

# Student Manual: University Policies & Regulations

## Student Life and Conduct

### **AUTHORITY TO DIRECT**

On those occasions when a staff member finds it necessary to exercise authority on behalf and in the best interests of the University, students are obliged to follow his or her directives. Failure to follow the staff member's directive is a serious matter and may result in referral to an Area Disciplinary Committee. If a student believes that a staff member has acted improperly, the student should:

1. Obey the instructions of the staff member.
2. Inform the staff member that the student believes the staff member is acting improperly.
3. Register a formal complaint with the student's Dean of Students.

### **AUTHORITY TO SUMMON**

From time to time, a Dean or his or her designee will require the immediate presence of a student to address a matter of genuine urgency. In such cases, the Dean or designee may issue a summons requiring the student to appear in person at a specified time and place, regardless of the student's other commitments. Failure to appear as required by the summons is a serious matter and may result in a restriction of registration or referral to an Area Disciplinary Committee.

### **LEAVE POLICY FOR STUDENTS WITH BEHAVIORAL PROBLEMS**

As a community, our first concern is always the health and well-being of each student. To help students achieve their fullest potential and participate robustly and successfully in University life, the University provides students with a host of services, including the Student Counseling and Resource Service (SCRS). SCRS provides a wide range of mental health care to University of Chicago students, including assessments; emergency services; crisis intervention; medication management; academic skills counseling; short term individual, couples, and/or group psychotherapies; and referral services. SCRS also provides consultation to University officials who have concerns about a student.

Sometimes, a student's behavior raises concerns about the safety and well-being of the student or others or causes significant disruption to the functioning of the University. Anyone aware of such circumstances should immediately contact the student's Dean of Students (or his or her designee). In response, the Dean of Students will meet with the student to discuss his or her behavior and appropriate next steps. The Dean of Students may require that the student be assessed by the Student Counseling and Resource Service. The Dean of Students may determine that, in the best interest of the student and/or others, the student (1) may remain enrolled without conditions, (2) may remain enrolled with conditions that are to be described in writing, or (3) should or, in some circumstances, must take a leave of absence.

If a leave of absence is indicated, the student normally will be given the opportunity to take the leave of absence voluntarily. Often, the student may be in a better position to engage in treatment and return to stable, good health at home or in a less stressful environment. If the student declines to take a voluntary

leave of absence, the Dean of Students has the authority to place the student on an involuntary leave of absence by restricting or canceling the student's existing and further registration irrespective of the student's academic standing. In making an informed decision to place a student on an involuntarily leave of absence, the Dean of Students will consider all germane information available to the Dean of Students, including information provided timely by the student. In particular, the Dean of Students may require an involuntary leave of absence when he or she determines: (1) that the student has engaged, or threatened to engage, in behavior which has or could cause significant property damage, or that has or could directly and substantially impede the rightful activities of others; and/or (2) in consultation with the SCRS Director (or his or her designee) and based on an individualized assessment of the student's ability to safely participate in the University's programs, that the student is unable to function as a student and/or the student's continued presence on campus poses a substantial risk to the safety and well-being of the student and/or others.[\*]

When in the judgment of the Dean of Students a student's continued presence is likely to pose an imminent and substantial risk to the safety and well-being of the student or to others, the student may be placed on an emergency interim leave before a final determination, as described above, is made. Every reasonable attempt will be made for the Dean of Students to meet with the student and to consider germane information provided by the student before deciding on an interim leave and the student will be informed of the interim leave in writing. The emergency leave will remain in effect until a final decision has been made or a determination has been made that the reasons for imposing the interim leave no longer exists.

When the Dean of Students decides that a leave of absence is appropriate, the decision and the conditions for resumption of studies will be communicated in writing. A student on a leave of absence no longer attends classes or uses University facilities, must vacate University housing, and will be entitled to refunds of tuition, fees, and room and board charges as appropriate given the timing of the start of the leave of absence. When a Dean of Students mandates a leave of absence, generally such leave will be retroactive to the beginning of the quarter.

A student placed on an involuntary leave of absence may request, within 15 days of the date of the decision, a review of the decision from the Office of the Vice President and Dean of Students in the University. The student must submit the request for a review of the decision and any supporting materials in writing. The Vice President and Dean of Students (or his or her designee) will review appropriate records and documentation and when feasible the Vice President and Dean of Students will meet with the student. A signed release from the student for medical records may be necessary to conduct the review. The Vice President and Dean of Students may discuss the request with the Dean of Students and if appropriate the SCRS Director. He or she will communicate a final decision in writing as soon as practicable. The leave of absence will remain in effect during the period that the Vice President and Dean of Students considers the student's request.

A student on a leave of absence will not be permitted to resume his or her studies until the Dean of Students makes a fact-specific assessment of the circumstances and concludes that the student no longer poses a significant disruption to the functioning of the University and/or no longer poses a significant risk to the health and safety of the student or others (that cannot be eliminated by a reasonable accommodation).[\*\*] In making this determination, usually the Dean of Students will require the student to authorize his or her treating professionals to contact the Director of SCRS to discuss the student's clinical condition, whether the student continues to pose a direct threat to the safety and well-being of him/herself and/or others, as well as the student's preparedness for (1) a return to the academic rigor of the University, (2) the ability to navigate self-sufficiently as a functioning, non-disruptive member of the University community, and (3) the capability for continuing appropriate treatment via SCRS or other resources, if necessary. If the student is to continue treatment while resuming studies, the Dean of Students will ask the student to sign a release that authorizes the treating professional to notify the Dean of Students if the student does not adhere to the treatment plan.

### **Notification of Others**

The Dean of Students (or his or her designee) may notify a student's parents, emergency contact, or others when in the Dean of Student's judgment the student is unable to make the notification himself or herself or the student's behavior poses an imminent danger to students or others, or requires an

immediate disclosure of information to avert or diffuse serious threats to the safety or health of the student or others.

A leave of absence does not preclude the application of the University disciplinary systems.

*\*This individualized assessment is based on reasonable medical judgment relying on current medical knowledge and best objective information regarding the duration and severity of the risk, the probability that a potentially threatening injury will occur, and the likelihood that reasonable modification of existing policies, practices and procedures will sufficiently mitigate that risk. The individualized assessment will include consideration of germane medical information timely provided by the student, in which case the student normally will be asked to sign a release that will allow the SCRS Director (or his or her designee) and the student's provider to communicate directly regarding the circumstances and student medical information.*

*\*\*For information about requesting accommodation for a disability, see the University's protocol on Disability Accommodation.*

## **OUTDOOR EVENTS ON THE CAMPUS**

All events and activities planned to take place out-of-doors on campus must be approved in advance by the Office of the Reynolds Club and Student Activities (ORCSA) (834-0858). A University Department and/or Recognized Student Organization (RSO) must sponsor all outdoor events. Requests must be submitted at least 48 hours before the start of the event so that appropriate offices can be informed. The person in charge of the event(s) should submit a written request to reserve the quadrangle space, including the date, time, location, number of people expected to attend; whether food, alcohol, and/or non-alcoholic beverages will be served; and the playing of music, or other amplified sound, and set-up arrangements. (If alcohol will be served at an event, additional policies and approvals apply. See the University Alcohol Policy.) Additional information may be requested from the sponsor about the proposed event. Event organizers must be present for the duration of the event. All banners, tables, signs and other paraphernalia used, as well as all trash generated by the event, must be removed when the event concludes. Alcohol is not allowed at events that have not received the appropriate alcohol approval. University officials or agents of the University have the authority to prohibit attendees from bringing alcoholic beverages to an outdoor event. Such beverages may be confiscated by the official or agent.

Any event produced in conjunction with an outside organization or firm (whether paid or not) may require special contractual and/or insurance arrangements. The sponsor of any such event should inform ORCSA and the sponsor must make the necessary arrangements with the Office of Risk Management.

To minimize the disruption of academic and administrative activities, music or other amplified sound is permitted generally only between noon and 1:00 p.m. and after 5:00 p.m. on weekdays and all day on weekends. Even during approved hours, all noise should be kept at a reasonable level and University officials may inform event organizers to change the volume to a specific lower level.

The erection or construction of any structure (such as a tent, stage, signs, or other markers) requires the approval of the Director of ORCSA, or his or her designee and consultation with the Safety Office and Facilities Services. Any event which involves special circumstances, such as the duration over an extended period of time, student sleep-overs, or late-night/early morning events will require special permission of the Director of ORCSA, or his or her designee. Banners and/or signs are to be erected only by University Departments or RSOs and the schedule of their display must be approved by the Director of ORCSA or his or her designee.

For events where a large crowd is expected or where there is a potential for those persons with views that differ from the views held by event organizers to attend, student organizations should provide the contact information of their ORCSA advisor and departments should provide the contact information of an appropriate full-time staff member in their department; that staff member may be required to attend. Contact information should be provided to the Assistant Director for the Reynolds Club & Bartlett Hall. Please note that a separate protest area may be designated by the Office of the Vice President and Dean of Students in the University for those persons with views that differ from the views held by the event

organizers. In order to ensure the safety of all participants, the University Police Department may require the attendance of one or more officers.

## **PROTESTS AND DEMONSTRATIONS POLICY**

The primary function of a university is to discover and disseminate knowledge by means of research and teaching. To fulfill this function, a free interchange of ideas is necessary not only within the university but also with the larger society. At the University of Chicago, freedom of expression is vital to our shared goal of the pursuit of knowledge. Such freedom comes with a responsibility to welcome and promote this freedom for all, even in disagreement or opposition.

The right of freedom of expression at the University includes peaceful protests and orderly demonstrations. At the same time, the University has long recognized that the right to protest and demonstrate does not include the right to engage in conduct that disrupts the University's operations. University Statute 21 states: "Disruptive Conduct. Conduct of members of the University disruptive of the operations of the University, including interference with instruction, research, administrative operations, freedom of association, and meetings, is prohibited and is subject to disciplinary action".

This policy serves to provide guidelines for on campus protests and demonstrations.

*Noise Level.* Protesters and demonstrators may not use amplified sound indoors, where all noise should be kept at a reasonable level at all times. To minimize the disruption of academic and administrative activities, amplified sound outside is permitted generally only between noon and 1:00 pm and after 5:00 pm on weekdays and all day on weekends. Even during approved hours, indoors and outdoors, all noise should be kept at a reasonable level and University officials may direct event organizers to change the volume to a lower level.

*Building Occupancy Limits and Access.* To maintain a safe environment for all members of the University community, the number of people participating in a protest or demonstration must be considered and adhere to the occupancy limits of the protest or demonstration area. Walkways and entrances to and in buildings must remain open to allow others safe access and egress as well as passage through the area. Placards, banners, and signs generally are allowed but may not be dangerous for others or impede the participation of others in the life of the University. If the use of placards, banners, and signs are deemed to be dangerous or impede the participation of others, University officials will require the protesters carrying the placards, banners, or signs to move to a different location or remove their materials.

*Advance Arrangements.* To further the success of their event, student groups and other groups of students organizing a protest or demonstration must make the appropriate arrangements with the staff of the Office of the Reynolds Club and Student Activities (ORCSA). Like all other events or activities at the University, a request to hold a protest or demonstration should be submitted no later than 48 hours before the start of the event and must be approved by ORCSA.

*Protest and Demonstration Duration.* Protests and demonstrations normally are permitted until or unless University officials determine that University operations have been compromised and/or the rights of others have been significantly infringed. Interference with instruction and research are viewed as particularly destructive to the University.

*Policy Application.* Application of this policy does not preclude the application of other University policies or regulations as may be warranted by a given situation, e.g., Authority to Direct, University Disciplinary Systems. Furthermore, a protest or demonstration that significantly disrupts the operations of the University may lead to arrest and prosecution for violations of City of Chicago ordinances or State or Federal statutes.

## **PUBLICITY POLICY**

The University community may publicize their events in designated areas through several methods. The form and content of the publicity will not be restricted, unless it is libelous, obscene, incites riot or other unlawful action. The publicity may not include any suggestions of the availability of alcohol. All publicity

outside the Reynolds Club must state clearly the name of the organization or department, and if applicable event date, time and location. Violation of the publicity policy will result in consequences ranging from a penalty fine to suspension of the student organization. Complaints and questions must be directed to the Office of the Reynolds Club and Student Activities at the Student Activities Center (RC 001, 702-8787).

### **Postings (Announcements, Flyers & Posters)**

Anonymous posting is allowed in the Reynolds Club only. These postings must be dated and will be removed two weeks after posting.

Posting must be placed only on designated bulletin boards, no more than one posting per event and the posting should not cover current postings belonging to other organizations or individuals. The Office of the Reynolds Club and Student Activities monitors the bulletin boards in the Reynolds Club, Ida Noyes Hall, Bartlett Hall, Administration Building, Cobb Hall, Harper, Pick Hall, Regenstein Library Quadrangles and Stuart Hall. If a member of the University community has any concerns about postings on these boards, please do not remove the posting, instead contact the Office of the Reynolds Club and Student Activities at the Student Activities Center (RC 001, 702-8787).

### **Banners**

Campus groups may post banners in the Reynolds Club, on the walls and the main arches of Mitchell Tower, but not over windows and doors, or on the woodwork. A maximum of one six-foot banner per group may be posted. Banners should not cover current banners belonging to other groups. Groups are responsible for removing banners within 24 hours of the event. Banners with no event dates must be removed after 2 weeks of posting the banner.

Approval for banners in other campus locations must be obtained from the appropriate office or building management. Banners and/or signs in outdoor areas are to be erected only by University Departments or RSOs and the schedule of their display must be approved by the Director of ORCSA or his or her designee.

### **Chalking**

Chalking to publicize events is allowed only on campus sidewalks that can be washed out by rain. Water-soluble chalk must be used. If a member of the campus community objects to the chalking on a campus sidewalk, please contact the Office of the Reynolds Club and Student Activities at the Student Activities Center (RC 001, 702-8787).

### **Solicitation and Distribution of Handbills and Leaflets**

All handbills or leaflets must clearly state the name of the organization or individual. Policies on solicitation and the distribution of handbills and leaflets vary by building. For solicitation and the distribution of handbills and leaflets outside but on University property, contact the Office of the Reynolds Club and Student Activities.

### **Online Calendar**

To post your event on the University online calendar, go to [events.uchicago.edu](http://events.uchicago.edu) or [events.uchicago.edu/students](http://events.uchicago.edu/students). A listing of events posted on the student events calendar is sent in a weekly email to all students in the College and any other subscribers to the listhost ([orcsacalendar@listhost.uchicago.edu](mailto:orcsacalendar@listhost.uchicago.edu)). Online calendar postings must follow University publicity policy.

### **Table Tents in Dining Halls**

The Office of Undergraduate Student Housing must approve table tents for the dining halls and the Office of Reynolds Club & Student Activities (RC 003) must approve the table tents for the C-Shop & Hutchinson Commons. Unapproved table tents will be removed by dining facility staff. Only one table tent per table is allowed for a display of at most five (5) days. Table tent advertisement must be for campus events ONLY. All table tents must have the name of the sponsoring student group.

## **RESPONSIBILITY FOR GUESTS**

Hosts are always responsible for the behavior of campus guests, who, while they are visitors, are expected to conform to the standards of conduct expected of students at the University.

## **SANCTIONS BY ADMINISTRATIVE DEPARTMENTS**

In the event students violate the rules and/or regulations of administrative departments, such as the University House System, the Library, Career Services, and Networking Services and Information Technologies, such departments have authority to apply sanctions against their student clients and patrons up to and including withdrawal of all services.

## **UNIVERSITY DISCIPLINARY SYSTEMS**

### **Preamble**

The University of Chicago is a community of scholars dedicated to research, academic excellence, and the pursuit and cultivation of learning. Every member of the University - student, faculty, and staff - makes a commitment to strive for personal and academic integrity; to treat others with dignity and respect; to honor the rights and property of others; to take responsibility for individual and group behavior; and to act as a responsible citizen in a free academic community and in the larger society. Any student conduct, on or off campus, of individuals or groups, that threatens or violates this commitment may become a matter for action within the University's system of student discipline.

The intent of the student disciplinary systems is to ensure a fair and orderly proceeding on questions of possible student misconduct. A disciplinary proceeding enjoys neither the advantages nor the limitations inherent in an adversarial proceeding of a court of law.

The University's disciplinary systems and the legal-judicial structures of the general society differ and are distinct in principle. It may be taken as self-evident that students do not abdicate any of the rights that are guaranteed to them by the civil society and that they are at all times free to claim and assert those rights through the institutions, presumably judicial, of that society. At the same time, it is affirmed that the University is a private enclave, dedicated to a purpose that imposes additional and special obligations while granting certain privileges to its members.

Student misconduct may be simultaneously subject to external legal or administrative proceedings and the University's disciplinary system. Under those circumstances, the University's disciplinary system normally will proceed notwithstanding the pendency of external processes, and University disciplinary committees are not bound by external findings, adjudications or processes.

The University's disciplinary procedures therefore should not be confused with the processes of law: the University's regulations are applied to incidents that are not "cases," the bodies that hear and dispose of incidents are not "courts," individuals who may accompany a student in the course of a disciplinary proceeding are not "counsel" advocating on behalf of the student and scrutinizing procedures for compliance with "rules of evidence," and requests for review of disciplinary decisions are not "appeals." As a leading illustration of the sense of this statement, it should be understood that the relation of collegiality and trust that binds all members of the University community entails an obligation of truthfulness and candor on the part of everyone who participates in a disciplinary proceeding. An accused student must appear before a disciplinary committee and participate in a manner that helps the committee reach a complete and fair understanding of the facts of the incident at issue.

*The University has three student disciplinary systems:*

*Area Disciplinary Systems* in the College, graduate divisions, professional schools, and the Graham School of General Studies address violations of University policies and regulations and other breaches of the standards of behavior expected of University students. Area Disciplinary Systems are described below.

*The University House System Discipline* applies to offenses within or against the House System (e.g. vandalism, disruption, excessive noise). Serious offenses within the House System are referred to an appropriate Area Disciplinary System. The rules and disciplinary procedures for the House System are described beginning on page xx.

*The All University Disciplinary System* is a procedure for student offenses that are organized or designed to hinder or disrupt the operations of the University (for example: the disruption of teaching, research,

administration, or meetings). The All University Disciplinary System is described beginning on page xx.

### **Area Disciplinary Systems**

Each academic unit — the College, graduate divisions, professional schools, and the Graham School of General Studies — has written procedures for student discipline. Those procedures may be obtained from the Office of the Dean of Students of the academic unit or from the Office of the Vice President/Dean of Students in the University. Procedures for undergraduate or graduate discipline follow the outline of the procedures described below, with variations that reflect the values and educational goals of the specific academic unit.

Conduct involving possible violation of University policies and regulations and other breaches of standards of behavior expected of University students should be brought promptly to the attention of the Dean of Students of the academic area of the accused student. Such violation and breaches of standards include but are not limited to: plagiarism, cheating on examinations, falsifications of documents or records, theft, vandalism, violation of computing policies, violation of the alcohol and other drug policy, physical or verbal abuse which threatens or endangers the health or safety of others, sexual harassment, sexual assault or sexual abuse, violation of an administrative department's regulations, failure to comply with directives of University officials including the University Police, and violation of the terms of imposed disciplinary sanctions.

Generally, the person bringing the allegation of misconduct first will discuss the allegation with the Dean of Students of the academic area of the accused student (or his or her designee[\*]). The complainant must maintain the strict confidentiality of the allegation of misconduct. The Dean of Students will conduct an inquiry into the facts, which may include interviews with pertinent other people. If the Dean of Students thinks that the circumstances warrant it, the Dean of Students will arrange for a meeting with the accused student as soon as practicable. In the meeting, the Dean of Students will inform the accused student of the alleged misconduct and will discuss the allegation. Based on the inquiry and in consultation with the Vice President/Dean of Students in the University (or his or her designee), the Dean of Students has the discretion and authority to dismiss the complaint, to resolve the complaint informally with the parties, or to refer the complaint to the Academic Dean with a recommendation to convene an Area Disciplinary Committee.

If the Area Dean of Students resolves an allegation of misconduct informally, the Area Dean of Students may give the accused student an official warning and suspend specific student rights and privileges for a designated period of time. A copy of the written notice warning the accused student that he or she is violating or has violated University policies or regulations will be placed in the student's educational record. If the Dean of Students later finds that the student has engaged in additional misconduct, the Area Disciplinary Committee may be informed of the earlier warning. If the Area Disciplinary Committee is informed of the earlier warning, the Committee must consider it in determining further sanctions.

If the Academic Dean decides that an Area Disciplinary Committee is to be convened, the Dean of Students of the academic area of the accused student will ask the complainant to submit in writing the allegation as well as any available documentation supporting the allegation. The Dean of Students will inform the accused student of the allegation, give the accused student a copy of the academic unit's disciplinary procedures and ask the accused student to prepare a written response to the accusation. If there were witnesses to the alleged misconduct, the Dean of Students will ask pertinent witnesses to submit a written statement as well. Pending the Area Disciplinary Committee proceedings, the Dean of Students may impose an interim suspension or any other interim measure to ensure the safety and well-being of others or to ensure the accused student's own physical or emotional safety and well-being. The Dean of Students has the authority to inform the University Registrar not to release the academic record of the accused student pending the outcome of the disciplinary proceedings.

The Academic Dean (or his or her designee) will appoint the members of the Area Disciplinary Committee. All members of the Area Disciplinary Committee are expected to maintain independent judgment and open-mindedness about the alleged misconduct. The Area Disciplinary Committee consists minimally of three faculty members, the Dean of Students, and a representative of the Office of the Vice President/Dean of Students in the University. The latter two attend the Area Disciplinary Committee meeting in a non-voting, advisory capacity. The Area Disciplinary Committee also may have as many as

two student members and, if requested by the accused student, must have at least one student member. The Area Disciplinary Committee will meet as soon as practicable.

When an Area Disciplinary Committee is convened, the accused student will be informed in writing of the alleged misconduct and the date, time, and place of the Area Disciplinary Committee proceedings. The Area Disciplinary Committee may convene prior to meeting with the accused student to discuss procedural matters. If the accused student has been accused of misconduct before, the Dean of Students may inform the Area Disciplinary Committee of the previous accusation, other pertinent information related to the previous allegation, and of any disciplinary action. In advance of the meeting, the accused student will be provided with a copy of all the written material furnished to the Area Disciplinary Committee. The accused student may bring a person to the proceedings whose role is limited to providing support to the accused student - not to serve as an active advocate or participant in the proceedings. The accused student should inform the Dean of Students three to five business days before the Area Disciplinary Committee is to meet if a support person will be attending the proceedings. If the person providing support is a lawyer, a representative of the University's Office of Legal Counsel also will attend the proceedings. The Area Disciplinary Committee may ask or summon the complainant and others to appear before the Committee to answer questions of the Area Disciplinary Committee.

The Area Disciplinary Committee will seek to reach a complete and fair understanding of the facts of the incident at issue. The student will be asked to speak for himself or herself before the Area Disciplinary Committee. If the proceedings involve multiple students accused of participation in the same misconduct, the accused students will each be heard separately and not in the presence of the other accused students. During the proceedings, if the Area Disciplinary Committee hears other individuals, the accused student may choose to be present when those individuals are heard. Only the Area Disciplinary Committee may ask questions of the accused student and others who appear before the Committee. If the accused student refuses to appear before the Area Disciplinary Committee, the Area Disciplinary Committee shall proceed without the accused student.

Area Disciplinary Committee proceedings generally follow this outline: The chair of the Area Disciplinary Committee reminds all present that disciplinary proceedings are distinctly different from the legal-judicial processes of the general society; that the relation of collegiality and trust that binds all members of the University community entails an obligation of candor on the part of anyone involved in a disciplinary proceeding; that disciplinary proceedings and their outcome are to remain confidential. The chair then restates the allegation into which the Area Disciplinary Committee is inquiring to determine what may have happened and whether or not sanctions are to be imposed. The accused student may be asked to make a statement in response to the allegation. Subsequently, committee members ask questions of the accused and others present and may conduct further inquiry. During the proceedings, if the Area Disciplinary Committee hears other individuals, the accused student may be present. At the completion of the inquiry, all present who are not members of the Area Disciplinary Committee will be asked to leave while the Committee members deliberate on the allegation and inquiry, possible sanctions and implications of those sanctions, and come to a decision. The Area Disciplinary Committee decides, by majority vote, whether or not they believe that the accused student's conduct violated University policies and regulations or breached standards of behavior expected of University students. Disciplinary sanctions available to the Area Disciplinary Committee are set forth in the following section, called Sanctions for Misconduct.

When the Area Disciplinary Committee reaches its decision, the Dean of Students will inform the accused student as soon as practicable and will send a confirmation letter in which both the decision and the review process are delineated. The action of the Area Disciplinary Committee is reported to the Office of the Vice President/Dean of Students in the University. Decisions of disciplinary suspension or expulsion will be recorded on the student's transcript and usually will read "Not permitted to register from [Date] to [Date]. [Name and Title of the Dean of Students in the University], [Date]" In cases of expulsion the notation includes a statement "Must Reapply." Other offices (e.g., Housing, University Registrar) are to be notified only if the action taken by the Area Disciplinary Committee affects those offices, and then only the action itself is transmitted.

A written record will be kept by the Office of the Dean of Students as part of the student's educational record with a copy furnished to the Office of the Vice President/Dean of Students in the University. This

record should include all materials furnished to the Area Disciplinary Committee, a copy of the confirmation letter sent to the accused student, a statement of the main findings which were relevant to the final outcome of the disciplinary proceedings and to the sanctions imposed, as well as the considerations of the possible implications of the sanctions.

If the Area Disciplinary Committee imposes a sanction, the accused student may have the Area Disciplinary Committee's decision reviewed. Review procedures are set forth in the section called Review Process.

#### *Allegation of a Sex Offense*

If an Area Disciplinary Committee is convened for an allegation of a sex offense, the Area Disciplinary Committee procedures will be invoked with the following modifications and clarifications. The Dean of Students will explain the disciplinary procedures to the accused student and a representative of the Office of the Vice President/Dean of Students in the University will explain these procedures to the complainant. The accused student will receive a copy of all the written material furnished to the Area Disciplinary Committee, including a copy of the written complaint. The complainant ordinarily will be asked to appear before the Committee to answer questions of the Area Disciplinary Committee. To accommodate concerns for the well-being of the complainant and/or the accused student, the Dean of Students may make appropriate arrangements enabling participation of the complainant without a face-to-face interaction with the accused student. The complainant will have the same opportunity as the accused student to bring a person to the proceedings whose role is limited to providing support - not as an active participant in the proceedings. If the person providing support is a lawyer, a representative of the University's Office of Legal Counsel also will attend the proceedings. During the proceedings, if the Area Disciplinary Committee hears other individuals, the accused student may be present. At its discretion, the Area Disciplinary Committee may allow the complainant to be present when the accused student is heard. The complainant will be informed of the outcome of the proceedings and will be told that the proceedings and their outcome must remain confidential and cannot be disclosed by anyone unless disclosure is authorized by law.

#### *Sanctions for Misconduct*

Sanctions delineated here are arranged in increasing order of severity. An Area Disciplinary Committee may combine different sanctions in a given decision. A Review Board may make use of all the alternative forms of sanctions.

*Warning* The Area Disciplinary Committee may give the accused student an official warning. A copy of the written notice warning the accused student that he or she is violating or has violated University policies or regulations will be placed in the student's educational record. If the Dean of Students later finds that the student has engaged in additional misconduct, the Area Disciplinary Committee may be informed of the earlier warning and the circumstances related to the warning. If the Area Disciplinary Committee is informed of the earlier warning, the Area Disciplinary Committee must consider it in determining further sanctions.

#### *Disciplinary Probation*

The Area Disciplinary Committee may place the accused student on disciplinary probation during which period the student continues to enjoy all the rights and privileges of a student except as the Area Disciplinary Committee may specifically stipulate. If, during the period of disciplinary probation, an Area Disciplinary Committee finds that the student has engaged in additional misconduct, the Area Disciplinary Committee will be informed of the student's probationary status and the circumstances related to the student's probationary status. The Area Disciplinary Committee must consider the probation in determining further sanction.

#### *Loss of Privileges*

The Area Disciplinary Committee may suspend specific student rights and privileges for a designated period of time.

### *Discretionary Sanctions*

The Area Disciplinary Committee may assign the student specific academic work, community service for a specific number of hours, or other appropriate discretionary assignments to be completed by a specific date, or impose restitution or fines.

### *Disciplinary Suspension*

The Area Disciplinary Committee may impose a disciplinary suspension, never exceeding nine quarters, during which period the student is prohibited from exercising any rights and privileges of a student in the University. Unless the Area Disciplinary Committee specifically states otherwise in its decision, at the expiration of the period of suspension, the student may resume active status as a student without any action on his or her part other than what would be required of any student who has, for a comparable period, interrupted his or her residence in the University for any other reason. However, a student under suspension who has been charged with another offense may not resume active status as a student until final action has been taken on such charge by an Area Disciplinary Committee.

*Disciplinary Expulsion* The Area Disciplinary Committee may expel a student. A student who has been expelled automatically forfeits all rights and privileges as a student in the University. Ordinarily, the University will not consider a re-application for eleven quarters following the date of expulsion.

### *Revocation of Admission*

The Area Disciplinary Committee may revoke admission to the University for fraud, misrepresentation, or other violation of University standards in an accused student's application for admissions. Ordinarily, the University will not consider a re-application for eleven quarters following the date of the revocation of admission.

### *Revocation of the Degree*

If, after awarding the degree, the Dean of Students is informed of misconduct that occurred before the degree was awarded disciplinary proceedings may be initiated. If an Area Disciplinary Committee is convened, the Committee may recommend revocation of the degree.

### *Further Disciplinary Policy Information*

Disciplinary processes will proceed for anyone who has been admitted to the University whether or not he or she is in residence. A sanction given to a student not currently in residence takes the form of a condition imposed upon resumption of active status as a student. If a complaint against a student who has applied for graduation has been brought to the attention of the Dean of Students but an Area Disciplinary Committee has not yet been convened by graduation time, the Dean of Students has the discretion and authority to decide whether the accused student may receive the degree and/or participate in convocation. When an Area Disciplinary Committee has been convened by the graduation date but the proceedings have not concluded, the accused student's graduation shall be postponed until the conclusion of the disciplinary proceedings including the completion of all sanctions.

If a student is accused of academic fraud and the regulations of external sponsors are involved as determined by the Office of the Provost, the allegations are subject to the University's policy on academic fraud. The inquiry will be conducted, in accordance with the external sponsor's regulations governing scientific misconduct, by the departmental chair or Academic Dean of the academic unit in which the academic fraud allegedly occurred in collaboration with the Dean of Students of the academic area of the accused student. During this fact-finding phase, the accused student generally will continue to be registered as a student and enjoy all privileges pertaining to his or her status as a student. If the inquiry determines that there is sufficient basis to continue the investigation, the University's Standing Committee on Academic Fraud will be informed and the academic fraud investigation procedures will be initiated. Allegations of academic fraud that involve dissertations of students who have received their degrees, or work published or submitted for publications also are subject to the University's academic fraud procedures. If the academic fraud inquiry concludes in the dismissal of the allegation, the academic unit may decide that this alleged student misconduct should be heard by an Area Disciplinary Committee.

All other allegations of academic fraud by a student will be subject to the area disciplinary system.

A student who has been suspended or expelled is also barred from all University property for the period of the suspension or expulsion, absent written permission from the Dean of Students. While employment by the University is not an exclusive right or privilege of students, in cases in which employment is reserved for students or students are given preference in employment, the fact of suspension or expulsion may adversely affect status as an employee. Further, the University is entitled to take into account the grounds on which sanctions have been imposed, as these may bear on qualifications for employment.

Maintaining the confidentiality of the disciplinary proceedings and their outcome is the responsibility of the accused student, complainant and all others participating in or privy to those proceedings. Unless disclosure is authorized by law, failure to respect the confidentiality of the proceedings and their outcome may result in disciplinary action.

The disciplinary procedures do not preclude the application of other policies.

#### *Review Process*

If a disciplined student wishes to request a review of the decision, the student must make that request in writing to the Office of the Vice President/Dean of Students in the University not more than fifteen days following the issuance of the written notification of the decision of the Area Disciplinary Committee. The disciplined student must submit the request for review and supporting material in writing. At the request of the disciplined student, the student may be granted an additional fifteen days to prepare those materials. The only legitimate grounds for review are: (1) that prescribed procedures were not followed, and (2) that new and material information unavailable to the Area Disciplinary Committee bears significantly in the student's favor.

A Review Board is constituted when a request for review is received by the Office of the Vice President/Dean of Students in the University. The Review Board consists of the Vice President/Dean of Students in the University (or his or her designee), one member of the faculty of the student's academic area who serves as chair, and one student member of the student's academic area. The faculty and student members are both appointed by the Vice President/Dean of Students in the University and neither shall be a member of the Area Disciplinary Committee that rendered the decision under review. All members of the Review Board are expected to maintain independent judgment and open-mindedness about the decision under review. The Review Board, whose decision is final, does not conduct a new disciplinary proceeding. Nor does the disciplined student, generally, appear before the Review Board, although the Review Board reserves the right to ask the student to appear to clarify aspects of his or her request. The Review Board, acting on the basis of the entire disciplinary record, may sustain or reduce the sanctions imposed or, if satisfied that new and material information not available to the Area Disciplinary Committee might have resulted in a different decision, may require the Area Disciplinary Committee to reconvene and consider the new information in the proceedings.

#### **University House System Discipline**

The University House System seeks to serve the educational objectives of the University by offering facilities which provide a setting in which individual education is furthered. The intent of the rules and regulations of the House System is to establish reasonable limits within which the greatest number of residents can work effectively and live pleasantly. These limits help to guarantee the basic rights of all residents to protection from behavior which creates excessive noise, endangers or disturbs other residents, or invites the intrusion of public authorities into the House System.

The basic rights and responsibilities of residents of the House System include:

1. Each resident has the right to the use of his or her own room. Each resident has the right to visitors who abide by Guest Procedures and House System rules and regulations. Residents are responsible for the conduct of the guests they bring into the residence halls. A resident may not entertain a guest in a room over the objections of a roommate. Visitors may not take up "occupancy" in a room.
2. Each resident has the right to peace, quiet, and public order in the House sufficient to provide

adequate conditions for study and sleep. Each resident has a responsibility to respect the possession of this right by fellow residents. Additionally, residents are responsible for working to constructively address violations of this right.

3. Each resident has a right to representation, if not actual participation, in the making of regulations by students in the House, subject to reasonable procedures for enactment and amendment. Implicit in this is the right to adequate enforcement of the House rules.

### *Rules and Regulations*

1. **Noise:** It is impossible to set specific standards regarding levels of noise in a residence hall which will satisfy all residents. Individual levels of noise tolerance vary widely. The purpose of the House System is to offer conditions which permit reasonable order for study and sleep. At no time may a resident create excessive noise which will disturb other residents. After 11 p.m. on weeknights and 1 a.m. on weekends, residents must contain noise in their rooms and in the public areas of the Houses at levels which will not prevent other residents from studying or sleeping. Exceptions to these limits may occasionally be made on weekends for formal House events which have the prior approval of the House Council and the resident heads.
  - a. Residents may not practice or play musical instruments, electronic or acoustic, in student rooms, but should use music practice rooms for those activities.
  - b. Excessive noise is a problem not only for residents, but for people living in the buildings neighboring the residence halls. Residents must act to keep noise from unduly disturbing neighbors as well as other residents.
2. **Personal Abuse:** The residence halls are intended to be communities where the individuality of all residents and their rights to make personal choices are respected, so long as those choices do not interfere with the rights of others. Housing staff members have the responsibility to ensure that this and all policies of the House System are observed. In protection of these rights and responsibilities, residents may not engage in personal abuse, written or oral, directed against other residents, guests, or members of the housing staff. Any form of abusive, threatening, or harassing behavior will be considered grounds for serious disciplinary action by the housing staff. Residents must also respect the personal property and assigned space of other members of the House System.
3. **Dangerous Acts:** Residents may not engage in activities which threaten the safety of others. A list of specific acts that come under the rubric of dangerous activities could never be exhaustive; however the following is a partial list:
  - a. Possessing or using fireworks, firearms, other explosives, or weapons;
  - b. Setting off false fire alarms. Tampering with fire extinguishers or other fire safety equipment;
  - c. Playing with fire in any matter, whether or not any damage or injury occurs to person or property;
  - d. Tampering with elevators;
  - e. Physically attacking or threatening physical attack of other residents or visitors to the Houses;
  - f. Throwing objects from the windows of the residence halls. The size, weight, and shape of such objects—and their potential for harm—cannot be subject to exhaustive debate. The directors in the Office of Student Housing will judge such cases. The rule is: no object may be thrown from the windows of the residence halls;
  - g. Obstructing the use of any residence hall door by tampering with locks or otherwise preventing free access or egress.

Residents who engage in any of the acts listed above will be subject to serious disciplinary action, including the likelihood of being removed from a House or from the House System.

4. **Alcohol in the Residence Halls:** The State of Illinois prohibits the consumption or possession of alcohol by persons under the age of 21, and the supply of alcohol to any person under the age of 21. It is important that each resident of the University House System be aware of the state law with regard to the consumption, possession, and sale of alcoholic beverages.

The use of alcoholic beverages is not permitted in the common areas of the College Houses. Common areas include lounges, corridors, stairwells, study rooms, recreation rooms, community kitchens, entry-ways, and the like.

The use of University funds to purchase alcohol for students under the age of 21 is prohibited. Members of the housing staff may not purchase for or serve alcohol to students under the age of 21.

The University expects each resident of the House System to be responsible for his or her own conduct and the consequences of that conduct.

5. **Illegal Drugs:** The possession, use, or distribution of illegal drugs is not permitted in the University House System. Residents in violation of this rule may face serious disciplinary consequences, including the likelihood of removal from the House System.
6. **Private Parties in the Residence Halls:** Students are allowed to host private parties in their rooms in the residence halls with prior approval from the resident heads and in compliance with the House System Private Party Policy. Student hosts must assume full responsibility for the party and for the conduct of all guests at the party. Copies of the Private Party Policy are available from the resident heads.
7. **Smoking:** The Illinois Clean Indoor Air Act provides that "smoking is prohibited in any portion of a building used in whole or in part as a student dormitory that is owned and operated or otherwise utilized by a public or private institution of higher education" (Illinois HB 4174). As such, smoking is forbidden in the residence halls, including student rooms, lounges, lobbies, corridors and courtyards. The City of Chicago Clean Indoor Air ordinance prohibits smoking within 15 feet of the entrance to any building, including residence halls and dining commons.

House System residents are obligated to comply with the law. Residents who violate the law will be addressed by resident staff and are subject to disciplinary action including oral warnings, formal written warnings (probation) and removal from the House or House System.

8. **Visitor Procedures:** Most of the University House System residence halls are served by front desks at which residents' visitors must register before gaining access to the residence hall. Hosts must be present in the building to acknowledge either in person or by phone that they are willing to receive the visitor. Visitors will not be permitted to enter unless the host is present. Visitors are required to sign the visitors log at the front desk upon entry to the hall noting clearly their first and last names and the time and date of entry. Failure to follow visitor procedures may be cause for disciplinary action.

It is expected that visitors will remain in the company of their hosts. Visitors do not have the privilege of using house or hall amenities such as computers, game rooms, or laundry equipment, unless engaged in a shared activity with a resident.

9. **Restricted Areas:** Residents are not permitted to go on the roofs of the residence or dining halls, or to any other areas which are designated as "off limits." The minimum penalty for violating this rule will be a fine of \$50. Residents may also be fined for tampering with the physical plant of the residence halls by removing screens, exiting from secured alarmed doors, or tampering with electrical or phone systems, etc.

Residents may not enter any residence hall room to which they are not assigned, unless they are the invited guests of the person(s) assigned to that room.

10. **Pets:** Residents may not keep pets in any of the residence halls. This prohibition is imposed for reasons of cleanliness, health problems, and noise. Exceptions are made for fish in a small aquarium. The only other pets permitted in the residence halls are those belonging to resident masters, resident heads, and the directors of student housing who live in the House System year-round.
11. **Restricted Dining Halls:** The residential dining halls at Bartlett, Burton-Judson, and Pierce, are open only to individuals who have purchased meal plans and to those guests who purchase

- individual meals. Students must abide by the policies and procedures specified in food service publications.
12. **Overnight Guests:** House System guest procedures are based on the premise that residents of the House System ought to be able to have occasional personal guests in the residence halls, when space is available, under reasonable limitations that protect the rights of roommates and the interests of the University community. Anyone who is not a regularly assigned resident of a room is considered a guest. Residents may not host guests overnight in their room without the consent of all assigned residents of the room. Guests may not remain for more than three nights in the student rooms without prior approval of the Housing staff. Guests who wish to reside in the residence halls for more than three days may be required to take other lodging within the hall, if available, and must register at the desk to receive these services. Copies of the complete Guest Procedures are available from the resident heads.
  13. **Door-to-Door Solicitation:** Door-to-door solicitation in the residence halls is prohibited unless prior approval has been given by the director of the House System. This includes but is not limited to distribution of information, electioneering or campaigning, solicitation of funds, or sales of products or services by residents or non-residents. Activity related to dorm-sponsored events such as signing up for House trips or Masters events, collecting dining account information, or House fund-raisers are not prohibited if conducted by residents or housing staff.
  14. **Posting:** Posters and flyers for House and hall activities, as well as those approved for a Registered Student Organization (RSO) are allowed on residence hall bulletin boards. Each House has at least one bulletin board that is reserved for the Resident Staff of the House. Postings may not be placed inside stairwells, inside elevators, on elevator doors, or on student room doors unless approved by the residents of that room. Flyers and announcements may neither advertise nor refer to the availability of alcohol at a specified event. If a posting contains obscene language and/or pictures, or if a posting is deemed to be offensive to a particular group or individual, the posting may be removed.
  15. **Posting and Solicitation in Dining Halls:** Approval for public communications made in the House System dining halls including but not limited to handbills and flyers, banners, table tents, oral announcements and performances is made by the Office of Undergraduate Student Housing. Information about the approval process is available on the Housing and Dining Services website.

### *Enforcement of House System Rules and Regulations*

It would be illusory to assume that all conflicts and disputes which are likely to arise in the House System will be easily resolved by mutual understanding and agreement. Initial responsibility for settling disputes rests with individual residents and the elected House Councils. Residents are expected to attempt to resolve problems whenever possible before turning to the housing staff. The resident heads and assistant resident heads, as University officials living in the residence halls, will strive to protect the rights of all residents by advising and assisting individual residents and House Councils. When problems cannot be settled in this manner, the housing staff will enforce the rules and regulations of the House System and will impose disciplinary action as appropriate. On those occasions when members of the housing staff find it necessary to act in the role of University authority, residents are obliged to follow their directives. If a resident believes that a member of the housing staff is acting improperly, the resident should:

- a. Obey the instructions of the housing staff member.
- b. Inform the staff member that the resident believes the staff member is acting improperly.
- c. Register a formal complaint with the Office of Undergraduate Student Housing.

### *Disciplinary Procedures*

The goal of the Office of Undergraduate Student Housing and the housing staff is to settle problems at the

lowest possible level, and to institute formal disciplinary action only when necessary. Official responses will be governed by the nature of the particular dispute or infraction. Initial action will begin at a higher level for serious offenses. House System disciplinary sanctions include:

1. **An oral warning from the assistant resident head or resident head:** The student is told why a particular behavior is a problem and what must be done by the student to correct the problem. No records of oral warnings are kept outside of the House.
2. **House System Probation:** House System Probation is a formal, written warning that a student's behavior is unacceptable and must change. Probation is imposed because the behavioral problem is serious or because the student ignored a previous oral warning. House System Probation is usually imposed by the resident head, but may sometimes be initiated by the directors in the Office of Student Housing. Probation is normally imposed for a specific period of time, usually for the remainder of the academic year. If, after being placed on House System Probation, the student violates House System rules and regulations or engages in disruptive activity in the House System, the student is usually required to move within the House System or to leave the House System altogether. House System probation is treated as an internal, House System matter. Records of probation are kept only within the House and the Office of Undergraduate Student Housing.
3. **Visiting Restriction:** The directors may restrict a resident from visiting particular parts of the House System because of behavioral problems. Similarly, students living outside the House System may be restricted or "banned" from all or a part of the System for their failure to abide by House System rules and regulations. Such bans are usually imposed for a specified length of time.
4. **Moves within or Removal from the House System:** A resident who engages in seriously disruptive or dangerous behavior, or who violates the terms of House System Probation will be required to move within the House System or to leave the House System altogether. The decision will be made by one of the directors of the Office of Undergraduate Student Housing, usually with the recommendation of the resident heads. A resident who is required to leave a house or the House System is normally forbidden to visit in that house or in any part of the System for a specific period of time, and is normally prohibited from returning to that house or to the House System as a resident before the next academic year. When a resident is required to move within the House System or to leave the House System, the student area Dean of Students is notified in writing of the action. If the resident is required to leave the House System and is a first-year student in the College, the College residency requirement for first-year students is waived, and the parents of the student are notified of the action.
5. **Area Discipline:** The Director of the Office of Undergraduate Student Housing can recommend to the Dean of Students in a particular academic area that a student from that academic area be brought before the College, division, or school disciplinary committee in that area. If the Dean of Students accepts the Director's recommendation, the student will be required to appear before such a disciplinary committee. Such a committee has the power to suspend or expel a student from the University.

### *Review Process*

**Required Moves within the House System:** A student who is required to move within the House System for disciplinary reasons may request a review of the decision of the directors of the University House System by the House System Disciplinary Review Committee. This Committee consists of three students drawn from lists of residents appointed by the Residential Student Councils, and two resident heads drawn from a list appointed by the Director of the Office of Undergraduate Student Housing. A student who seeks a review of a disciplinary decision must, within 48 hours of the decision, submit a written request with supporting material to the Director of the Office of Undergraduate Student Housing. Upon request, the student may be granted an additional 48 hours to prepare this material. The Review Committee will be convened as soon as possible after the student files for the review. At the hearing, both the Director of the Office of Undergraduate Student Housing (or a designee) and the student are given the opportunity to present their cases and to rebut the other's presentation. A majority of three votes in the Committee is required to sustain, overturn, or modify the original decision. The decision of the Review

Committee is final and binding on both the student and the University House System.

**Removal from the House System:** A student who is required by the directors of the University House System to leave the House System for disciplinary reasons may request a review of the decision by the student's Area Disciplinary Committee. A student who seeks a review must, within 48 hours of the decision, submit a written request with supporting material to the appropriate area Dean of Students with a copy to the Director of the Office of Undergraduate Student Housing. Upon request, the student may be granted an additional 48 hours to prepare those materials. The appropriate Area Disciplinary Committee, to which will be added one resident head from the housing staff, will be convened as soon as possible after the student files for a review. \*(In the College, the review will be conducted by one member of the Committee on College Discipline, a Resident Head from the Housing staff and a representative from the Dean of Student's office) In conducting a review, the Area Disciplinary Committee will follow the procedures outlined beginning on page xx for a broad review. The Committee will not conduct a rehearing of the case, probably will confine itself to the written record, and will consider as grounds for review (1) that prescribed procedures were not followed, (2) that the penalty will have unforeseen consequences for the student that are harsher than intended, (3) that new information bears importantly in the student's favor. The decision of the Area Disciplinary Committee is final and binding on both the student and the Office of Undergraduate Student Housing.

Questions about these rules, regulations, and procedures should be directed to one of the directors in the University House System (5525 S. Ellis, Room 180, 702-7366).

### **All-University Disciplinary System**

In May 1970, in the wake of the serious University disruptions of the late 1960s, the Council of the University Senate, acting on the authority of the Statutes of the University, instituted the following disciplinary procedures to deal with incidents of University disruption.

Amended in 1976, these procedures have seen little use. The last occasion for the convening of a University Disciplinary Committee came in 1974. Faculty and student panels are regularly appointed, however, so the Committee can be promptly convened if another occasion arises.

What follows is the legislation enacted May 12, 1970 (and amended June 8, 1976) by the Council of the University Senate:

#### *Section 1. Provision for review of disciplinary procedures*

The Council of the University Senate shall review, through an appropriate committee, the entire disciplinary system of the University with special reference to the innovations herein proposed, such review to be conducted not later than the Spring Quarter, 1973.

#### *Section 2. Statutory provision*

The Council of the University Senate shall request the Board of Trustees to include within the Statutes of the University provisions to the following effect:

Conduct of members of the University disruptive of the operations of the University, including interference with instruction, research, administrative operations, freedom of association, and meetings as protected by the University regulations, is prohibited and is subject to disciplinary action. Interference with freedom of inquiry, teaching, and debate will be viewed as particularly destructive to the University.

Consistent with the powers reserved for the Board of Trustees, the Office of the President, and other ruling bodies, the Council of the University Senate shall formulate those rules that relate to student conduct prohibited by this Statute. The Council of the University Senate shall formulate the procedures that will enforce those regulations and shall provide for hearings where there are charges of violations of those regulations. The Council of the University Senate may also establish mechanisms for the formulation and administration of additional rules and regulations for student conduct prohibited by this Statute.[\*\*]

#### *Section 3. Definition of disruptive acts*

It is misconduct, constituting a disruptive act, for any member of the University community to engage in conduct which substantially obstructs, impairs, or interferes with teaching, study, research, or administration of the University; the authorized use of University facilities; or the rights and privileges of other members of the University community, for example:

- a. by obstructing, impairing, or interfering with University sponsored or authorized activities or facilities in a manner likely to deprive others of the benefit or enjoyment of the activity or facility;
- b. by using force against any member of the University community or his or her family which substantially and directly bears upon the member's functions within the University, or threatening the use of force against him or her or his or her family in circumstances which create a reasonable fear that actual force is likely to follow;

#### *Section 4. Constitution of University disciplinary committees*

Disciplinary committees, empowered to conduct hearings on charges of violation by students of statutory provisions and Council legislation prohibiting disruptive acts, shall be constituted as follows. During the Fall Quarter of each academic year:

1. The President of the University shall appoint a committee of five faculty members on rotating three-year terms and designate one member from this Committee as its Chair. These five faculty members shall constitute the standing University Disciplinary Committee. In the event the magnitude of the disruptive acts requires that more than one panel be in place to conduct hearings, the President of the University shall appoint twenty additional faculty members drawn by lot from the membership of the statutory boards to constitute a total of five panels.
2. A panel of fifteen students shall be constituted—ten graduate students, one to be appointed by each student council or other appropriate student body in the divisions and the schools (including the Pritzker School of Medicine), in consultation with the appropriate dean or master, and five undergraduate students by Student Government.

At such time as the University Disciplinary Committee is required to meet:

1. Two student members drawn by random selection from the student panel shall be added to the standing faculty committee.
2. In the event that multiple panels are required, each panel shall consist of a member of the standing Committee as Chair, and four persons drawn by random selection from the membership of the statutory University boards. Each panel shall have two student members, drawn as in (1).
3. The Chair does not vote except in the case of a tie. The Chair and four members of the Committee constitute a quorum, and decisions are reached by simple majority, except in the case of a decision to expel which requires four affirmative votes.
4. Vacancies on a disciplinary committee, whether of faculty or students created by failure to serve, shall be filled by appointment by the President.
5. Multiple panels shall remain in place until discharged by the President.

#### *Section 5. Procedures*

The following procedures are to be followed in instances in which the charge against the student is violation of the University Statute and legislation of the Council prohibiting disruption of the operations of the University.

#### *Intent of Procedures*

The intent of these procedures is to ensure a fair and orderly hearing on the charges. Interpretation and detailed development of this procedural outline require that all parties to the proceeding consider procedural questions in the light of what is required by fundamental fairness and a reasonably prompt and organized movement toward an accurate determination of individual allegations in a process not having available all the resources of a proceeding conducted in a court of law. While responsibility for a fair and orderly procedure must be shared by all parties, the Chair of the University Disciplinary Committee is especially responsible for the conduct of the proceedings, and the Committee as a whole must be the judge of what procedures will best serve these ends in a particular circumstance.

### *Charging*

Information that a student has engaged in acts disruptive of the operations of the University may be brought by any member of the University to the attention of the Vice President and Dean of Students in the University, a Dean of Students or a dean of the schools, the divisions, or the College. Charges of such violation may, however, be referred only by the Vice President and Dean of Students in the University or any one of the deans of students or deans of the schools, the divisions, or the College. Charges must be given to the student in writing, and must include a brief statement of the nature of the charge and of places and times at which the student can respond to the charge. Unless there is already in existence a University Disciplinary Committee able to handle the matter, one is promptly convened. The charging authority transmits to the Chair of the Committee, who thereafter becomes responsible for processing all aspects of the case under the Committee's direction, a copy of the charge and a statement of the evidence on which it is based. The facilities of the Office of the Dean of Students are at the disposal of the University Disciplinary Committee in whatever ways may, in the judgment of the Committee, facilitate a prompt and fair disposition.

### *Informal Hearing*

Proceedings before the Committee normally begin with an informal private hearing conducted by a representative designated by the Committee. At this hearing the student charged is informed of his or her rights and of the substance of the procedure to be followed throughout by the Committee as set forth herein or in some other form. He or she is advised that he or she may be represented by someone of his or her own choosing at every stage of the proceedings, is asked to consider—and to decide, if possible—whether he or she will request a private or a public hearing of the case, is fully informed of all the evidence available to the Committee on which the charge is based, and is told that the Committee will hear any individuals with direct knowledge of the incident whom he or she may bring forward and that it will also accept statements in writing if he or she is not able to procure their attendance and assistance. This policy of full disclosure is further implemented by informing the student that any additional evidence becoming available to the Committee will be available to him or her before the hearing, and is told how he or she and his or her representative may have access to such evidence. Finally a date for the hearing before the Committee is set or arrangements are made for determining it and informing the student.

### *Hearing*

The Committee presumes the innocence of the student charged, assumes no facts or conclusions, ignores any previous history of disciplinary action with respect to the student charged, and reaches its decision as to whether the student has engaged in the prohibited act solely on the basis of the evidence actually before it. In a hearing before the Committee the evidence is set forth and its significance discussed. In addition to the content of all evidence, the student charged is entitled to be informed of the source of all evidence and of the identity of those on whose credibility any evidence may depend. The Committee makes every effort, within the limits of its powers of investigation and invitation, to resolve all issues of fact appearing in the evidence and invites and encourages the student and his or her representative not only to comment upon conclusions which might seem reasonably inferable from the evidence but also to offer alternative interpretations of it in whole or in part. But the student charged, while required to appear, is not required to testify, and if he or she chooses to testify he or she may refuse at any point to answer any question, and no prejudicial inference will be drawn from such refusal. All rules of evidence will, in similar fashion, be considered by the Committee with respect to their function and effect in an inquiry enjoying neither the advantages nor the limitations inherent in an adversary proceeding in a court of law. The student may have a private hearing at which a few observers of his or her own choosing are

present as well as his or her chosen representative, or with the approval of the Committee a public hearing at which members of the University community and other persons are freely admitted within such limits and under such conditions as the Committee deems consistent with orderly conduct of the hearing. At any time the student charged or his or her representative may request changes of schedule in the interest of a more adequate presentation of his or her case or may change his or her mind as to whether he or she wishes a public or a private hearing. Such requests will be considered on their merits by the Committee. In deliberating upon the weight of the sanction to be imposed the Committee may take into account any facts of previous disciplinary action with respect to the student and, in the case of a student on probation or under a reserved suspension, is required to do so. The deliberations of the Committee will be private.

The Chair of each Committee has a special responsibility for procedural correctness. He or she may delegate this responsibility to another member of the Committee, but it is his or her responsibility to see that the function is provided for in the working of the Committee. The Chair or his or her deputy would (a) make an initial response to any procedural question which arises, (b) be obligated to alert the Committee to procedural implications of any action they may wish to take, (c) call to the attention of the Committee or any of its members any inconsistency between the demands of fair procedure and the actions of the Committee or its individual members at any point in the proceedings, and (d) be responsible in situations in which he or she feels it desirable or the Committee instructs him or her to seek further guidance, for seeking out and presenting to the Committee whatever relevant information may be available in the experience of previous committees, or in special circumstances from other sources (see below). None of the special responsibilities within the working of the Committee, however, should in any way impair or supersede the ultimate authority of the Committee as a whole in determining, within the framework of this legislation, its own procedures.

In discharging the function of the Committee, its Chair is authorized and encouraged to consult the precedents and experienced judgment available in the work of previous Committees. For this purpose he or she may have recourse, not only to the records and reports of previous Committees, but also to their Chairs or such other members of previous Committees as may seem to him or her appropriate. With the permission of the Committee he or she may, on specific points, consult such other persons determined to have useful advice. In transmitting the results of such inquiries to the Committee for its consideration he or she shall (a) emphasize that no advice or precedent is binding upon the Committee, (b) indicate clearly what the sources of any opinions or suggestions may be, and (c) express his or her own judgment as to the value of the suggestions offered.

#### *Failure to Appear*

There is but one exception to the rule that no sanction is imposed without fulfillment of the procedural requirements outlined above. A student who fails to appear for a hearing before the Committee may be suspended by action of the Committee when it is satisfied that he or she has been given notice of the charges as required above and has had sufficient opportunity to respond. A student so suspended is notified of the suspension and offered another opportunity to appear on the original charge or charges. Failure to appear on the part of a student so suspended and so notified for a period of three weeks from the time at which notice of suspension was given to him or her or by the end of the quarter in which the original notice to appear was given, whichever is longer, is in itself grounds for imposition of sanctions, not excluding expulsion, by action of the Disciplinary Committee. In considering the case of the student who appears after having been suspended as a consequence of failure to appear, the Committee may take into account his or her original failure to appear in imposing sanctions where, in their judgment, such failure was willful.

#### *Records*

A summary written record of each case is kept by the Committee and furnished to the Review Board or the student upon request. This record should show at least (a) the chronology of the case from the receipt of the charges to final disposition by the Committee, (b) a statement of all actions taken by the Committee with respect to the case, (c) a statement of the chief findings of fact which were relevant to the final disposition of the case and the choice of sanction, including especially any findings that bear upon the difference of sanctions imposed in this case as opposed to similar cases, and (d) a notation of

any procedural questions peculiar to the case. The student may keep his or her own record of the hearings. At least annually the Vice President and Dean of Students in the University shall make available to the University community a statistical summary of the activities of all University Disciplinary Committees and of the Review Board.

### *Section 6. Identification*

A student is subject to disciplinary action if he or she fails to identify him- or herself adequately upon proper request of a properly identified University official in the performance of his or her duty. Charges of such failure to identify oneself may be heard by a University Disciplinary Committee when the failure to identify is associated with a disruptive act. In no case shall the sanction imposed for such failure exceed one quarter of suspension.

### *Section 7. Sanctions*

Sanctions imposed upon students in any University disciplinary proceedings shall be given the practical meaning assigned in the following list. No others shall be imposed in cases of disruptive conduct except that restitution may be required for theft or damage to property associated with a disruptive act. It is the responsibility of the Vice President and Dean of Students to inform students by appropriate means of the various sanctions. The notes that follow this list are an integral part of it.

Disciplinary probation means that the person charged has been found to have engaged in the prohibited act but that the sanction of suspension or expulsion has been withheld. For a period of time specified in the decision of the Disciplinary Committee, the student continues to enjoy all the rights and privileges appertaining to the status of a student except as the Disciplinary Committee may specifically provide, but in the event that during the period of probation he or she is charged with and found by a Disciplinary Committee to have engaged in another prohibited act, the Disciplinary Committee, in determining sanctions, is informed of his or her probationary status and is required to take it into account.

Suspension means that the person charged has been found to have engaged in the prohibited act and that for a period of time specified in the decision of the Disciplinary Committee (but never exceeding nine quarters) the student is denied the exercise of all the rights and privileges appertaining to the status of a student in the University. Unless the Disciplinary Committee specifically provides otherwise in its decision, at the expiration of the period of suspension the student may resume active status as a student without any action on his or her part other than would be required of any student who has, for a comparable period, interrupted his or her residence in the University for any other reason, except that a student under suspension charged with another offense may not resume active status as a student until final action has been taken on such charge by an appropriate Disciplinary Committee.

Expulsion means that the person charged has been found to have engaged in the prohibited act, that he or she ceases to have the rights and privileges appertaining to the status of a student in the University, and that he or she may not resume such status without re-application for admission. Normally such reallocations will not be entertained for a period of eleven quarters following the date of expulsion.

*Note 1.* Sanctions may be imposed on anyone who has been admitted to the University whether or not he or she happens to be in residence at the time of the offense. The sanction imposed in the case of students not currently in residence takes the form of a condition imposed upon resumption of active status as a student.

*Note 2.* Sanctions on this list are arranged in increasing order of severity. They may be combined in a given decision. The Review Board, in mitigating sentences, may be expected to make use of all the alternatives.

*Note 3.* Rights and privileges appertaining to the status of a student include (but are not limited to) registration, participation in classes and other instructional activities of the University, taking of examinations and the satisfaction of any other requirement for a degree, application for and receipt of any degree, participation as a student in student activities and organizations and in University ceremonies or official bodies, and use of University facilities such as libraries, dormitories, and other student housing. While employment by the University is not an exclusive right or privilege of students, in cases in which

employment is reserved for students or students are given preference in employment, the fact of suspension or expulsion may affect status as an employee. Further, the University as an employer is entitled to take into account in its employment policies the grounds on which sanctions have been imposed, as these may bear on qualifications for employment.

*Note 4.* Suspension and expulsion will be recorded on a transcript in such terms as will not distinguish explicitly or by inference between interruptions of registration and residence by disciplinary action and interruptions imposed for any other reason, such as academic performance.

### *Section 8. Review Board*

There shall be established a Review Board with authority to review decisions of University Disciplinary Committees as follows.

#### *Constitution of Review Board*

The Review Board consists of:

- a. the Vice President and Dean of Students in the University or his or her designated deputy,
- b. one of the academic deans selected by the Provost,
- c. a senior member of the faculty appointed as Chair by the President of the University,
- d. an undergraduate student selected at random from the panel of students nominated for membership on University Disciplinary Committees,
- e. a graduate student selected at random from the panel of students nominated for membership on the University Disciplinary Committees.

All members other than the Vice President and Dean of Students in the University are appointed for one-year terms at the beginning of the Winter Quarter of each academic year.

#### *Procedure for Clemency*

(1) A student on whom any sanction other than probation has been imposed by a Disciplinary Committee may petition the Review Board at any time (but no more often than once each academic year) for mitigation of the sanction imposed. The petition shall contain a brief history of the case and a statement of the reasons why the decision should be modified. The Review Board shall not in such a case pass upon the correctness of the proceedings in the adjudicatory tribunal but shall confine itself to considerations which properly bear upon the propriety of extending clemency. In making the determination regarding clemency the Board considers whether the sanction imposed bears unfairly on the petitioner in his or her individual circumstances, but also should take into account such factors as whether there is undue risk that on reinstatement the petitioner will engage in misconduct again and whether a lesser sanction will depreciate the seriousness of the petitioner's misconduct.

The Board may in its discretion permit the petitioner to make an oral presentation in addition to any written submission he or she cares to make. If three members of the Board agree on reinstatement or other mitigation of the sanction imposed, a copy of the Board's decision shall be sent to the Vice President and Dean of Students in the University for appropriate action.

#### *Procedure for Request of New Hearing*

(2) Within one academic quarter after a notice of a decision has been delivered to him or her, a person who has been suspended or expelled may petition the Review Board to request an appropriate Disciplinary Committee to hold a new hearing. The Review Board (by agreement of three of its members) will order a new hearing:

(a) where the petitioner establishes to its satisfaction that he or she was denied a fair and impartial hearing;

(b) where the petitioner establishes to its satisfaction that since the initial hearing he or she has discovered new and material evidence which if introduced at the hearing would probably have changed the decision.

### *Conclusiveness of Disposition*

(3) Except as provided in (1) and (2) above, the disposition of the original adjudicatory tribunal is final and conclusive on all parts of the University.

### *Section 9. Publication*

The Council's actions with respect to disciplinary procedures shall be published in such a way as to ensure their general availability to all students.

### *Section 10. Transitional provision*

Irrespective of the calendar prescribed [in Sections 4 and 8] for the appointment of the student panel, the faculty groups, and the Review Board, the first panel, groups, and Board will be appointed as soon as possible after enactment of these regulations and procedures and will take office upon appointment.

*\*On occasion it may be necessary for another administrator to fulfill the responsibilities for the Dean of Students in the disciplinary process.*

*\*\*On May 18, 1970, the Board of Trustees amended the Statutes of the University as follows:*

1. By adding the following provision as Statute 24 and by redesignating the present Statutes 24 (Degrees) and 25 as Statutes 25 and 26 respectively:

Statute 24. Disruptive Conduct-Conduct of members of the University disruptive of the operations of the University, including interference with instruction, research, administrative operations, freedom of association, and meetings as protected by University regulations, is prohibited and is subject to disciplinary action.

2. By adding the following provision to Section 3 of Article IV of Statute 14 as paragraph (e) of said Section 3 by redesignating the present paragraphs (e), (f), (g), and (h) of said Section 3 as paragraphs (f), (g), (h), and (i) respectively.

Section 3 of Article IV of Statute 14 (the Organization and Powers of the University Senate and the Ruling Bodies)-(e) Consistent with the powers reserved to the Board of Trustees, the Office of the President, and other ruling bodies, the Council of the University Senate shall formulate those rules that relate to student conduct prohibited by Statute 24. The Council of the University Senate shall formulate procedures that will enforce those regulations and shall provide for hearings where there are charges of violations of those regulations. The Council of the University Senate shall formulate procedures that will enforce those regulations. The Council of the University Senate shall also establish mechanisms for the formulation and administration of additional rules and regulations for student conduct prohibited by Statute 24.

- a. by taking, occupying or using, or destroying or damaging the property of the University or of any member of the University in the offices or premises of the University without authorization;
- b. by obstructing the administration of University disciplinary processes by force, violence, physical interference, unreasonable noise, or by other obstacle to its functioning;
- c. by obstructing any officer or employee of the University in the performance of his or her

- duties;
- d. by altering, destroying, removing, or concealing without authorization or by falsifying any record or document of the University.