRIL 13, 1982; NOVEMBER 12, 1984; MARCH 2, 2010;
JANUARY 24, 2017
REVIEWED: **NOVEMBER 7, 2016**
LEGAL REF.:
CROSS REF.:

John A. Logan College will use the following procedures in an effort to provide information to the public under the requirements of Illinois Revised Statutes, Chapter 116, Section 206, et seq. (Freedom of Information Act):

1. Any person seeking electronic or other records from John A. Logan College may do so by contacting the office of the president of John A. Logan College at **700 Logan College Road**, Administration Building, Carterville, Illinois, 62918. Requests will be processed in accordance with the provisions of the Freedom of Information Act. In order for requests to be processed, the College requires that the request be received in writing and include, at a minimum, the information listed below:
 - a. the name, address, and phone number of the requestor.
 - b. a description of the information requested.
 - c. an indication of whether the records are to be inspected at the College offices or mailed to the requestor and, if mailed, whether or not such copies are to be certified or handled in any other special way.
 - d. the date of the request and when a response to the request is desired or required.
2. All requests to provide this information must be submitted in letter form to the office of the president of the College and must be signed by the requestor.
3. Records that are requested and approved for release may be inspected at the College administration building, office of the president, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except on designated holidays or other times when the College offices are officially closed.
4. Records which are stored and retrieved by electronic data processing means will be printed, as appropriate, and provided to the requestor. If information is requested on a disk or tape format, the requestor must furnish a disk or tape to the College.
5. Information requests that necessitate special computer analyses or other interpretation will be handled within a time frame determined to be appropriate by the president of the College.
6. Computerized and paper copy unit record data containing information on individuals (student enrollment and completion records and faculty and staff records, for example) will be provided as appropriate under state and federal law under the following conditions:
 - a. there is written agreement from the requestor that the data will be used only for specified research purposes.
 - b. there is written agreement for the requestor that the data will not be provided to a third party.
 - c. record identifiers (social security numbers) will be removed before records are released by the College unless the data release is covered under the Family Educational and Privacy Act, 20 U.S.C. Section 1232g (b) (1). This section indicates that records may be disclosed to "other school officials, including teachers within the educational institution or local educational agencies, "who have been determined by such agency or institution to have "legitimate educational interests."

Administration of the Freedom of Information Act (cont.) **8431**

7. All data provided in whatever format will be provided to the requestor on the basis of cost of time and material to prepare the data. The cost will be determined on the basis of current costs of labor and material as determined by the College business office at the time of the request.

ADOPTED: SEPTEMBER 10, 1990

AMENDED: **SEPTEMBER 30, 2016**

LEGAL REF.:

CROSS REF.: BOARD POLICY 8430 AND ADMINISTRATIVE PROCEDURE 309

Enrolled Students**Board of Trustees Merit Scholarship**

The Board of Trustees will grant to a currently enrolled student one scholarship each academic year which will cover two full semesters and one summer term.

This scholarship will be designated the *John A. Logan College Board of Trustees Merit Scholarship*, and will be awarded annually during the Honors Day ceremonies. The criteria for determining the recipient of the scholarship is as follows. The recipient must be a full-time freshman student who has completed 12 or more hours and has been enrolled for two consecutive semesters, and must have a grade point average of 3.50 or above. The recipient will be awarded \$1,000 for each of two full semesters, and \$500 if enrolled in a summer semester.

Prospective Students**Foundation Academic Scholarships****Foundation Directors Vocational Award****Private High School Academic and Vocational Scholarships****John A. Logan College Board of Trustees Vocational Scholarships**

Three scholarships, administered by the John A. Logan College Foundation and known as the *John A. Logan College Foundation Academic Scholarships* and *Directors Vocational Award* program, are available to each high school in the district in order to promote attendance at John A. Logan College by the best academic students and to encourage enrollment in the career education program. These scholarships are to be awarded to the two highest ranking academic and the highest ranking vocational student who will attend John A. Logan College. The students are designated by the high schools, and the high school can recommend alternates for the scholarships. The academic recipients must have a grade point average of 3.40 or higher (on a four-point scale.) The vocational recipient must have a grade point average of 3.00 or higher. These scholarships may be renewed for a second year providing the student maintains a cumulative grade point average of 3.40 (for the academic) and 3.0 (for the vocational.)

Two academic scholarships and one vocational scholarship administered by the John A. Logan College Foundation and known as the *John A. Logan College Foundation Private High School Academic and Vocational Scholarships* are available in aggregate to private high schools (including home school students) in the College district. The nominee for the academic scholarships must have a minimum grade point average of 3.40 or higher (on a four-point scale) or a minimum ACT cumulative score of 23 or higher. The vocational recipient must have a grade point average of 3.00 or higher or a minimum ACT cumulative score of 23 or higher. The three scholarship recipients will selected by the John A. Logan College Scholarship Committee. These scholarships may be renewed for a second year provided the student maintains a cumulative grade point average of 3.40 (for the academic) and 3.0 (for the vocational.)

Recipients of the John A. Logan College Foundation Academic Scholarships, **John A. Logan College Foundation Private High School Academic and Vocational Scholarships**, and Director's Vocational Award program receive full tuition and fee waivers from the College and a cash award each semester from the Foundation. The scholarships do not cover summer semesters and become effective the fall semester following the recipients' graduation from high school.

The *John A. Logan College Board of Trustees Vocational Scholarships* are administered by the John A. Logan College Foundation and are available for first-time students enrolled in an approved associate in applied science, associate degree in general studies, certificate of achievement, or short-term technical training program at John A. Logan College. First-time students are defined as those who have not attended credit classes at John A. Logan College during the past five years.

Recipients of the John A. Logan College Board of Trustees Vocational Scholarships are awarded \$500 per semester, and scholarships may be renewed for up to four consecutive semesters (\$2,000 maximum total award), provided the student is enrolled in a minimum of 12 semester hours (or the hours required in their curriculum) and maintains a 2.80 grade point average (on a four-point scale). The scholarship may be used for summer semester courses required by the curriculum. Recipients of the scholarships are selected by the College Scholarship Committee from a pool of applicants.

ADOPTED: MAY 6, 1969
AMENDED: MAY 6, 1975; MARCH 27, 2001; FEBRUARY 24, 2009; **FEBRUARY 22, 2011**
LEGAL REF.:
CROSS REF.:

Textbooks and materials may be used if needed and if approval is obtained through the associate dean for continuing education. The adoption of any book as an official course textbook requires the approval of the associate dean for continuing education. All textbook purchases, unless otherwise authorized, will be handled through the College bookstore.

The disbursement and sale of textbooks and materials will be handled on a class-by-class basis as directed by the associate dean. Every reasonable effort will be made to provide for the disbursement and sale of books and materials in a manner convenient to the students enrolling in the class.

Refunds will automatically be made if general studies or public services classes are canceled because of insufficient enrollment.

All planned or necessary changes in the class meeting schedule (place or time) should be cleared with the associate dean.

Students will be allowed to begin enrollment in classes after the official class schedule is made public to all residents of the College district. However, should additional students desire to enroll in a class that has reached maximum class size as designated by the associate dean for continuing education, then staff members at the College will record (and give priority) on a first-come, first-served basis, the names, addresses and telephone numbers of all such students. Every reasonable effort will be made to open an additional section of the class and notify the students of its availability. If it is not possible to open an additional section, the students will be given first priority in the class (and notified of its availability by mail or telephone) the next time it is offered.

ADOPTED: APRIL 1, 1975
AMENDED: APRIL 12, 1977; MARCH 11, 1985
LEGAL REF.:
CROSS REF.:

All expenses for off-campus trips and classes, other than those directly related to the cost of instruction, are the responsibility of the student.

The College reserves the right to collect a deposit, which may be non-refundable, to cover the cost of lodging, transportation, and other items for which the College could be liable.

ADOPTED: APRIL 1, 1975

AMENDED:

LEGAL REF.:

CROSS REF.:

John A. Logan College supports federal initiatives in times of national emergency involving the drafting or call to active duty of reserve units. In such event(s) the student shall not be disadvantaged due to military service prior to or after the call to active duty.

Upon the presentation of verifiable documentation prior to the midterm, the College will initiate a withdrawal process. Instructors may, at their own discretion, approve an "Incomplete" prior to the midterm date. After the mid-term date, the student may request of instructors an early final examination or the assignment of an "Incomplete" (in which instance the activated/drafted shall have one year from the date of deactivation/discharge to complete the unfinished coursework) provided the individual is in good academic standing in affected courses.

Students who withdraw from classes shall receive a full refund unless the person elects to take an early final exam or receive an Incomplete.

These procedures shall be applicable to any instructional course, including online, telecourses, and distance learning classes. Any dispute in matters controlled by this policy shall be resolved by the College president after involvement of all parties to the issue.

ADOPTED: NOVEMBER 20, 2001
AMENDED:
LEGAL REF.:
CROSS REF.:

INTRODUCTION

The purpose of this policy is to describe the criteria and process for an involuntary health or safety withdrawal of a student from John A. Logan College.

POLICY

In accordance with College policy and applicable federal and state laws, a student who meets the criteria for involuntary health or safety withdrawal may be subject to involuntary health or safety withdrawal by the College.

A. Criteria for Involuntary Health or Safety Withdrawal

1. The criteria for involuntary health or safety withdrawal of a student are met if there is a substantial risk of either of the following:
 - a) Significant harm to the health or safety of the student or others (“Harm”); or
 - b) Unreasonable impediment to lawful educational process or activity for apparent medical or mental health reason of the student (“Impediment”).
2. A student should not be subject to involuntary health or safety withdrawal under these procedures when disciplinary, academic, or other administrative responses are available and the student’s circumstances can best be addressed through those responses. When practicable and appropriate, efforts should be made to persuade a student to withdraw voluntarily under applicable procedures with conditions for readmission before initiating the involuntary health or safety withdrawal process.
3. In evaluating whether a student meets the criteria for involuntary health or safety withdrawal, an individualized and objective assessment will be made of the student taking into consideration the following: (i) the nature, duration and severity of the risk of Harm or Impediment, (ii) the probability that the Harm or Impediment will actually occur, and (iii) whether accommodations requested by the student (if any) are reasonable and can be provided by the College to reliably and satisfactorily reduce the risk of Harm or Impediment.

B. Campus Violence Prevention Committee

The College has established the Campus Violence Prevention Committee (CVPC) whose duties include assisting in evaluating whether students meet the criteria for involuntary health or safety withdrawal. CVPC will include representatives from the Student Success Center, Campus **Police**, criminal justice faculty, allied health faculty, ABE/GED, Franklin Williamson Human Services, and the vice-president for **instructional services**. College legal counsel and an appropriate health professional may be added as needed.

C. Involuntary Health or Safety Withdrawal Process**1. Procedure Initiation**

Any member of the College community who has reason to believe that a student may meet the criteria for involuntary health or safety withdrawal may contact the dean for student services or the director of emergency planning and risk management to request an informal review.

2. Preliminary Determination by Dean for Student Services

- a) During the informal review the dean for student services shall preliminarily determine whether reasonable support for application of this policy for consideration of possible involuntary health or safety withdrawal has been received. In making that determination, the dean for student services will consider whether (i) the information received is not inherently not credible, (ii) the information received (along with other information that the dean for student services could reasonably anticipate receiving through the Involuntary Health or Safety Withdrawal process set forth below) could meet the requirements for involuntary health or safety withdrawal and (iii) disciplinary, academic, or other administrative responses are not available or the student's circumstances cannot best be addressed through those responses.
- b) If the dean for student services has so found reasonable support for application of this policy, the dean for student services, before determining whether to proceed further with the process for an involuntary health or safety withdrawal must determine whether the procedures for interim involuntary health or safety withdrawal or involuntary health or safety withdrawal (non-interim) should be applied. Upon making that determination, the dean for student services shall proceed with the appropriate procedures as outlined below.

3. Interim Involuntary Health or Safety Withdrawal

- a) If health or safety is an immediate concern, the College may take interim action to protect the well being of the student and/or other members of the College community. By interim involuntary health or safety withdrawal, the College may remove a student from any or all College premises and programs when the dean for student services, after considering reasonably available professional and other information determines in his/her judgment that a substantial risk of harm exists and emergency interim withdrawal under these procedures is appropriate.
- b) If during the involuntary health or safety withdrawal (non-interim) process the student refuses to meet with the dean for student services, and/or refuses to undergo assessment or to keep a scheduled appointment, the dean for student services may require interim removal without a meeting and/or assessment if the dean for students services concludes on the basis of the available evidence that the student meets the criteria for involuntary health or safety withdrawal.

- c) Interim involuntary health or safety withdrawal is a preliminary action taken to protect the health and safety of the student withdrawn, or of others, and is not a penalty. Students subject to interim involuntary health or safety withdrawal immediately proceed to the involuntary health or safety withdrawal process.

4. Involuntary Health or Safety Withdrawal (Non-Interim)

- a) Having found reasonable support for application of this policy for consideration of possible involuntary health or safety withdrawal, but having determined that the procedures for interim involuntary health or safety withdrawal are not necessary (either because interim involuntary health or safety withdrawal is already in effect or because health or safety is no longer of immediate concern), the dean for student services, before determining whether to proceed further with the process for an involuntary health or safety withdrawal, shall take the following steps:
 - 1) Exercise all reasonable efforts to meet with the student.
 - 2) If warranted, offer the student the opportunity to be evaluated, at the College's expense, by a qualified, licensed medical or mental health professional selected by the College. The professional shall assess, among other things, whether the student might meet the criteria for involuntary health or safety withdrawal. The professional shall present his or her findings to the dean for student services. The assessment will be provided to CVPC and other administrators involved under this policy and the student will sign any documents deemed necessary to authorize the release of records and disclosure of information and consultation between the professional and the dean for student services, CVPC and other administrators involved under this policy. A student who refuses to undergo an assessment or to sign such documents may be subject to interim involuntary health or safety withdrawal and/or the drawing of negative inferences against the student in the process for involuntary health or safety withdrawal (interim or non-interim).
- b) The dean for student services may, at his/her discretion, permit a student who, upon the available evidence, meets the criteria for involuntary health and safety withdrawal to remain enrolled on a probationary basis under specified conditions which may include, but are not limited to, participation in an ongoing treatment program, acceptance of and compliance with a behavioral contract, a lighter academic course load, or any combination thereof. When making a determination of appropriate probationary conditions, the dean for student services (i) may consult on an informal basis with CVPC, faculty, and other College staff and (ii) will consider the risk of Harm or Impediment and the probability that the specified conditions will reliably and satisfactorily reduce the risk of Harm or Impediment.
- c) Upon review of a student who, upon the available evidence, meets the criteria for involuntary health and safety withdrawal, the dean for student services, after consultation with CVPC, may (i) promptly proceed with a hearing as set forth below or (ii)

recommend to the student that the student voluntarily withdraw for health or safety reasons. If the student does not agree to withdraw voluntarily, the dean for student services shall promptly proceed with a hearing as set forth below.

5. Hearing

The College shall afford the student an opportunity for an informal hearing on the matter as set forth below.

- a) The Dean for student services shall conduct the hearing.
- b) Representatives of CVPC shall attend the hearing.
- c) At the hearing, evidence relevant to whether the student is subject to involuntary health or safety withdrawal under the criteria for involuntary health or safety withdrawal will be presented. Admissible evidence may include witnesses, written reports, documents or written statements, and a medical or mental health professional's written assessment. Formal legal rules of evidence will not apply at the hearing. However, the Dean for student services may exclude evidence that s/he deems cumulative or not relevant.
- d) The student's rights at the informal hearing shall include the following:
 - 1) The right to be present, unless the student disrupts the hearing.
 - 2) The right to present relevant witnesses, evidence and statements.
 - 3) The right to question all witnesses at the hearing and to comment upon all documents presented.
 - 4) The right to be accompanied by an appropriate advisor at the student's expense. The advisor may be a spouse or parent/guardian, a health professional of the student's choice, a faculty or staff member, or an attorney. The advisor may advise the student, but, unless the student is incapacitated, the advisor may not actively participate in the hearing (e.g., question witnesses or present evidence).
- e) The dean for student services and members of CVPC may also ask questions of the student or any witness.
- f) The hearing will be closed to the public and the testimony and other evidence presented will be kept confidential.
- g) The hearing will be audio recorded and the recording will be made available to CVPC, the student (upon written request), and to any decision-maker involved in an appeal.

6. Decision

- a) The dean for student services shall render a decision based on evidence presented at the hearing, with due consideration given to the input received from CVPC. If the dean for student services concludes that the student does not meet the criteria for involuntary health or safety withdrawal, the dean for student services will so inform the student and CVPC in writing and the procedure shall terminate. If the dean for student services concludes that the student does meet the criteria for involuntary health and safety withdrawal, the dean for student services shall so state in a written decision that will include the reasons for this conclusion. This written decision will be provided to the student and CVPC within two (2) business days after the conclusion of the hearing.
- b) If the decision is made to withdraw the student, the College, upon the issuance of a notice of determination of involuntary withdrawal by the dean for student services, will involuntarily withdraw the student. Conditions for readmission will be specified in writing. An involuntary withdrawal would be effective immediately upon issuance of the dean for student services' notice of determination or such later date as may be specified in the notice and the withdrawal shall remain in effect throughout the pendency of any appeal process.

7. Appeal of Involuntary Health or Safety Withdrawal

- a) A student who is involuntarily withdrawn under this policy may submit a written request to the vice president for **instructional services** or a review of the decision. To be timely, any such appeal must be received by the vice president for **instructional services** within seven (7) business days of the notification of the dean for student services to involuntarily withdraw the student. The student may request that the Office of Admissions notify the student's instructors of the student's absence from classes. The vice president for **instructional services** shall review the written appeal within seven (7) business days of receipt of the written appeal.
- b) At the conclusion of the review, the vice president for **instructional services** shall determine whether to (i) require that a new hearing be conducted by the dean for student services or other administrator designated by the vice president for **instructional services** (ii) uphold the withdrawal; or (iii) reinstate the student. The vice president for **instructional services** may also modify the conditions of readmission. The decision of the vice president for **instructional services** shall be final.

8. Readmission

- a) A student who has been withdrawn under this procedure (voluntarily or involuntarily) and who wishes to be considered for readmission must contact the dean for student services and provide appropriate documentation to comply with the conditions of readmission.

- b) The dean for student services will review the request for readmission as follows:
 - 1) review and investigate compliance with the conditions of readmission;
 - 2) consult with appropriate members of CVPC; and
 - 3) meet with the student.
 - c) The dean for student services will recommend to the vice president for **instructional services** whether, in the judgment of the Dean for student services, the student should be readmitted.
 - d) The vice president for **instructional services** will make the final decision regarding readmission.
9. Miscellaneous
- a) Reasonable deviations from these procedures by the College will not invalidate a decision or proceeding unless significant prejudice to a student is caused by such deviation.
 - b) Failure of a student to take the opportunity to respond at the time and in the manner provided by the College shall not invalidate or delay any decision made or action taken under this Policy.
 - c) Whenever an action may be or is required to be taken under this policy by the Dean for student services or vice president for **instructional services**, the action may be taken respectively by the dean or vice president's designee.
 - d) During the Involuntary Health or Safety Withdrawal process, a representative of the College may contact the student's parents or legal guardians, if deemed appropriate.

ADOPTED: OCTOBER 26, 2010
AMENDED: MAY 27, 2014; **SEPTEMBER 30, 2016**
LEGAL REF.:
CROSS REF.: