

## **Knox College Student Code of Conduct**

### **About Our Process**

Knox College strives to maintain a community that values academic excellence, social responsibility, and social justice. A community exists on the basis of shared values and principles. At Knox College, student members of the community are expected to uphold and abide by certain standards that form the basis of the Student Code of Conduct. These standards are embodied within a set of core values that include integrity, respect, and commitment to community. Each member of the community bears responsibility for their conduct. When members of the community fail to exemplify these values by engaging in violations of the standards below, college conduct proceedings are used to assert and uphold the Student Code of Conduct. The student conduct process at Knox College is not intended to punish students; rather, it is intended to be educational in nature and exists to protect the interests of the community and to challenge those whose behavior is not in accordance with our standards. Sanctions are intended to be part of the educational process by challenging students' ethical decision-making and to help them bring their behavior into accord with our community expectations.

### **Jurisdiction**

Because the Student Code of Conduct is based on shared values, it sets a range of expectations for Knox College students no matter where or when the conduct may take place. Therefore, the Student Code of Conduct applies to behaviors that take place on campus, at college-sponsored events or programs, and may also apply off campus when the behavior has an impact on the educational mission and interests of the college. The Student Code of Conduct also applies to conduct that takes place at any time from the date that a student arrives for orientation/pre-orientation programs or is registered for classes (whichever comes first) through graduation, including summers and other break periods. Further, the Student Code of Conduct applies to students when they host guests who violate College policy. In these cases, the student may be held accountable for the misconduct of their guest(s).

### **Violations of Law**

Violations of federal, state, and local laws are incorporated as offenses under the Student Code of Conduct, but the College is not bound by external legal standards or burdens of proof; instead, the College reserves the right to determine for itself, using its own standards, whether a student has violated the Student Code of Conduct. Such violations of law occurring either on or off campus may result in the initiation of conduct proceedings, especially if the behavior has an impact on the educational mission or interests of the college. Knox College may initiate conduct proceedings against a student charged with violating federal, state, or local laws without regard to the existence or possibility of civil or criminal proceedings (and without regard to the outcome of any such proceedings). It is the policy of Knox College to pursue timely resolution through its conduct proceedings, rather than to delay campus proceedings until the resolution of criminal and/or civil proceedings.

## **Student Conduct Policies**

**Abuse of the College Conduct Process:** Abuse of, interference with, or failure to comply with college conduct processes including, but not limited to:

- a) Falsification, distortion, or misrepresentation of information;
- b) Failure to provide, destroying or concealing information during an investigation of an alleged policy violation;
- c) Attempting to discourage an individual's proper participation in, or use of, the college conduct process;
- d) Retaliation or attempted retaliation against any person who makes a complaint or participates in the college conduct process
- e) Harassment (verbal or physical) and/or intimidation of a member of the college whose role is to administer the conduct process prior to, during, and/or following a campus conduct proceeding;
- f) Failure to comply with the sanction(s) imposed by the college conduct process;
- g) Influencing, or attempting to influence, another person to commit an abuse of the college conduct process.

**Academic Integrity:** Students are required to adhere to the [Honor Code](#). Allegations of academic dishonesty are addressed by the [Honor Board](#), whose procedures can be found [here](#).

**Alcohol:** Possession, consumption or manufacturing of alcohol by any individual under 21 years of age is prohibited. Providing alcohol to any individual under 21 years of age or to a visibly intoxicated individual is also prohibited. Students age 21 or older are permitted to possess or consume alcohol under the following circumstances only:

- At registered student organization events that are approved to have alcohol, in accordance with the [Knox College Policy for Student Organization Events with Alcohol](#);
- In the privacy of an individual's assigned room in a residence hall, apartment, house or fraternity house by students age 21 or older, with the following limitations:
  - o Service of alcohol from common source containers (such as kegs or punch bowls) is prohibited.
  - o Drinking games, providing alcohol in large quantities, or any activity which encourages or contributes to alcohol abuse are prohibited.

Students age 21 or older may not consume alcohol in any common indoor or outdoor space. If alcohol is consumed on campus or at a college event, it is expected that such consumption is in compliance with college policies and regulations, is not abusive, does not violate the rights of roommates or others, and does not lead to conduct that is disorderly, disruptive, or destructive. Unregistered events with or without alcohol are also prohibited.

## **Animals on Campus**

### *Purpose of this Policy*

This policy defines acceptable parameters for animals on campus in order to protect the safety, health, and well-being of students, faculty, staff, and visitors.

### *Scope*

This policy applies to all students, faculty, staff, and visitors of Knox College.

Restrictions outlined in this policy do not apply to service animals, defined by the Americans with Disabilities Act as an animal “that is individually trained to do work or perform tasks for the benefit of an individual with a disability.” Service animals are permitted to be anywhere on campus that the animal’s owner is permitted to be, including indoor spaces.

Knox College welcomes emotional support animals as a reasonable accommodation for students who live in college housing. Emotional support animals living in college housing must be registered with Disability Support Services, have a College ID, and are not permitted in indoor areas outside of the student’s assigned residential space. Emotional support animals owned by an individual employed by the college may be permitted in work areas with the approval of Human Resources.

An animal that is not trained as a service animal or registered as an emotional support animal is considered a pet.

### *Pet Guidelines*

Pets are welcome to enjoy outdoor spaces on campus, including designated areas of outdoor athletic venues.

Pets are also permitted in the private offices of their owners. If an office is shared, all occupants of the office must agree that the pet may be present. Except for direct travel to/from their owner’s office, pets are not permitted in building common areas including, but not limited to, classrooms, conference rooms, libraries, lounges, dining areas, and public spaces of administrative buildings.

Pets are not permitted inside campus housing with the exception of:

- a. Animals that live in a water-filled aquarium (maximum 10 gallons) or small cage (no larger than 16” x 12” x 12”); or
- b. Animals approved to live in pet-friendly housing in accordance with the Pet Friendly Residence Hall Agreement. Approved pets must have a College ID and are not permitted in indoor areas other than the student’s assigned residential space.

### *Owners’ Responsibilities*

All animal owners are expected to adhere to the following provisions regarding the behavior and care of animals on campus, and may be required to remove an animal from campus if the provisions are not followed:

- Dangerous, poisonous, or illegal animals are not permitted. Injuries resulting from an encounter with an animal on campus should be reported to Campus Safety immediately. Campus Safety, Human Resources, or other college officials may require that an animal be removed from campus for violation of this policy or for behavioral, safety, or health reasons. Owners are solely responsible for any injuries or damages caused by their animal.
- The behavior, noise, odor, and waste of the animal must not exceed reasonable standards and these factors must not create an unreasonable disruption for community members.
- Animals must be leashed or otherwise appropriately secured, under control, and in the presence of their owners or designated caretaker at all times.
- Owners are responsible for cleaning up after their animal.
- Owners are responsible for reporting any damage to property caused by their animal, and may be responsible for paying to correct that damage.
- Owners should always consider safety, health, and the possible fear others may experience in the presence of animals.

**Bullying and Cyberbullying:** Any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student or students that has or can be reasonably predicted to have the effect of one or more of the following: 1) placing the student or students in reasonable fear of harm to the student's or students' person or property; 2) causing a substantially detrimental effect on the student's or students' physical or mental health; 3) substantially interfering with the student's or students' academic performance, or 4) substantially interfering with the student's or students' ability to participate in or benefit from the services, activities, or privileges provided by a school. Repeated and/or severe aggressive behaviors that reasonably intimidate or intentionally harm or control another person physically or emotionally, and are not protected by freedom of expression.

**Collusion:** Assisting in the violation of a policy. Students are expected to confront their peers and/or remove themselves from the situation when they are aware that a policy is being violated. Students are also encouraged to report the information to a conduct authority (such as a staff member in the Division of Student Development or Campus Safety) for action, either directly or through the [Anonymous Report Form](#).

**Computer/Information Technology Policies:** A violation of the [Policy on Acceptable Use of Technology](#) may be subject to disciplinary action. See the Information Technology section of this handbook.

**Departmental Policies:** Committing violations of rules and regulations duly established and disseminated by other college departments and offices is prohibited.

**Discrimination, Harassment, and Bias:** Knox College does not tolerate discrimination or harassment that is based upon an individual's actual or perceived status (sex, gender, race, color, age, creed, national or ethnic origin, physical or mental disability, veteran status, pregnancy status, religion, or sexual orientation, or other protected status). Allegations of discrimination, harassment, and bias are addressed by the [Investigation and Resolution Procedures for Allegations of Discrimination and Harassment other than Sex-Based Discrimination and Harassment. Including Bias Incidents.](#)

**Disruptive Behavior:** Disruption of college operations including, but not limited to, obstruction of classes, college offices, residence hall/housing neighbors, or other campus and community activities which occur on campus or at off-campus college-sponsored events. This includes obstructing freedom of movement of community members or campus visitors.

**Drones (Unmanned Aircraft Systems):** Unmanned aircraft systems (“UAS”), commonly referred to as “drones,” offer opportunities to advance the College and its teaching, research and service mission. This policy is intended to support the College’s mission while also addressing issues of safety, privacy, and compliance with applicable laws and Federal Aviation Administration regulations.

Any College employee, student, vendor, visitor or other third party who seeks to operate a UAS on or above College property (interior or exterior) or at a College-sponsored event (both indoors and outdoors) must obtain advance approval from the College’s Department of Campus Safety. Any operation that is not approved in advance is prohibited. For the purpose of this policy, a UAS means an unmanned aircraft and all of the associated support equipment necessary to operate the unmanned aircraft.

A request for approval should be submitted to the Department of Campus Safety at least ten (10) business days prior to the planned operation. The request must be complete, accurate and include the name and contact information of the requesting party and the operator; the date, time and location of the requested operation; the purpose of the operation; the equipment to be used; a description of any data to be collected and how that data will be used; and verification that the requesting party operates in compliance with applicable state and federal laws and regulations. The Department of Campus Safety may request additional information in connection with its evaluation of the request.

The Department of Campus Safety will consult with other departments as appropriate to evaluate the request. The Department of Campus Safety may approve or deny the request or approve the request with modifications, and will notify the requesting party in writing of its decision.

Any approved operation of a UAS must be conducted in a manner that is safe, respects the privacy rights of others, and is consistent with applicable laws, Federal Aviation Administration regulations, and the terms of the College’s approval. The Department of Campus Safety may rescind a previously-granted approval and require the immediate cessation of any operation that

does not meet these requirements.

A violation of this policy may result in corrective action in accordance with the policies and procedures applicable to the individual(s) involved.

**Drugs:** The use, possession, distribution, manufacture, or dispensing of drugs as identified in Federal or State law or regulation is prohibited, as is the possession of drug paraphernalia including, but not limited to, pipes, grinders and bongs. This policy also prohibits the use of marijuana and cannabis on campus or at college-sponsored activities, even if the intended use is for medicinal purposes. Synthetic drugs that contain ingredients or mimic the effects of illegal drugs are also prohibited. In addition, prescription medications and over-the-counter medications must be utilized according to prescribed instructions and the use, possession, distribution, manufacture, or dispensing of prescription drugs without a prescription is prohibited. Items in violation of this policy will be confiscated and disposed of by college staff and will not be returned.

**Failure to Comply:** Failure to comply with the reasonable directives of college officials (including student employees) or law enforcement officers during the performance of their duties and/or failure to identify oneself to these persons when requested to do so. This includes no contact directives issued by the college. This also applies to policies related to health and wellness.

**Fire Safety:** It is the responsibility of each student to review and follow fire evacuation procedures, participate in fire drills, and take proactive measures to minimize risk of fire. Any action or inaction that contributes to increased risk of fire is a violation of the Fire Safety policy. Examples of violations of this policy include, but are not limited to:

- a) Failure to evacuate when a fire alarm is activated;
- b) Improper use of or tampering with fire safety equipment including alarms, smoke detectors, sprinklers, pull stations, and fire extinguishers;
- c) Starting or causing a fire anywhere on campus;
- d) Using a fire pit or other open flame;
- e) Possessing candles, incense, drug paraphernalia, and prohibited electrical appliances (items in violation of this policy will be confiscated and disposed of by college staff and will not be returned);
- f) Tampering with fire safety equipment which includes but is not limited to covering smoke detectors and disabling smoke detectors.

**Harm to Persons:** Intentionally or recklessly causing physical harm or endangering the health or safety of any person, including oneself, or other conduct that renders a student unable or unwilling to effectively function in the residential or college community without harming themselves, others, or disrupting the college community.

**Hazing:** The college prohibits hazing, which is defined as any act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property,

or which produces ridicule, embarrassment, harassment, intimidation or other similar result, for the purpose of initiation, admission into, affiliation with, or as a condition of continued membership in, a group or organization. Examples include paddling, creating excessive fatigue, physical and psychological shock, public stunts, and morally degrading or humiliating games and activities. The express or implied consent of the victim will not be a defense of this violation, and apathy or acquiescence in the presence of hazing is also seen as a violation of this policy.

**Honesty:** Students are expected to communicate honestly and demonstrate a respect for truth. It is prohibited to knowingly furnish false, falsified, or forged information. This includes making false statements as well as falsifying or misusing documents, accounts, records, identification, or financial instruments. Unauthorized use, possession, or duplication of means of access (such as keys or ID cards) to college facilities is also prohibited.

**Non-academic plagiarism:** Students are expected to maintain the same degree of honesty in their non-academic work as is expected for their academic work. Non-academic plagiarism is addressed via the conduct process.

**Parking:** Excessive or flagrant violation of the parking policies may be referred to the student conduct process for adjudication in addition to normal fines.

**Residence Hall Community Living Standards:** Students are expected to comply with all housing-related policies as outlined in the [Residence Hall Community Living Standards](#).

**Title IX Sexual Harassment and Sexual Misconduct:** Knox College does not tolerate acts of Title IX sexual harassment or sexual misconduct. Allegations of [Title IX Sexual Harassment](#) are addressed using the [Title IX Sexual Harassment Investigation and Resolution Procedures](#). Allegations of sexual misconduct are addressed using the [Sexual Misconduct Investigation and Resolution Procedures](#).

#### *Notice of Non-Discrimination*

In keeping with its commitment to equal rights since our founding in 1837, Knox College does not discriminate on the basis of sex, pregnancy, gender identity or expression, race, color, creed, national or ethnic origin, religion or religious affiliation, sexual orientation or preference, age, marital or family status, disability, veteran status, or other status protected by applicable federal, state, or local law in admission, financial aid, employment, athletics, or any other aspect of its educational programs or activities. In addition, Knox College is prohibited by Title IX of the Education Amendments of 1972 and its accompanying regulations from so discriminating on the basis of sex.

Any inquiries regarding Title IX or the College's policies that prohibit discrimination should be directed to the Title IX Coordinator identified below. The Coordinator will be available to meet with or talk to students, staff, and faculty regarding issues relating to Title IX and this policy.

*Title IX Coordinator*

Kimberly K. Schrader

Old Jail 12 | Campus Box K-209

309-341-7751 office | 309-337-6536 cell

[kschrade@knox.edu](mailto:kschrade@knox.edu)

Individuals may also contact the U.S. Department of Education's Office of Civil Rights (Chicago Office) for additional information.

**Smoking:** College policy and Illinois State law prohibits smoking in all facilities and buildings including student housing. Anyone who wishes to smoke must do so outside, at least fifteen feet from entrances, exits, windows that open, and ventilation intakes. Smoking includes all tobacco-derived or tobacco-like containing products including but not limited to cigarettes, electronic cigarettes (e-cigarettes), juul, cigars (e-cigars) and cigarillos, hookah smoked products, pipes and oral tobacco. This also includes any product or device intended to mimic or simulate tobacco products, contain tobacco flavoring or deliver nicotine other than that for the purpose of cessation. Violation of this policy may result in disciplinary action.

**Theft:** The unauthorized acquisition or possession of items or services that belong to another person or entity.

**Threats:** Conduct that causes a reasonable expectation of injury to the health or safety of any person, including oneself.

**Unauthorized Use of Facilities:** Unauthorized entry into any college facility, or unauthorized use or abuse of any college building, facility or premise. Students are not permitted on the roofs of any college buildings with the exception of the observatory on the roof of the Umbeck Science and Math Center.

**Vandalism:** Intentional, reckless and/or unauthorized damage to or destruction of college property or the personal property of another.

**Weapons and Explosives:** The possession or use of any weapon is prohibited on the Knox College campus because of the potential for personal injury, theft, unauthorized use of such items, and disruptive impact on the campus community. A "weapon" includes, but is not limited to firearms, ammunition, pellet guns, air guns, paintball guns, stun guns/tasers, smoke devices, bows/arrows, swords, knives with blades 3 1/2 inches or longer (with the exception of culinary knives used solely in kitchens and dining rooms in the preparation and eating of meals), explosives, and fireworks.<sup>1</sup>

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<sup>1</sup> Exceptions may be made for approved activities of registered student organizations in accordance with policies set forth by Campus Life.



In addition, verbal or written threats by a student indicating they have a prohibited weapon or explosive will be taken and responded to as an actual threat, whether or not evidence of said weapon or explosive exists.

## **Overview of the Conduct Process<sup>2</sup>**

### **I. Initial Report**

Any member of the campus community may file a report of alleged misconduct with the Division of Student Development or Campus Safety. All allegations should be submitted at the earliest opportunity after an incident occurs.

A staff member within the Division of Student Development will conduct a preliminary inquiry into the nature of the incident and the information available. The preliminary inquiry may lead to:

- A. A decision not to pursue the allegation based on insufficient information that a policy may have been or was violated.
- B. A decision to proceed with an Administrative Hearing as outlined in Section III below.

### **II. Amnesty**

Student health and safety are the primary concern of Knox College. As such, the college encourages individuals to seek medical assistance for themselves or others when needed. No student seeking medical assistance will be subject to conduct action for policy violations, including but not limited to, using or possessing alcohol or drugs. This amnesty extends to other students assisting the student in need. In addition, the college recognizes that an individual who has been drinking, using drugs or engaging in other policy violations at the time of an incident of sexual misconduct may be hesitant to make a report because of potential conduct consequences. Therefore, an individual who reports such an incident will not be subject to conduct action by the College for prohibited activities, provided that any such violations did not/do not endanger the health or well-being of any other individual.

The student (and possibly those assisting the student) may be required to meet with a staff member in the Division of Student Development who may issue educational assignments such as alcohol or substance abuse education and/or an alcohol or substance abuse assessment. Failure to complete educational assignments may result in conduct action.

The Amnesty Policy does not preclude conduct action due to violations of the Student Code of Conduct including, but not limited to, harm to persons, sexual misconduct, or vandalism.

### **III. Administrative Hearing**

Students charged with violating the Student Code of Conduct will be referred for an informal

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<sup>2</sup> This process applies to all alleged violations of policies outlined in the Student Code of Conduct except for the following: *Academic Integrity, Discrimination, Harassment and Bias*, and *Title IX Sexual Harassment and Sexual Misconduct*. The processes for addressing alleged violations of these policies can be found by clicking on the links embedded in the respective policies above.

Administrative Hearing with a staff member in the Division of Student Development. The college will provide the student with written notice of the allegations at least three business days prior to the Administrative Hearing. The letter may also indicate the time and location of the Administrative Hearing. It is the student's responsibility to thoroughly read the contents of both their official college email and mailbox on a regular basis.

#### **IV. Accommodations for Students with Disabilities**

If a student with a disability would benefit from a reasonable accommodation at any point during the conduct process, they are encouraged to request an accommodation by contacting the [Office of Disability Support Services](#). The Office of Disability Support Services will work with the student to determine an appropriate accommodation and communicate that accommodation to the hearing officer.

#### **V. Hearing Procedures**

Administrative Hearings will be conducted according to the following guidelines:

- A. The student will have the opportunity to review the information that led to the allegation and to present information and witnesses on their behalf.
- B. Hearings will be conducted in accordance with the terms of the Family Educational Rights and Privacy Act (FERPA). In cases involving more than one student respondent, each hearing will be conducted separately unless otherwise agreed upon by all involved parties. Admission of any individual into a hearing, including witnesses, is at the discretion of the hearing officer. (The hearing officer is the staff member assigned to the case by the Dean of Students or their designee.)
- C. Students may have an advisor present at the hearing. Advisors may provide support to the student, but may not participate directly in the hearing. At the request of the student, the hearing officer can assist in identifying a College employee who is able to serve as an advisor.
- D. The standard of proof used in an Administrative Hearing is a preponderance of the evidence, meaning it is more likely than not that the student violated the Student Code of Conduct.
- E. If the student fails to attend the hearing, the hearing officer will make a determination regarding whether or not a violation of the Student Code of Conduct has occurred based on the information available and, if the hearing officer deems appropriate, assign a sanction in the student's absence.
- F. The hearing officer will communicate the finding and any applicable sanctions to the student in writing following the conclusion of its deliberations.
- G. The hearing officer will make every effort to have alleged student misconduct matters considered as expeditiously as possible. If the student withdraws from the college before the matter is resolved, reentry may not occur until the matter is resolved. The college also reserves the right to proceed with the conduct process after the student has withdrawn.

## VI. Student Groups

A student group or organization and its officers and membership may be held collectively and individually responsible when violations of this code by the organization or its member(s):

- A. Take place at organization-sponsored or co-sponsored events (on or off campus), whether sponsorship is formal or tacit;
- B. Have received the consent or encouragement of the organization or of the organization's officers or leaders; and/or
- C. Were known or should have been known to the membership or its officers.

Hearings for student groups or organizations follow the same procedures as outlined in Sections III and V, above.

## VII. Sanctions

One or more of the following sanctions may be imposed upon any student for any violation of the Student Code of Conduct:

- A. **Warning:** An official written notice that the student has violated the Student Code of Conduct and that more severe conduct action will result should the student be involved in other violations.
- B. **Restitution/Fines:** Compensation for behavior or damage caused to the college or any person's property.
- C. **Confiscation of Prohibited Property:** Items in violation of college policy will become property of the college. Items in violation of college policy will be disposed of by college staff and will not be returned.
- D. **Loss of Privileges:** The student will be denied specific privileges for a designated period of time. This includes the implementation of no-contact orders.
- E. **Required Activities:** Such sanctions include, but are not limited to, seeking counseling or substance abuse screening, writing a letter of apology, etc.
- F. **Educational Projects:** Such sanctions include, but are not limited to, writing assignments, service to the college community, or other educational requirements directly related to the violation. The project(s) will be clearly defined.
- G. **Housing Reassignment:** Reassignment to another college housing facility.
- H. **Residence Hall Separation:** Removal from College housing for a defined period of time. Conditions for return to housing may be specified. Students separated from College housing are not permitted to visit any residential facilities during the defined period of time.

- I. **Conduct Probation:** The student is put on official notice that, should further violations of the Student Code of Conduct occur within the defined probationary period, the student may face suspension or expulsion. Additionally, students on conduct probation are deemed “not in good standing” with the college and may, at the discretion of the hearing officer:
  - a. Forfeit the privilege of representing the college externally including, but not limited to, participating in study abroad programs, attending conferences, or representing the college at official functions; and
  - b. Forfeit the privilege of holding a student leadership position or officer position within a student organization.
  
- J. **Suspension:** Separation from the college for a specified minimum period of time, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension. The student is required to vacate the campus within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Dean of Students. During the suspension period, the student is banned from college property, functions, events, and activities without prior written approval from the Dean of Students or their designee. The sanction may be enforced with a trespass action if necessary.
  
- K. **Expulsion:** Permanent separation from the college. The student is banned from college property and the student’s presence at any college-sponsored activity or event is prohibited. This action may be enforced by a trespass action if necessary.
  
- L. **Other Sanctions:** Additional or alternate sanctions may be created as deemed appropriate to the violation with the approval of the Dean of Students or designee.

The following sanctions may be imposed upon groups or organizations found in violation of the Student Code of Conduct:

1. One or more of the sanctions listed above; and/or
2. Deactivation, de-recognition, loss of privileges (up to and including status as a college registered group/organization) for a specified period of time.

### **VIII. Interim Action**

The Dean of Students or designee may impose restrictions and/or separate a student from the community pending the scheduling and outcome of an Administrative Hearing when a student represents threat of serious harm to self or others; whose behavior renders them unable or unwilling to effectively function in the residential or College community without harming themselves, others, or disrupting the College community; or is facing allegations of serious criminal activity. Such interim actions may also be taken to preserve the integrity of an investigation; to preserve college property; to prevent disruption of, or interference with, the normal operations of the college; or when other circumstances lead the college to determine that such actions are appropriate in light of a significant effect or impact on a student’s safety, health, or well-being or where the physical safety of any student is seriously threatened. Interim

actions can include separation from the institution or restrictions to participate in the community pending the scheduling and outcome of the Administrative Hearing

During an interim suspension, a student may be denied access to college housing and/or the college campus, events, and facilities. As determined appropriate by the Dean of Students, this restriction may include classes and/or all other college privileges for which the student may otherwise be eligible. At the discretion of the Dean of Students and with the approval of, and in collaboration with, the Dean of the College or designee, alternative coursework options may be pursued to ensure as minimal an impact as possible on the student’s academic progress.

- A. Notice of Interim Action:** The Dean of Students will notify the student of interim action in writing. This notice will include the basis for the interim action, the process for appeal of the interim action, and the appropriate contact for questions about the terms of the interim action and process for acquiring permission to enter College property as necessary.
- B. Appeals:** A student may appeal interim action by submitting a written request to the Vice President for Student Development within 48 hours of receipt of notice of the action. The interim action remains in effect pending the resolution of the appeal. Appeals must be based on at least one of the following:
  - The reliability and credibility of the information upon which the interim action is based, including the student’s conduct and the student’s identity; or
  - Whether or not the alleged conduct and surrounding circumstances reasonably indicate that the continued presence of the student on college premises poses a substantial and immediate threat to them and/or to others, and/or to the stability and continuance of normal college functions.

### IX. Sanctioning Guidelines

The table below provides general sanctioning recommendations by level of violation. This table is meant to serve as a guideline only and is not intended and shall not be construed as limiting the college’s discretion and right to impose any particular sanction or sanctions as it deems appropriate based upon the facts and circumstances present in a particular matter. There will be times that a violation may fall under a different level than the one listed below. Similarly, there may be times that an alternative sanction is most appropriate. Each sanctioning determination will be made based on the individualized facts and circumstances involved in a particular matter. Violations of Health and Wellness policies may be sanctioned using the COVID-19 Health and Wellness Policies Accountability Rubric.

#### Level 1

Violation	General Range of Sanctions that May be Imposed
Abuse of the Conduct System Alcohol Animals Collusion	Warning, Educational Projects (e.g., 3-5 page paper; 10-15 service hours)

Computer Policy Community Living Standards Disruptive Behavior Drones Drugs (Personal Use Marijuana) Possession of Drug Paraphernalia Failure to Comply Parking Smoking Unauthorized Use of Facilities	
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Level 2

Violation	General Range of Sanctions that May be Imposed
Repeat Level 1 Violation Drugs (Personal Use Other Drugs) Fire Safety Honesty Non-academic Plagiarism Minor Theft Minor Vandalism	Restitution/Fines, Educational Projects (e.g., 5-7 page paper; 20-25 service hours), Loss of Privileges, Conduct Probation

Level 3

Violation	General Range of Sanctions that May be Imposed
Repeat Level 2 Violation Bullying and Cyberbullying Drugs (Selling/Distributing) Harm to Persons Hazing Major Theft Major Vandalism Threats Weapons and Explosives	Suspension, Expulsion, Revocation of degree

**X. Parental Notification**

The college may notify parents or guardians when students under the age of 21 (at the time of the parental notification) are found to have committed serious or repeated violations of policies related to the possession, use or distribution of alcohol or controlled substances/drugs, as permitted by FERPA and any other applicable law. Consideration in these situations will be given to the following conditions: the violation involved harm or threat of harm to self, others or property; the violation involved an arrest in which the student was taken into custody; the violation resulted in or could result in the student being suspended or expelled from the college;

the student has shown a pattern of violations; the student who committed the violation became physically ill and/or required medical intervention as a result of consumption of alcohol and/or drugs.

### **XI. Notification of Outcomes**

The outcome of a conduct proceeding is part of the education record of the responding student and is protected from release except as permitted under the Federal Education Rights and Privacy Act (FERPA). As allowed by FERPA, when a student is accused of a policy violation that would constitute a “crime of violence” or a “non-forcible sex offense,” the college will, upon written request,<sup>3</sup> inform the alleged victim in writing of the final results of the process. Such release of information may only include the responding student’s name, the finding of responsibility/non-responsibility, and the sanctions imposed (if applicable).

FERPA currently identifies the following as “crimes of violence:”

1. Arson
2. Assault offenses (includes stalking)
3. Burglary
4. Criminal homicide—manslaughter by negligence
5. Criminal homicide—murder and non-negligent manslaughter
6. Destruction/damage/vandalism of property
7. Kidnapping/abduction
8. Robbery
9. Forcible sex offenses

Crimes of violence may also include any offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another, or any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

FERPA currently defines “non-forcible sex offenses” as follows:

Unlawful, non-forcible sexual intercourse.

- (a) Incest. Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- (b) Statutory Rape. Non-forcible sexual intercourse with a person who is under the statutory age of consent.

### **XII. Appeals**

The responding or reporting party may request an appeal of the hearing officer’s decision by filing a written request to the Vice President for Student Development, subject to the procedures outlined below.

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<sup>3</sup> For specific notification procedures regarding allegations of sexual misconduct, please see the Knox College Investigation and Resolution Procedures for Allegations of Sex Discrimination, Sexual Misconduct, and Interpersonal Violence.

#### **A. Grounds for Appeal Requests**

Appeals must fall into one of the following categories:

1. The responding or reporting party has new evidence that was not available prior to the original hearing.
2. The conduct process as outlined was not adhered to during the original hearing, and the deviation in process was substantial enough to have likely affected the outcome.
3. The sanctions imposed are substantially outside the guidelines set by the college for this type of offense (see Section IX “Sanctioning Guidelines” above).

#### **B. Appeal Process**

Appeals must be filed in writing to the Vice President for Student Development within seven calendar days of the notice of the outcome of the hearing. The Vice President for Student Development will conduct an initial review to determine if the appeal request meets the limited grounds and is timely.

If the appeal is not timely or does not meet the grounds for appeal, the original sanction will stand and the decision is final. If the appeal is timely and meets the grounds for appeal, the Vice President for Student Development will determine whether to reconsider the appeal matter or remand it to the original hearing officer.

All sanctions imposed by the original hearing officer remain in effect during the appeal process, unless the Vice President for Student Development decides otherwise.

#### **XIII. Conduct Records**

All conduct records are maintained by the college for ten years from the time of their creation except those that result in separation (suspension, expulsion or revocation of a degree), which are maintained indefinitely.

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