

CODE OF CONDUCT

The University is a community of scholars that must strike a balance between the freedom to pursue intellectual endeavors and a respect for the rights of all community members to enjoy such freedom to the same extent.

IIT students assume an obligation to conduct themselves in a manner compatible with the University's function as an educational institution. Individuals are held responsible for their own actions. In addition, organizations are held responsible for the actions of their members. Representative officers of any organization are held responsible for group action to the degree for which they are judged to have control of such action.

The following actions constitute violations of the University's Code of Conduct. The judicial process may be initiated against individuals or organizations for violations occurring on University premises. IIT reserves the right to adjudicate violations of the Code of Conduct occurring off-campus and on the Internet.

1. Dishonesty, such as cheating, plagiarism or knowingly furnishing false information to the University. (For academic dishonesty, please refer to the Code of Academic Honesty).
2. Forgery, alteration or use of University documents, records or instruments of identification with intent to defraud.
3. Harassment and/or hazing in all forms or other treatment of a demeaning, abusive, threatening or alarming nature. Harassment includes, but is not limited to, striking, laying hands upon, intimidation, threatening with violence or offering to do bodily harm to another person, or invasion of privacy. Harassment may also be of a verbal nature and include suggestive comments, insults, humor and jokes about sex or gender-specific traits, and sexual propositions. Harassment also includes conduct that creates a hostile and intimidating environment that impairs an individual's ability to function normally in an educational or occupational environment. Hazing is usually defined as any action taken or situation created, intentionally, to produce mental or physical discomfort, embarrassment, harassment, or ridicule, and is often, but not always, associated with conditions of group membership.
4. Intentional obstruction or disruption of teaching, research, administration, disciplinary proceedings or other University activities and other authorized activities on IIT premises.
5. Physical abuse of any person, or conduct that threatens or endangers the health, safety, or mental well-being of any such person.
6. Sale, distribution, manufacture, use or possession of drugs that are not prescribed by a physician for personal use or are not available on the legal open market.

Possession, use, or distribution of marijuana, LSD, or other hallucinogens and/or narcotics by any person or paraphernalia such as hookah, bong, pipes, rolling papers, deseeding trays, roach clip, scales, or any item used to inhale/ingest illegal substances or any item used to disguise the use of drugs on University property or during any of its activities (to the extent that off-campus activities are University activities).

7. Possession or use of alcohol by and the dispensation or distribution of alcohol to any individual under the age of 21 years.
8. Possession or use of firearms, fireworks, explosives, weapons, or items deemed by IIT to be weapons of any description, for any purpose. This includes, but is not limited to, airsoft guns, BB guns, pellet guns, air rifles, crossbows and hunting knives. (Appropriate exception is made for those participating in ROTC programs and for any safety or other peace officer on duty authorized by the University.)
9. Theft of or damage to University property or premises or possession of such stolen property. Theft of or damage to property of a member of the IIT community or possession of such stolen property.
10. Failure to comply with directions of University officials or disorderly abusive conduct toward University officials acting in the performance of their duties.
11. Misuse of fire safety equipment, setting fires, failure to evacuate the building during a fire alarm or violation of any fire safety policy. Open fires are also prohibited.
12. Violation of published University regulations, including the computer use policy, the web policy, smoking policy and regulations relating to entry and use of IIT facilities (see, for example, Residence Life Handbook, IIT Bulletins, IIT Policies & Procedures Manual, and the like).
13. Violations of federal, state or municipal laws on or off campus in a way that adversely affects the functioning of the University.
14. Sexual Misconduct which is defined as sexual intercourse (anal, oral, or vaginal) or sexual touching (including disrobing or exposure), however slight, with any object, by a man or woman upon a man or a woman, without effective consent. Effective consent is informed, freely and actively given, mutually understandable words or actions which indicate a willingness to participate in mutually agreed upon sexual activity. Consent is not effective if it results from the use of force, threats, intimidation, or coercion. In addition, to have sex with someone who you know to be, or should know to be incapable of making a rational, reasonable decision about a sexual situation is a violation of this policy (e.g. an intoxicated person or someone with a mental or emotional impairment).

CONDUCT DISCIPLINE

The judicial process, which exists in order to maintain the safe and efficient operations of the University and to aid in advancing its academic mission, is based on the assumption that disciplinary procedures, when required, should be an educational process. Disciplinary sanctions are imposed to help students develop individual responsibility and encourage self-discipline, to foster a respect for the rights of others, and to protect the rights, freedoms and safety of all members of the University community. Hearings or appeals processes are not courts of law and are not governed by criminal or civil court procedures. The only process to which a student is entitled is the process provided for in this Handbook. However, because some violations of the Code of Conduct are also violations of the law, students may be accountable to both law enforcement agencies and the University for their actions. The University's judicial process will normally proceed notwithstanding any external civil or criminal proceeding.

Information for Crime Victims about Disciplinary Proceedings

Institutions must, upon written request, disclose to the alleged victim of any crime of violence, or a non-forcible sex offense, the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of the crime or offense, the information shall be provided, upon request, to the next of kin of the alleged victim.

Good Samaritan Provision

In an effort to encourage students to help one another by contacting the appropriate administrative department/authority in critical situations (Public Safety, Housing & Residential Services, Office of the Dean of Students, Counseling Center) or 911 Emergency Assistance, a student who seeks assistance for another student, who is experiencing a drug or alcohol emergency, will not be subject to disciplinary action by the Dean of Student's Office.

This policy is not meant to promote unlawful drug or alcohol use among students. Rather, it is intended to provide a "Good Samaritan" provision within the Code of Conduct to encourage responsible reporting to the appropriate authority when a student is in need of help. Accordingly, it is expected that any reporting will be done in good faith. The Dean of Students or his or her designee will investigate the circumstances involving the request for assistance and may also require a reporting student to participate in drug or alcohol abuse education or counseling as appropriate.

Reporting pursuant to this policy will be monitored and the Dean of Students retains the authority to pursue, in accordance with the Code of Conduct and applicable law, disciplinary action against and/or contact the parents of students who abuse it.

Complaints

Anyone – student, staff member, faculty member or non-IIT individual – may initiate a complaint against a current or formerly enrolled student for misconduct. (A complaint may also take the form of an IIT Department of Public Safety Incident Report

regarding student conduct.) Complaints must be in writing and may be filed with any of the following offices:

- Office of the Dean of Students;
- the Office of Housing & Residential Services;
- Public Safety; or
- the Greek Council.

All complaints will be processed through the Office of the Dean of Students. This Office will review the complaints and determine the appropriate course of action. Less serious offenses involving fraternity or sorority regulations will be heard by the Greek Council. Similarly, less serious offenses involving residence hall violations will be heard by appropriate Housing & Residential Services staff.

Disciplinary Proceedings Notification

Within the time periods set forth below, notification of an investigatory meeting and/or hearing will be provided by the Office of the Dean of Students and will include a summary of the violation(s) alleged and the time and place of the meeting or hearing. Once proper notification has been given, the University reserves the right to hold the hearing whether or not the student elects to participate. Email correspondence will be considered sufficient written notification in all instances where written notification is required.

In the conduct hearings described below, the student alleged to have violated the Code of Conduct has the right to be accompanied by an advisor, witnesses on his or her behalf and his or her parents. The advisor is limited to advising the student and may not participate in presenting the case, questioning witnesses or making statements during the hearing. A recording of the hearing will be made and will remain the sole property of the University. No other record of the hearing may be made.

Meetings and Hearings

Investigatory meeting: Prior to a hearing for violation(s) of the Code of Conduct, the Office of the Dean of Students may, at its discretion, hold an investigatory meeting. This meeting between the student and the Dean of Students or his/her designee is to discuss the matters in the complaint. The student will be notified in writing at least three days before the scheduled meeting. If the matter proceeds to a hearing, the student will choose between a hearing before the Campus Judicial Board or a hearing before the Dean of Students or his or her designee. (As appropriate, the Office of the Dean of Students may, in its discretion, require the matter to be heard by the Campus Judicial Board.)

Prior to the student choosing a course of action, the Dean of Students or his or her designee must inform the student if the alleged misconduct could result in a sanction of suspension or expulsion. This information may be communicated in the above-described notification. If such sanctions could result and the student wants the matter

to be heard by the Dean of Students or his or designee, the student must sign a statement waiving his or her right to a hearing before the Campus Judicial Board.

Hearings: If the student fails to attend the investigatory meeting or a meeting is not held, the matter will proceed to a hearing before the Campus Judicial Board. The student will be notified in writing by the Office of the Dean of Students at least five days before any hearing.

A student, who is the subject of a complaint heard by the Campus Judicial Board or Dean of Students, will be advised of the decision of the Board or Dean of Students and the sanction to be imposed. For additional information on the hearing process, contact the Office of the Dean of Students (312.567.3080).

Campus Judicial Board

The Campus Judicial Board shall be advised by a designee of the Dean of Students and shall include two faculty members, at least one of whom is not in the student's major department, three students, and two IIT staff members, all appointed by the Dean of Students. The Board shall elect a Chair from among the faculty or staff representatives.

A Campus Judicial Board hearing may proceed as long as at least one faculty member, two students and one staff member, as described above, are present.

At the hearing, the student shall have the right to make an oral statement both at the start and the conclusion of the hearing and to submit written evidence to the Campus Judicial Board. Further, as a general rule, a student shall have the right (i) to present and to question any witnesses of his or her choosing that have information relevant to the charges against him or her, provided that the chair may, in his or her sole discretion, disallow witnesses whose testimony would be redundant or not germane to the charges; and (ii) to cross-examine any witness that is called to testify in support of the charges, provided that the chair may, in his discretion, limit such cross-examination to the extent it is not germane to the charges, is redundant or becomes abusive or harassing. Members of the Campus Judicial Board may, as each deems appropriate, ask questions of any witness called or regarding any evidence submitted. To the extent deemed necessary to maintain decorum or to protect students from harassment or to ensure the integrity of the process, the chair may require a student to direct questions to the chair who will then ask them of a witness or witnesses.

Student Withdrawal from School

A student who withdraws from school while disciplinary action is pending, or who is involved in misconduct after withdrawal that would subject him or her to disciplinary action, may be required to appear before the Dean of Students and/or the Campus Judicial Board before permission to resume studies is granted.

The Dean of Students, and/or the Campus Judicial Board retain the right to investigate and adjudicate allegations of misconduct and may hold a hearing after a student's withdrawal, regardless of whether the withdrawing student elects to participate.

Conduct Sanctions

Sanctions that may be applied by the Greek Council are described in its Constitution. Sanctions that may be applied by Housing & Residential Services are described in the Residence Hall Handbook. The Dean of Students or the Campus Judicial Board, may impose any of the following sanctions for violations of the Code of Conduct, provided that the Dean of Students may only impose suspension or exclusion if the student has received the notice required above and waived his or her right to a hearing before the Campus Judicial Board:

Disciplinary Warning

An official written notification that a student's behavior is in violation of University regulations or standards, which also clarifies expected behavior in the future. This sanction may or may not carry with it conditions or restrictions of privileges.

Restitution

A student is required to make monetary restitution for theft of or damage to IIT property or to that of a member of the IIT community, or for expenses incurred as a result of the student's actions.

Fines

IIT reserves the right to assess a fine for misconduct.

Suspension of network access

A student's access to the University's computer network or the web may be denied for violations of the computer use policy (see page 35).

Educational sanctions

A student is required to perform one or more educational sanction(s) appropriate to the offense. These may include a formal apology (in writing and/or in person), a public presentation or research paper on a designated topic, assigned campus and/or community service, participation in a workshop for alcohol or drug-related misconduct or completion of an on-line tutorial.

Conduct probation

This is a form of probation that is placed on a student for misconduct within the University community. The intent of Conduct Probation is for a student to self-correct his or her behavior and learn to become a productive member of the University community. Certain restrictions and/or educational sanctions may also apply to this form of probation. Conduct Probation also is designated to remain in effect for a specified duration (e.g., one semester or one academic year).

Disciplinary probation

This is the most serious form of probation issued by the University. A student placed on Disciplinary Probation is required to correct his or her behavior immediately in order to

remain a member of the University community. This form of probation may also include additional restrictions and/or educational sanctions and is designated to remain in effect for a specified time (e.g., one semester, one academic year). Failure to comply with disciplinary probation sanctions could result in recommendation for Suspension or Expulsion from the University (see Suspension and Expulsion).

Relocation/Suspension/Ban from Campus Housing

A student is required to relocate, for disciplinary reasons, to another residence hall or other campus housing. A student may also be prohibited from entering the residence hall/campus housing from which he or she was relocated. Further, a student may be denied, for disciplinary reasons, housing in the residence halls, in campus apartments or in fraternities or sororities.

Suspension

Suspension is a status assigned for various periods of time in which a student's enrollment is interrupted. A suspended student may not attend day or evening classes, participate in student activities or live in campus housing. A suspended student may apply for reinstatement at the end of the period of suspension (see page 43). If reinstated, the student may be placed on disciplinary probation for a period of time. Pending a hearing, the Dean of Students may issue a temporary suspension in an emergency.

Expulsion

Expulsion is the complete severance of association with the University.

Conditions/Restrictions

Any sanction may carry additional conditions, such as referral for counseling of specified type and duration as appropriate; denial of use of University facilities; denial of parking privileges; being barred from such activities as representing the University on any athletic team or participating or holding office in any student organization or committee; or being barred from receiving employment or scholarship aid from university funds.

In any matter where the Dean of Students or the Campus Judicial Board seeks to impose a sanction of suspension or expulsion, the imposition of the sanction shall automatically be stayed and the matter referred to the Provost for review. With respect to the proposed sanction, the Provost may make any of the determinations set forth under the Appeals Procedures, Determinations heading immediately following. Once the Provost's review has been completed, the Dean of Students' or the Campus Judicial Board's proposed sanction, as it may have been modified by the Provost, shall become effective. Notwithstanding any other provision of this Student Handbook, no matter so referred to the Provost shall be subject to any further appeals on the basis that the sanction imposed was inappropriate to the offense.

Appeal Procedures

An appeal of a sanction for violation of the Code of Conduct must be submitted in writing to the Office of the Dean of Students within five business days of notification of the

decision. Supporting information must be submitted with the appeal. An appeal or submission made after this deadline will not be considered.

Levels of Appeal

Decisions rendered by the Greek Council or Housing & Residential Services Staff may be appealed to the Office of the Dean of Students, and the decision of the Dean of Students' with respect to such matters shall be final. Disciplinary sanctions imposed on students for misconduct by the Dean of Students or his or her designee or by the Campus Judicial Board may be appealed to the Provost, whose decision shall be final.

Basis for Appeal

An appeal to the Provost may be made only for one of the following reasons:

- appropriate procedures were not followed;
- the sanction imposed was inappropriate for the offense; or
- new evidence that was not available at the time of the original decision, due to no fault of the student, has become available.

Determinations

The Provost may make one of the following determinations:

- uphold the decision and the sanction;
- reverse the decision and the sanction; or
- uphold the decision and modify the sanction or return the case to the Campus Judicial Board or the Dean of Students to reconsider the sanction.