

Code of Student Conduct

Approved 9/23/2019

Introduction

Western Illinois University values academic excellence, educational opportunity, social responsibility, and personal growth. The University educates students intellectually as individuals and socially as citizens of the global community. Each member of the Western Illinois University community shares responsibility for maintaining conditions which support these institutional values. The Code of Student Conduct is designed to provide basic guidelines to advance the University's mission as a community of individuals dedicated to learning that will have a profound and positive impact on our changing world through the unique interaction of instruction, research, and public service as we educate and prepare a diverse student population to thrive in and contribute to our global society.

As citizens of the larger community in which the University is located, students retain the rights and responsibilities common to all citizens; affiliation with the University does not diminish the rights and responsibilities held by a student or any other community member as a citizen of the State, the nation, or the world. Students are subject to the behavioral prescriptions promulgated by each of these entities. Therefore, the University as well as civil authorities have jurisdiction over violations of law that occur on University property.

The Code of Student Conduct outlines the standards of behavior expected of every student at Western Illinois University. The policies and procedures outlined have been designed through a representative process by students, faculty, and administrators to further the institution's educational purposes and to assist students in their pursuit of knowledge and personal development.

A student voluntarily joins the Western Illinois University community and thereby assumes the obligation of abiding by the standards prescribed in the Code of Student Conduct. The University, through the Office of the Vice President for Student Services, maintains the exclusive authority to impose sanctions for behaviors that violate the Code of Student Conduct.

All students enrolled at Western Illinois University have access to the Code of Student Conduct. Printed copies are available through the Student Conduct Office and the Office of the Vice President for Student Services. The Code, along with other helpful information, may be accessed online at wiu.edu/srri.

A. Definitions

1. The term "Board" means Board of Trustees of Western Illinois University.
2. The term "University" means Western Illinois University.
3. The term "student" includes all persons registered for and taking courses at the University, either full-time or part-time, pursuing undergraduate, graduate, or professional studies. Persons who withdraw after allegedly violating the Code of Student Conduct, who are not officially enrolled for a particular term but who have a continuing relationship with the University or who have been notified of their acceptance for admission are considered "students" as are persons who are living in University residential facilities, although not enrolled in this institution.
4. The term "faculty member" means any person hired by the University to conduct classroom or teaching activities or who is otherwise considered by the University to be a member of its faculty.
5. The term "University official" includes any person employed by the University, performing assigned administrative or professional responsibilities.
6. The term "member of the University community" includes any person who is a student, faculty member, University official, or any other person employed by the University. For the purpose of administering this Code, a person's status in a particular situation will be determined by the Director of the Student Conduct Office.

7. The terms “complainant” and “reporting” refers to the person(s) alleging that a student or student organization has violated the Code.
8. The term “respondent” refers to the person(s) or student organization(s) accused of violating the Code.
9. The term “University premises” includes all land, buildings, facilities, or other property in the possession of or owned, used, or controlled by the University, including adjacent streets and sidewalks.
10. The term “student organization” means any number of students who have complied with the formal requirements for University recognition.
11. The term “hearing body” means any person or persons authorized by the Director of the Student Conduct Office to determine whether a student has violated the Code of Student Conduct and to recommend sanctions that may be imposed when a rules violation has been committed.
12. The terms “Conduct / Hearing officer” means the Director of the Student Conduct Office. Other conduct / hearing officers may be authorized by the Director of the Student Conduct Office to assist in determining whether a student has violated the Code of Student Conduct and to impose sanctions.
13. The term “Student Conduct Office” means the Office of Student Rights, Responsibilities, and Retention Initiatives.

B. Authority

1. The University has established these regulations regarding standards of conduct in order to protect its educational mission, provide for the orderly conduct of its activities, and safeguard the interests of the University community.
2. The Vice President for Student Services retains ultimate responsibility for the administration of this Code (policies, procedures, sanctions, and processes). The Vice President or designee expressly retains final authority to determine the following:
 - a. jurisdiction of any hearing body in any given case where ambiguity exists
 - b. whether a violation of this Code will be adjudicated administratively or by a hearing body.
 - c. whether a violation or serious criminal act, occurring off campus, will be adjudicated by the University conduct process.
 - d. the selection, training, and eligibility standards for being a hearing body member, advisor, or conduct officer.
 - e. the removal, for cause, of any hearing body, hearing body member, advisor, or conduct officer.
 - f. how violations of this Code are to be adjudicated at the end of the academic year and during the summer session.

C. General Provisions

1. These regulations are set forth in writing in order to give students general notice of prohibited conduct and are not designed to define misconduct in all-inclusive terms.
2. All students, regardless of their status in the University community, will be afforded the rights and privileges of due process when accused of violations of this Code.
3. The provisions of the Code of Student Conduct are not to be regarded as a contract between the student and the University. The University reserves the right to amend any provision herein at any time in accordance with established University procedures. Communication of any changes will be made to the University community in an appropriate and timely fashion.
4. This Code of Student Conduct will apply to conduct which occurs on University property, at University sponsored activities, and to off-campus conduct that adversely affects the University community and/or the pursuit of its objectives. Each student shall be responsible for their conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if their conduct is not discovered until after a degree is awarded). The Code of Student Conduct will apply to a student’s conduct even if the student withdraws from school while a conduct matter is pending.
5. The actions of a student organization involved in University-related activities or University-sponsored activities that are in violation of University regulations may result in conduct review and action against the organization.

6. University conduct proceedings may be instituted against a student charged with actions that potentially violates criminal law or city ordinance and this Code of Student Conduct, without regard to the pendency of civil or criminal litigation in court or arrest and prosecution. Proceedings under this Code of Student Conduct may be carried out prior to, simultaneous with, or following civil or criminal proceedings off campus. Determinations made or sanctions imposed under the Code of Student Conduct will not be subject to change because criminal charges arising out of the same facts giving rise to the violation of University rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant.

When a student is charged by federal, state, or local authorities with a violation of law, the University will not request or agree to special consideration of that individual because of their status as a student. If the alleged offense is also being processed under the Code of Student Conduct, the University may advise off-campus authorities of the existence of the Code of Student Conduct and how such matters are typically handled within the University community. The University will attempt to cooperate with law enforcement and other agencies in the enforcement of criminal law on campus and the conditions imposed by criminal courts for the rehabilitation of student violators provided that the conditions do not conflict with campus rules or sanctions. Individual students and other members of the University community, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

7. Any behavior which may have been influenced by a student's mental state (regardless of the ultimate evaluation) or use of drugs or alcoholic beverages will not in any way limit the responsibility of the student for the consequences of their actions.

D. Regulations for Student Conduct

Any student found to have committed or to have attempted to commit the following misconduct is subject to the disciplinary sanctions, including separation from the University or a lesser sanction authorized by the Code.

1. Violating any University policy, rule, or regulation published in hard copy or available electronically on the University website.
2. Violating any federal, state, or local law.
3. Committing acts of sexual misconduct including sexual harassment, sexual assault, sexual abuse or other unwelcomed behavior of a sexual nature committed without consent and/or by force, intimidation, coercion, or manipulation. Consent is defined as an informed, voluntary and freely given agreement between participating individuals to the sexual conduct in question. Consent to engage in mutually agreed upon sexual activity is clearly communicated in words and/or actions. Consent must be acquired prior to and contemporaneously with sexual activity. Consent cannot be given by an individual who is asleep; unconscious; intermittently conscious; under threat, duress, coercion, or force; under the age of 18; or otherwise legally unable to provide consent.¹ (Refer to **Policy Statement A** at the close of this document for the Western Illinois University policy on sexual assault.)
4. Engaging in harmful or potentially harmful behaviors, including, but not limited to, the following:
 - a. committing acts of physical abuse, verbal abuse, or violence. This includes, but is not limited to, fighting, battery, use of a weapon, restraining or transporting someone against their will, or any action that threatens or endangers the physical health of safety of any person or causes reasonable apprehension of such harm.
 - b. committing actions which cause physical, mental, or emotional harm; bully; intimidate; harass; threaten; coerce; or otherwise endanger the health or safety of oneself or others.
 - c. using the internet, social media, email, text message, etc. interactive, and/or digital technologies to harass, bully, retaliate, and/or stalk another person that has the effect of intimidating another person.
 - d. driving while under the influence of alcohol, cannabis, or other controlled substances.
 - e. stalking defined as two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors,

¹ WIU Sexual Misconduct & Gender Non-Discrimination Policy revised 7/1/2015.

- observes, surveils, threatens, or engages in conduct that causes a reasonable person to suffer emotional distress or to fear for their safety.²
- f. committing acts of dating violence defined as violence committed by a person who has been in a relationship of a romantic or intimate nature with the victim. Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.³
 - g. committing acts of domestic violence defined as physical, mental, or emotional abuse committed by a current or former spouse, a person sharing a child in common, or a person who is or has cohabitated with the victim as a spouse. Any person who physically abuses, harasses or interferes with the personal liberty or another family or household member is also covered under this definition.⁴
 - h. committing acts of gender harassment defined as subjecting a person to adverse treatment based on held gender stereotypes. Adverse treatment can include verbal, nonverbal, or physical aggression, intimidation, or hostility based on gender or held gender stereotypes, but is not limited to conduct of a sexual nature.⁵
 - i. any violation of law, Student Code of Conduct, or policy based on the actual or perceived identity of an individual or group of individuals. Such identities include, but are not limited to, age, ancestry, color, disability, gender expression, gender identity, national origin, race, religion, or sexual orientation.
 - j. knowingly or intentionally directing, encouraging, supporting, or otherwise motivating others to commit or attempt to commit acts prohibited by this code or that violate the law.
5. Engaging in disorderly conduct or fighting. For purposes of this Code, disorderly conduct is defined to include, but is not limited to, acts which breach the peace or are lewd, indecent, or obscene.
 6. Hazing, defined as an act which endangers the mental or physical health or safety of a student, whether on University property or not, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. (Refer to **Policy Statement B** at the close of this document for a description of the kinds of activities covered by this Code.)
 7. Disrupting or obstructing teaching, research, administration, other University activities, including its public service functions on or off campus, or of other authorized non-University activities when the conduct occurs on University premises. (Refer to **Policy Statement C** at the close of this document for the Board of Trustees' Policy on Campus Disruption).
 - a. parading or marching on streets, roadways, or property of the University without the advance approval of the Vice President for Student Services or designee and the Director of Public Safety or designee.
 - b. interfering with the freedom of another person or group to move about in a lawful manner. This includes, but is not limited to, preventing a person or group from lawfully entering or leaving a building; unlawfully stopping traffic on roadways or in parking lots; and preventing a person or group from lawfully entering or leaving Western Illinois University campuses.
 8. Trespassing in areas that are posted, off-limits, and/or restricted including, but not limited to, water towers, electrical substations, areas under construction or repair, areas cordoned off by University officials, rooftops, and buildings that are closed.
 - a. possessing, duplicating, or using keys to any University building or facility without authorization by appropriate University officials or committing an act of unauthorized entry into or use of University buildings or facilities.
 9. Engaging or participating in acts or attempted acts of unauthorized possession, use, removal, defacing, tampering, damage, or destruction of property of the University or property of a member of the University community or other personal or public property, on or off campus.
 10. Posting, affixing, or otherwise attaching written or printed messages or materials (e.g., posters, signs, handbills, brochures, or pamphlets) on or in unauthorized places, including, but not limited to, trees, shrubbery, sidewalks, buildings, and lawn areas.

² WIU Sexual Misconduct & Gender Non-Discrimination Policy revised 7/1/2015.

³ WIU Sexual Misconduct & Gender Non-Discrimination Policy revised 7/1/2015.

⁴ WIU Sexual Misconduct & Gender Non-Discrimination Policy revised 7/1/2015.

⁵ WIU Sexual Misconduct & Gender Non-Discrimination Policy revised 7/1/2015.

11. Using the name, insignia(s), or logo(s) of Western Illinois University in an unauthorized manner. This includes, but is not limited to, clothing designs, fliers, and pamphlets. Authorized use of the name, wordmark(s), insignia(s), or logo(s) of Western Illinois University is obtained by University Marketing. All use should follow trademark guidelines.
12. Engaging or participating in unauthorized possession or use of explosives, firearms, dangerous weapons, or other hazardous objects or substances. (Refer to **Policy Statement D** at the close of this document) Weapons, explosives, and other hazardous objects or substances covered by this regulation include, but are not limited to,
 - a. any device defined as a "deadly weapon" under 720 Illinois Compiled Statutes, 5/24-1.
 - b. all handguns, rifles, and shotguns.
 - c. all longbows, crossbows, and arrows.
 - d. all knives having a blade length of three inches or more (with the exception of culinary knives used solely in kitchens and dining rooms in the preparation and eating of meals).
 - e. all BB guns, pellet guns, air/CO² guns, paintball guns, or blow guns.
 - f. all fireworks.
 - g. all explosives, laboratory chemicals, dangerous compounds, gunpowder, firearm ammunition, and flammable petroleum fuel.
 - h. any martial arts weapon (e.g., nunchucks and throwing stars).
 - i. any item used as a weapon in the commission of a crime.
 - j. any operative animal trap or other device that is used to ensnare animals.
13. Misusing personal safety devices. Students are permitted to carry pepper spray and other legal personal safety devices not otherwise prohibited; however students choosing to carry such devices are responsible for ensuring they are properly secured, maintained, and used only in cases of emergency.
14. Committing acts of arson, creating a fire hazard, or possessing or using, without proper authorization, inflammable materials or hazardous substances on University property.
15. Committing acts which endanger the property of the University including, but not limited to, altering or misusing any fire-fighting equipment, safety equipment, or emergency device.
16. Making false reports of a fire, bomb threat, or other dangerous condition; failing to report a fire; or interfering with the response of University or municipal officials to emergency calls.
17. Failing to comply with the directions of or obstructing University officials or law enforcement officers acting in performance of their duties and/or failure to positively identify oneself to these persons when requested to do so.
18. Aiding and abetting another person in committing an act that violates the Code of Student Conduct.
19. Committing acts of dishonesty, including, but not limited to, the following:
 - a. soliciting, concealing, engaging or participating in cheating, plagiarism, or other forms of academic dishonesty (students committing acts of academic dishonesty are also subject to academic sanctions).
 - b. furnishing false information to any University official, faculty member, or office.
 - c. forging, altering, or misusing any University document, record, or instrument of identification.
 - d. tampering with the election of any University-recognized student organization.
 - e. attempting to represent the University, any recognized student organization, or any official University group without the explicit prior consent of the officials of that group.
 - f. possessing or using false identification or identification which represents the bearer to be 20 or more years of age.
20. Using, possessing, manufacturing, or distributing any controlled substance except as expressly permitted by law. (Refer to **Policy Statement F** at the close of this document for a list of substances which fall under this Code.)
 - a. abusing, misusing, selling, or illegally distributing prescription or over-the-counter medication.
 - b. possessing of paraphernalia which is the possession of any item primarily intended for, designed for, or which can be demonstrably linked to the manufacture, sale, distribution, use, or possession of a controlled substance. Such items include, but are not limited to, bongs, bowls, grinders, pipes, scales, vape pens, and electronic cigarettes.
 - c. taking any action under the influence of any controlled substance, while in public, which requires intervention by members of the University community, law enforcement, medical staff, or other persons to ensure the health, safety, or physical well-being of the student in question.

- d. reporting to class, work, or related responsibility under the influence of any controlled substance not permitted by law.
 - e. hosting or sponsoring a gathering where individuals are unlawfully using controlled substances.
21. Using, possessing, manufacturing, or distributing alcoholic beverages except as expressly permitted by law, University regulations, or residence hall policy. (Refer to **Policy Statement G** at the close of this document for applicable University alcohol regulations.)
- a. taking any action under the influence of alcohol, while in public, which requires intervention by members of the University community, law enforcement, medical staff, or other persons to ensure the health, safety, or physical well-being of the student in question,
 - b. reporting to classes, work, or related responsibilities under the influence of alcohol.
 - c. dispensing, selling, or supplying alcoholic beverages to an individual who is under the legal drinking age as provided by Illinois Law.
 - d. hosting or sponsoring a gathering where underage individuals are drinking alcohol.
22. Gambling on University property.
23. Engaging in unauthorized canvassing or solicitation.
24. Engaging in acts of theft, misuse, or abuse technology or electronic devices, including, but not limited to (refer to **Policy Statement E and Policy Statement I** at the close of this document for the Western Illinois University Appropriate Use Policy and the kinds of activities covered under this Code):
- a. engaging in any activity that violates the integrity or interferes with the normal operation of the University computing system.
 - b. engaging in unauthorized use of another person's identification, access codes, or passwords.
 - c. engaging in unauthorized transfer of a file or files.
 - d. engaging in unauthorized entry into a file to use, read or change its contents.
 - e. engaging in any other activity that interferes with another user's work or which causes a significant drain upon University computing resources.
 - f. engaging in any other activity that interferes with the work of another WIU student, faculty member, staff member, or other official..
 - g. engaging in unauthorized financial gain or commercial activity.
 - h. engaging in any obscene, harassing, or defamatory activity.
 - i. engaging in any activity which is illegal under federal or state law, including, but not limited to, accessing child pornography; and unauthorized reproduction or distribution of copyrighted material, including software, text, images, audio, or video.
 - j. engaging in unauthorized connection of computing devices or technology infrastructure equipment to the WIU computing infrastructure.
 - k. engaging in unauthorized use of electronic devices to make an audio or video recording of any person while on University premises without their prior knowledge, or without their expressed consent when such a recording is likely to breach a reasonable expectation for privacy.
25. Engaging or participating in abuse of the student conduct system, including, but not limited to:
- a. falsifying or misrepresenting information before a hearing body.
 - b. disrupting or interfering with the orderly conduct of a proceeding.
 - c. initiating a conduct complaint knowingly without cause.
 - d. attempting to discourage an individual's proper participation in, or use of, the conduct system.
 - e. attempting to influence the impartiality of a member of a conduct body prior to, during, and/or after a conduct proceeding.
 - f. harassing (verbal or physical) and/or intimidating a member of a conduct body prior to, during, and/or after a conduct proceeding.
 - g. failing to comply with the sanction(s) imposed under the Code of Student Conduct.
 - h. influencing or attempting to influence another person to commit an abuse of the conduct system.
 - i. retaliating against any student, staff member, faculty member or third party for reporting an incident, investigating a conduct complaint and/or participating in the process.
26. Committing violations of rules and regulations duly established by other University departments (e.g., University Housing & Dining Services, Parking Services, University libraries, etc.).
27. Failing to maintain reasonable control of areas or objects for which a student is responsible including, but not limited to, assigned residence hall rooms, library study areas, University-issued electronics, and lounge spaces.

28. Failing to comply with all service and emotional support animal requirements as set forth by law, Western Illinois University, and the University Disability Resource Center. Information about regulations and requirements can be found here at wiu.edu/drc under the students tab.
 - a. engaging in any form of animal abuse or neglect in correlation to any laws, Western Illinois University regulations, or Disability Resource Center regulations.
29. Students may be held responsible for the actions of their guests. When a guest commits a violation, the student host may be charged with violation of the Western Illinois University Student Code of Conduct.
30. Dispersing litter in any form on University grounds or facilities including, but not limited to, cigarette butts, flyers, cans, and bottles.

E. Student Organizations

The Code of Student Conduct and related policies and procedures apply to all University-affiliated student organizations.

1. Student organizations should adhere to all policies and procedures outlined in the Student Organization Registration and Policy Manual. For a complete copy visit http://www.wiu.edu/student_services/student_activities/studentOrganizationPolicies.php.
2. Unless otherwise denoted, the term “student organization” shall include all registered student organizations and other student groups associated with Western Illinois University.
3. Resolution of allegations of this Code violations by registered student organizations may be delegated to the Office of Student Activities for investigation and resolution. When so delegated, the Director of the Office of Student Activities or designee will hold a conference to determine whether the organization is in violation and, if so, whether recognition should be withdrawn by the University or lesser sanctions imposed on the organization.
4. Members of registered student organizations may be held accountable for individual violations of this Code in addition to sanctions imposed on the organization.
5. The Office of Student Activities’ Fraternity and Sorority Life Review Board may review allegations of misconduct involving social fraternities and sororities. The Fraternity and Sorority Life Review Board procedures are outlined at http://www.wiu.edu/student_services/greek_life/forms_reports_and_policies/policies.php .

F. Sanctions

1. In recommending or determining a sanction, a hearing body or conduct officer will consider all relevant factors, including the nature of the offense, the severity of any damage, injury or harm resulting from the offense, the student’s current demeanor, and the student’s past disciplinary record, if any.
2. The following are sanctions which may be imposed for a violation of this Code:
 - a. **Expulsion** - Permanent separation from the institution. The student will be barred from University property.
 - b. **Suspension** - Separation of the student from the University for a specified period of time. The student will not participate in University-sponsored activities and will be barred from University property, unless otherwise specified by the Vice President for Student Services or designee.
 - c. **Deferred Suspension** - A specified period of time during which a student’s continued enrollment at the University is clearly in jeopardy. Should a University hearing body find a student in violation of the *Code of Student Conduct* during the period of deferred suspension, the hearing body will automatically consider imposing a lengthy suspension or an expulsion from the University.
 - d. **University Housing Removal** - Removal of the student from University housing for a specified time. Normally, a student who is found to be in violation of this Code by the appropriate hearing body or conduct officer is entitled to five calendar days to vacate the University housing facility.

- e. **Disciplinary Probation** - A specified period of time during which the student is removed from good disciplinary standing. The student may be precluded from representing the University in any extracurricular activity or running for or holding office in any student group or organization
- f. **Disciplinary Censure** - A specified period of time during which any further violation of the Code of Student Conduct will likely subject the student to more severe disciplinary action.
- g. **Disciplinary Reprimand** - A written warning to the student that the cited behavior is not acceptable by University standards.
- h. **Restitution** - The student is required to make payment to the University for loss of or damage to University property.
- i. **Conduct Supervision** – A requirement the student meet with a University staff member for one or more meetings following the resolution of the case, for the purpose of assuring continued understanding of and compliance with the Code of Student Conduct.
- j. **Other Sanctions** - Other sanctions may be imposed instead of or in addition to those specified above, including, but not limited to, the following: community service, educational or research projects, reflection activities, personal assessments, workshops, alcohol or other drugs assessment/evaluation/intervention mandated counseling or therapy, relocation to another University living area, trespass from specified University premises, loss of specified University privileges, fines for alcohol or other drugs policy violations, or loss of institutional financial aid. The imposition of such sanctions must be related to the nature of the violation.
- k. **Revocation of Admission and/or Degree** – Admission to or a degree awarded from the University may be revoked for fraud, misrepresentation, or other violation of University standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- l. **Withholding Degree / Registration Holds** – The University may withhold awarding a degree otherwise earned or issue a hold for student registration until the completion of the process set forth in the Code of Student conduct, including the completion of all sanctions imposed, if any.

G. Medical Amnesty

1. No student seeking medical treatment for the effects of drug or alcohol use for themselves or another student will be subject to university discipline for violations pertaining to drug or alcohol possession/use as outlined in this Code. Medical Amnesty will be granted to both the intoxicated student and to the student seeking medical assistance for the intoxicated student; however, both the intoxicated student and the reporting student may be required to meet with a Conduct Officer to provide a detailed account of the events leading to the need for assistance in order to receive amnesty.
2. Involved students may be required to participate in an educational sanction related to drugs or alcohol. Medical Amnesty does not apply to disciplinary action relating to any other code violation including, but not limited to, assault, property damage, or the presence of or distribution of other substances.
3. Medical Amnesty does not apply to student organizations.

H. Interim Measures

In certain circumstances, the Vice President for Student Services or a designee may impose interim measures including a University or residence hall suspension, order of no-contact, relocation, or no-trespass prior to conduct hearing/conference.

1. Interim measures may be imposed only: a) to ensure the safety and well-being of members of the University community or preservation of University property; b) to ensure the student's own physical or emotional safety and well-being; or c) if the student poses an ongoing threat of disruption of, or interference with, the normal operations of the University.
2. The Vice President for Student Services or designee shall limit the scope of the interim measure to that necessary to protect those possibly affected by the actions of the student or organization. Access to all or portions of the University campus, student activities, classes, persons, or a particular class or course may be

proscribed. The student/organization should be notified in writing of this action and the reason(s) for the interim measure.

3. The student associated with the interim measure will have the interim measure reviewed before the Vice President for Student Services or designee to ensure any measures are necessary and effective. The Vice President for Student Services or designee shall consider the following a) whether the information concerning the student's conduct is reliable; b) Whether the conduct and surrounding circumstances reasonably indicate that the continued presence of the student poses a significant threat to themselves, or to others, or substantially interferes with the rights of others to continue normal and lawful University functions and activities. In considering the foregoing issues, the Vice President for Student Services or designee shall not sustain any interim measure which fails to meet the above standards. The interim measure review will occur within a prompt period of time not to exceed 3 business days unless unusual circumstances are present.
4. An interim measure shall terminate when rescinded by the Vice President for Student Services or designee, upon conclusion of proceedings under this policy, or upon expiration.

I. Student Conduct Office

1. The Student Conduct Office has been delegated the responsibility to administer the student conduct system. Responsibilities include:
 - a. determining charges to be filed pursuant to the Code of Student Conduct.
 - b. interviewing and advising parties involved in conduct proceedings.
 - c. supervising the training and advising of all hearing bodies.
 - d. reviewing the decisions of all hearing bodies.
 - e. maintaining all student conduct records resulting from enforcement of the Code of Student Conduct.
 - f. resolving disputes and contested issues that arise out of alleged cases of student misconduct.
 - g. collecting and disseminating data concerning student conduct system actions.

J. Hearing Bodies

1. The University will establish appropriate hearing bodies which may conduct hearings concerning alleged violations of the Code of Student Conduct and recommend findings and sanctions. Such bodies include:
 - a. University Conduct Board - Consisting of student, faculty, and staff representatives, the University Conduct Board may be the hearing body for board hearings for cases involving students and recognized student organizations charged with violations under this Code.
 - b. Hearing Officer – Training staff representing the Student Conduct Office may be the hearing body for administrative hearings for cases involving students and recognized student organizations charged with violations under this Code.

K. Selection and Removal of Body Members

1. Members of hearing bodies are selected in accordance with procedures approved by the Vice President for Student Services or designee.
2. Prospective members of hearing bodies are subject to confirmation by the following: faculty members confirmed by the Faculty Senate, student members confirmed by the Director of the Student Conduct Office, and administrative staff confirmed by the Vice President for Student Services or designee.
3. Prior to participating in hearings, new members will participate in at least one orientation session coordinated by the Student Conduct Office.
4. Members of any hearing body who are charged with any violation of the Code of Student Conduct or with a criminal offense may be suspended from their hearing body roles by the Director of the Student Conduct Office during the pendency of charges against them. Students found in violation of any charge or offense may be disqualified from further participation on hearing bodies by the Director of the Student Conduct Office.

L. Procedures for Disciplinary Actions

1. Any student, faculty, or staff member may refer a student or a student group or organization suspected of violating this Code to the Student Conduct Office. Persons initiating such referrals are required to provide information in writing pertinent to the allegation and will normally be expected to appear at a conduct hearing related to the matter.
2. If an alleged violation takes place in or near a residence hall, the complaint may be filed with the residence hall staff in that area. If an alleged violation occurs elsewhere, the complaint should be filed with the Office of Public Safety or the Student Conduct Office.
3. The University may file appropriate charges against students accused of violating the Code of Student Conduct. If a student has withdrawn or withdraws after the filing of such charges, either (1) a registration encumbrance will be initiated and the student notified that conduct review may be pursued upon the student's application for readmission, or (2) the University will proceed to take conduct review and action under the provisions of the Code.
4. The Director of the Student Conduct Office or a designee will review conduct complaints to determine whether alleged violations of the Code may result in removal from University housing, suspension, or expulsion. Students who might be subject to such sanctions will be accorded a hearing before a hearing body. All other cases will be scheduled initially for review through a disciplinary conference.
5. Students referred to a hearing body may elect instead to have their case resolved through a disciplinary conference. Sanctions authorized by this Code with the exception of suspension and expulsion may be imposed, but under such circumstances the right of appeal will no longer apply.
6. Any student charged with violating the Code of Student Conduct may request permission from either the conduct officer involved in the disciplinary conference or the Director of the Student Conduct Office for a delay in a disciplinary conference or hearing. In a case in which criminal charges are pending against an accused student for the same incident, upon the student's request, a reasonable delay will be granted to secure the advice of legal counsel, except in the case of interim measures. All other delays will be granted at the discretion of the Director of the Student Conduct Office or that person's designee.

M. Disciplinary Conferences

1. Upon the filing of charges, the University may schedule a disciplinary conference with the accused student(s) at which the nature of and the responsibility for the alleged offense is discussed. The respondent(s) will be notified at least three calendar days prior to the scheduled disciplinary conference and will have the right to waive the disciplinary conference and proceed to a hearing board. Notice shall be considered documented communication between the university and the student in person, by phone, delivery by U.S. mail, campus mail, e-mail, or hand delivered to the student's current local address as maintained by the University, or to the student's permanent address if no local address is on file. Failure by the student to have their current address on record with the University shall not be construed to invalidate proper notice. Notification refers to the delivery of notice and is considered complete regardless of an individual's choice to access, read, or respond to the communication. Failure to read one's notification letter could result in a case being reviewed in absentia.
2. During the disciplinary conference, the conduct officer and accused student will review and discuss relevant documentation related to the charges. The conduct officer conducting the disciplinary conference may withdraw any charge deemed to be without basis. If the substantive facts and sanction(s) can be agreed upon by the conduct officer and the accused student(s), a conduct action agreement will be prepared and signed by both. A signed conduct action agreement will constitute a waiver of the right to a hearing and any appeal, and an acceptance of the finding(s) and sanction(s).
3. If the substantive facts and sanction(s) cannot be agreed upon, the matter will be referred to the Student Conduct Office for review and potential assignment to a hearing body.
4. If an accused student fails to appear at a scheduled disciplinary conference following proper notification, the designated conduct officer may review the evidence in support of the charges and render a decision. Findings and sanctions, if applicable, will be based on the evidence and not on the accused student's failure to appear. The decision rendered by the conduct officer will be final and not subject to appeal.

N. Hearing Body Procedures

1. In the event of a hearing, the respondent will be notified at least three calendar days prior to the date of the hearing. Such notice will include the following:
 - a. the specific charges citing the appropriate University policies or regulations allegedly violated and the acts alleged to have been committed.
 - b. a description of the alleged acts, including the time and place (insofar as may reasonably be known) and a summary of the information upon which the charges are based.
 - c. the time and place of the hearing.
 - d. the procedures to be followed at the hearing.
2. Notice shall be considered documented communication between the university and the student in person, by phone, delivery by U.S. mail, campus mail, e-mail, or hand delivered to the student's current local address as maintained by the University, or to the student's permanent address if no local address is on file. Failure by the student to have their current address on record with the University shall not be construed to invalidate proper notice. Notification refers to the delivery of notice and is considered complete regardless of an individual's choice to access, read, or respond to the communication. Failure to read one's notification letter could result in a case being reviewed in absentia.
3. Any hearing body will be subject to the following procedures:
 - a. Members of the hearing body will be impartial (i.e., judge the case fairly and solely on the evidence presented).
 - b. Hearings will be conducted in private.
 - c. Where the student denies the charges, the University presenter/complainant will bear the burden of proving the charges by a preponderance of the evidence.
 - d. Should an accused student fail to appear after proper notification, the hearing will be conducted in absentia. Evidence in support of the charges will be presented to and considered by the hearing body.
 - e. The presenter/complainant, accused student and their advisors, if any, will be allowed to attend the entire portion of the hearing at which information is received (excluding deliberations). The presenter/complainant and the accused student may be assisted by an advisor they choose, at their own expense. The complainant/presenter and/or accused student is responsible for presenting their information, and therefore, advisors are not permitted to speak or to participate directly in a hearing before a hearing body. A student should select as an advisor a person whose schedule allows attendance at the scheduled date and time of the hearing because delays will not normally be allowed due to scheduling conflicts of an advisor.
 - f. The presiding chairperson of each conduct board will exercise control over the hearing. A hearing body need not observe formal rules of evidence and may exclude unduly repetitious or irrelevant evidence.
 - g. Witnesses will be expected to present truthful information.
 - h. Prospective witnesses, other than the alleged victim and the student accused, will be excluded from the hearing during the testimony of other witnesses. All parties, the witnesses, and advisors will be excluded during deliberations.
 - i. Any person, including the respondent, who disrupts a hearing or fails to adhere to the procedural rulings of the board chairperson, may be excluded from the proceedings.
 - j. The presenter/reporting and the responding student may arrange for witnesses to present pertinent information to the hearing body. The University will try to arrange the attendance of possible witnesses who are members of the University community, if reasonably possible, and who are identified by the presenter/complainant and/or accused student at least two weekdays prior to the hearing. Witnesses will provide information to and answer questions from the hearing body. Questions may be suggested by the accused student and/or presenter/complainant to be answered by each other or by other witnesses. This will be conducted by the hearing body with such questions directed to the chairperson, rather than to the witness directly. This method is used to preserve the educational tone of the hearing and to avoid creation of an adversarial environment. Questions of whether potential information will be received shall be resolved in the discretion of the chairperson of the hearing.

- k. Pertinent records, exhibits, or written statements may be accepted as evidence for consideration by a hearing body at the discretion of the chairperson.
 - l. All procedural questions are subject to the final decision of the chairperson of the hearing body.
 - m. A single record of proceedings, such as an audio recording, may be made of all hearings before a hearing body. The record will be the property of the University and be used for deliberations and appeals. No other recording, audio or video, will be permitted.
 - n. The hearing body may accommodate concerns regarding the personal safety, well-being, and/or fears of the confrontation of the presenter/complainant, accused student, and/or other witness during the hearing by providing separate facilities, by using a visual screen, and/or permitting participation by telephone, videophone, audio tape, Skype or other VoIP, written statement, or other means, where and as determined in the sole judgment the Director of the Student Conduct Office.
4. The hearing body will consider the past disciplinary record of the respondent only after a finding of violation has been determined. The entire record will be forwarded to the Associate Vice President for Student Services.
 5. The Associate Vice President for Student Services will, within a reasonable length of time after receiving the recommendation from the hearing body, render a decision in the disciplinary matter and notify the accused student. Such notification will include the findings of fact, sanction(s), and rationale for determinations via an outcome letter.

O. Appeals

1. A decision reached after a hearing may be appealed by the accused respondent. A complainant of sexual misconduct or other interpersonal violence case may also appeal a hearing outcome. Such appeals must be submitted in writing and be received by the Student Conduct Office within five calendar days of the written decision. The Vice President for Student Services will review and act on a filed appeal.
2. Except as required to explain the basis of new information, an appeal will be limited to a review of the record of the hearing and supporting documents for one or more of the following purposes:
 - a. To determine whether the hearing was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures giving the complaining party a reasonable opportunity to prepare and present information that the Code of Student Conduct had been violated, and giving the accused student a reasonable opportunity to prepare and present a response to those allegations. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.
 - b. To determine whether the decision reached regarding the accused student was based on substantial information; that is, whether there were facts in the case that, if believed by the fact finder, were sufficient to establish that a violation of the Code of Student Conduct occurred.
 - c. To determine whether the sanction(s) imposed were appropriate for the violation of the Code of Student Conduct which the accused student was found to have committed.
 - d. To consider new information sufficient to alter a decision or other relevant facts not brought out in the original hearing, because such information and/or facts were not known to the person appealing at the time of the original hearing.
3. After receiving an appeal and reviewing all available information, the Vice President for Student Services may elect to:
 - a. affirm the finding and the sanction originally determined.
 - b. affirm the finding and modify the sanction.
 - c. remand the case to the original hearing board with instructions.
 - d. dismiss the case.
4. The imposition of sanctions will normally be deferred during the pendency of appellate proceedings.

P. Disciplinary Files and Records

1. The Student Conduct Office will maintain disciplinary records and a disciplinary tracking system, which will include, but not be limited to, the respondent's name and related information, description of the incident, parties involved, Code violations, sanctions, and other data deemed relevant. Such information

will be maintained in accordance with the provisions of the Family Educational Rights and Privacy Act. Disciplinary records will be made available to hearing boards and University officials designated in the Code of Student Conduct as necessary.

2. Students may arrange to review their own disciplinary records by contacting the Student Conduct Office. Except as provided in the Code of Student Conduct and as required by law, the University will not communicate a student's disciplinary record and related information to any person or agency without the prior written consent of the student; however, the parents or legal guardian of a student who is a minor may be notified. Disciplinary proceedings under the Code of Student Conduct will be private.
3. In situations involving both an accused student or group or organization and a student(s) claiming to be the victim of another student's conduct, the records of the process and the sanctions imposed, if any, will be considered to be the education records of both the accused student and the student claiming to be the victim because the educational career and chances of success in the academic community of each may be impacted.
4. With the exception of unresolved cases or those involving suspension, expulsion, or revocation of or withholding of a degree, disciplinary records will be expunged seven years from the final disposition of the case.

Policy Statement A

Sexual Assault (See Section D.3.) - The information contained in this policy statement is abridged from Western Illinois University's policy governing sexual misconduct. For a complete copy of visit <http://www.wiu.edu/vpas/policies/titleIX.php>

Consistent with Western Illinois University's (University) Non-Discrimination Policy and in compliance with Title IX of the Educational Amendments Act of 1972 and its implementing regulations, as well as the Violence Against Women Act (VAWA), the university prohibits discrimination based on sex in its educational programs and activities. As a result, Western Illinois University issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a University official. In this context, Western Illinois University prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the university community.

The term sexual assault means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Rape is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. Fondling is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

The term sexual harassment means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Examples of behavior and conduct that constitute sexual harassment may include, but are not limited to, the following:

- physical assault;
- direct or implied threats that submission to sexual advances will be a condition of employment, work status, compensation, promotion, grades, or letters of recommendation;
- sexual advances, physical or implied, or direct propositions of a sexual nature. This activity may include inappropriate/unnecessary touching or rubbing against another, sexually suggestive or degrading jokes or comments, remarks of a sexual nature about one's clothing and/or body, preferential treatment in exchange for sexual activity, and the inappropriate display of sexually explicit pictures, text, printed materials, or objects that do not serve an academic purpose;
- a pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create, or has the effect of creating, discomfort and/or humiliation of another; or remarks speculating about a

- person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history, that do not serve a medical or academic purpose.
- Allowing third parties to view sexual acts whether in person or via video or other recording device without the knowledge and consent of the subjects; engaging in voyeurism of sexual acts without the knowledge and consent of the subjects.

A person who is incapacitated as a result of drug or alcohol use, voluntarily or involuntarily, is incapable of giving effective consent. Incapacitation is defined as the inability to make informed, rational decisions because the individual lacks the capacity to give knowing consent (e.g. to understand the “who, what, when, where, why, or how” of their sexual interaction). Individuals who know, or should have known, that another person is incapacitated must refrain from engaging in sexual activity with that person. Further, drug or alcohol use is never an excuse for violating this policy.

The University has procedures in place that serve to be sensitive to those who report sexual misconduct, including informing individuals about their right to file criminal charges. Information is readily available regarding counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services on and/or off campus. Interim steps can also be implemented to prevent contact between a complainant and an accused party, such as housing, academic and working accommodations, if reasonably available. The University will make such accommodations, if the complainant requests them and if they are reasonably available, regardless of whether the complainant chooses to report the crime to the Office of Public Safety, local law enforcement, or be involved in an internal investigation. Students and employees should contact the Title IX Coordinator in the Office of Equal Opportunity and Access at 309-298-1977 or title-ix@wiu.edu for assistance. Students may also contact the Student Development Office at 309-298-1884 or SDO@wiu.edu.

Individuals who experience sex discrimination in violation of Title IX are entitled to:

- An effective internal investigation of complaints (using the preponderance of the evidence standard) separate from law enforcement or criminal proceedings.
- The implementation of protective interim steps prior to the final outcome of the investigation (such steps may include but not be limited to: schedule/room changes, work changes, parking assignment changes, safety protocols.)
- Notification of the investigatory outcome
- Protection from retaliation
- File an appeal

The Director of Equal Opportunity and Access serves as the University’s Title IX Coordinator. The Title IX Coordinator may delegate investigative responsibilities to individuals in their supervisory chain of command. Investigations will be conducted promptly to reach an equitable resolution. Once a reported violation of this policy is received, the following steps will occur:

1. The Title IX Coordinator, or an appointed investigator, will assess the report to identify further action. If needed, immediate interim steps will be implemented to protect the complainant from further misconduct and/or notify the respondent that their behavior is concerning and must stop.
2. The investigator will promptly make contact with the complainant to discuss the incident and inform them of available campus support resources and their right to file an internal complaint.
3. If the complainant files a formal complaint:
 - a. The investigator will meet with the complainant to review their written complaint. The complainant may provide supplemental witnesses and evidence at this meeting and any time throughout the investigation. The complainant may also have a support person present at this meeting.
 - b. The respondent will be notified of the complaint and given the opportunity to respond within five (5) calendar days.
 - c. Once the response is received, the investigator will meet with the respondent to review the complaint and their response. The respondent may provide any supplemental witnesses and evidence at this meeting and any time throughout the investigation. The respondent may also have a support person present at this meeting.

- d. The investigator will interview pertinent witnesses and gather additional documentation to assist them in their determination.
- e. By evaluating the totality of the record by a preponderance of the evidence standard, the investigator will compose the investigative report to determine whether a violation of University policy occurred.
- f. Both parties will be notified simultaneously of the outcome of the investigation.
- g. If the respondent to the complaint is a student, the investigative findings will be provided to the Student Conduct Office for discipline, up to and including expulsion from the University.
- h. Both parties will be notified of the discipline administered.

Investigations will typically be completed within 60 calendar days, inclusive of holidays, excluding appeals, after receipt of a complaint or report from a responsible employee. If the investigation cannot be completed in the 60 day interval, the complainant, respondent, and other parties, as appropriate, will be notified as to the delay.

Either party has the right to appeal the investigator's finding to the University President within 10 calendar days of receiving the finding.

Please note that the internal investigative process is separate and may occur concurrently with any possible criminal proceedings undertaken by the legal system.

Complainants may also file complaints with the Department of Education's Office of Civil Rights (OCR). Once a complaint is filed with OCR, the University's internal investigative process ends. The University will then fully cooperate with OCR's investigative process. Any established interim steps will continue as needed.

Retaliation is a separate cause for complaint. Retaliating or threatening retaliation against an individual who has reported or filed a complaint alleging discrimination/harassment or participated as a witness in such an investigation is strictly prohibited. Individuals who disregard, or delay investigation of harassment claims when responsibility for reporting and/or investigating harassment charges comprise part of their supervisory duties also violate this policy.

Policy Statement B

Hazing (See Section D.6.) - Hazing of any type, whether committed or arranged by individual students or members of recognized student organizations, is an unacceptable practice at Western Illinois University.

Activities prohibited under this Policy will include, but not be limited to, any of the following: extended deprivation of sleep or rest; forced consumption of food, liquor, beverage, or drugs; beatings; brandings; tests of endurance; or submission of members or prospective members to potentially hazardous or dangerous circumstances.

It will not be an acceptable defense to a charge of hazing to claim that the participants took part voluntarily, that they voluntarily assumed the risks or hardship of the activity, or that no injury in fact was suffered.

Policy Statement C

Western Illinois University Board of Trustees Statement on Campus Disruption (See Section D.7.) - The Board of Trustees is the governing board for Western Illinois University. The Board was created to operate, manage, control, and maintain the University. In keeping with this responsibility, the Board has formulated and established a policy statement governing campus disturbances.

This policy enunciated herein is in no sense intended to deprive any person of their rights of free speech and assembly. The exercise of those rights in a lawful manner is to be encouraged under the jurisdiction of the Board. Actions, however, which deprive others of their rights without due process of law cannot be justified.

All too often campus disturbances disrupt educational functions, deprive the majority of their rights to pursue their education, and result in injury to persons and extensive damage to property. The State, no less than a private

property owner, has the right and responsibility to preserve property under its control for the use to which it is lawfully dedicated. Neither the United States Constitution, nor the Constitution of the State of Illinois, precludes the State from controlling the use of its own property for lawful, nondiscriminatory purposes.

Accordingly, in order that normal educational purposes can continue without interruption and in order that individual safety, personal freedoms, and property rights can be enjoyed without impairment, this Board declares that unlawful activities will not be tolerated on the campus of any institution under its jurisdiction. In particular, the Board believes that 720 ILCS 5/21 provides appropriate penalties for dealing with persons who willfully damage State property, commit trespass on the campus, or interfere with a public institution of higher education.

Criminal damage to State property is committed by one who does any of the acts specified in 720 ILCS 5/21-4 and, without regard to time or place, any person who knowingly damages campus property violates the law and should be arrested and prosecuted.

Criminal trespass to State land is committed by one who enters upon the campus or a building with legal notice that entry therein is forbidden or who remains in an area after notice to depart. It is lawful and proper to prescribe reasonable regulations as to conditions and times for access to campus buildings. Entrances, halls, and exits must be kept open for normal operations and the safety of others; offices are to be used for purposes intended; and buildings are to be cleared and closed at established hours. Persons who violate such reasonable regulations should be notified to depart. This advice and notification should be given publicly and orally by an authorized representative. Thereafter, if such persons remain, a police officer should read applicable portions of the criminal trespass statute, 720 ILCS 5/21-5, and advise them that they are in violation of the law and that they will be arrested if they do not depart. In appropriate circumstances, court action of the injunctive or criminal nature should be sought.

Interference of an institution of higher education is committed by one who, without authority of the institution, through force or violence, actual or threatened, willfully acts as prohibited by 720 ILCS 5/21.2-2. In appropriate circumstances, court action of the injunctive or criminal nature should be sought.

Members of a campus community who participate in unlawful activities which disrupt educational functions will be dealt with according to established disciplinary or administrative processes. Such processes may be invoked regardless of either civil or criminal actions arising out of the same event.

When the President of the University believes that unlawful activities which disrupt educational functions warrant, that person is directed to make prompt application to those agencies provided by the State for the purpose of dealing with those who break the law. Police should be summoned without delay, public prosecutors should be advised of the situation, and the courts should be asked to make timely disposition of all cases resulting from the incident.

Education is the living and growing source of our progressive civilization, of our open repository of increasing knowledge, culture, and salutary democratic traditions. It deserves our highest respect and fullest support in the performance of its lawful mission. No person, with liability to lawful processes, may intentionally act or prevent the accomplishment of the lawful mission, process, or function of an educational institution.

Policy Statement D

Explosives, Firearms, and other Hazardous or Dangerous Weapons (See Section D.11.) - 720 Illinois Compiled Statutes, 5/21-6, makes it a crime to possess or store on property "supported in whole or in part with public funds or in any building on such land" any weapon "without prior written permission from the chief security officer for such land or building."

Under 720 ILCS 5/24-1, "weapon" is defined as including the following: bludgeon, black-jack, sling/slung-shot, sand-club, sand-bag, metal knuckles or other knuckle weapon regardless of its composition, throwing star, or any knife, commonly referred to as a switchblade knife, which has a blade that opens automatically by hand pressure applied to a button, spring, or other device in the handle of the knife, or a ballistic knife, which is a device that

propels a knifelike blade as a projectile by means of a coil spring, elastic materials or compressed gas, dagger, dirk, billy, dangerous knife, razor, stiletto, broken bottle or other piece of glass, stun gun or taser or any other dangerous or deadly weapon of like character carried or possessed with the intent to use the same against another, tear gas gun projector or bomb or any object containing noxious liquid gas or substance, other than an object containing a non-lethal noxious liquid gas or substance designed solely for personal defense carried by a person 18 years of age or older, pistol, revolver, or other firearm, spring gun, device or attachment of any kind designed, used, or intended for use in silencing the report of any firearm, machine gun, any rifle having one or more barrels less than 16 inches in length or a shotgun having one or more barrels less than 18 inches in length or any weapon made from a rifle or shotgun, any bomb, bomb-shell, grenade, bottle, or other container containing an explosive substance of over one-quarter ounce for like purposes, such as, but not limited to, black powder bombs and Molotov cocktails or artillery projectiles, and explosive bullets.

On July 9, 2013, the Illinois General Assembly passed Public Act 98-63, the Firearm Concealed Carry Act, enacting state law (430 ILCS 66). The Statute authorizes public and private universities to promulgate policy regulating the use of weapons on campuses. The University's policy can be viewed at <http://www.wiu.edu/vpas/policies/concealedcarry.php>

In accordance with this policy, members of the WIU community are prohibited from possessing firearms or weapons on property owned, leased or controlled by WIU, even if that person has a valid federal or state license (federal firearm license, firearms owner identification card, etc.) to possess a weapon. For anyone possessing a Concealed Carry Permit, a firearm may be carried within a vehicle into a parking area if the firearm and its ammunition remain locked out of plain view within the parked vehicle. A firearm may be stored in a case within a locked vehicle or locked container out of plain view within the vehicle in the parking area. The firearm may only be removed for the limited purpose of storing or retrieving the firearm from the trunk of the vehicle. A firearm must first be unloaded before removing it from the vehicle.

Students in violation of this policy will be subject to University conduct review and criminal arrest. Requests to return confiscated items covered by this policy and the University's Code of Student Conduct will be taken under consideration and decided upon by the Director of Public Safety. Such items will normally only be released under a court order or in the care of a parent or guardian.

Policy Statement E

WIU Appropriate Use Policy (See Section D.19.)- All users of University computing resources must: Comply with all federal, state and other applicable laws; all generally applicable Board of Higher Education and university rules and policies, contracts and licenses. Users are responsible for ascertaining, understanding, and complying with the laws, rules, policies, contracts, and licenses applicable to their particular uses.

Users of university computing systems or data are required to take appropriate measures, as defined in the Administrative Procedures under Appropriate Use Procedures, to protect university computing systems and data.

The following is a partial list of the state and federal laws governing all users of the WIU's computing resources.

- **Obscenity and Pornography**
 - Accessing, Viewing, or Downloading Child Pornography [18 USC § 2252](#)
 - Forfeiture of computer for committing above [18 USC § 2510 et seq.](#)
 - Illinois Compiled Statutes [720 ILCS 5/11-20.1](#)
- **Restriction of access by minors to materials commercially distributed by means of World Wide Web that are harmful to minors** [47 USC § 231](#)
- **Data Management and Protection**
 - Identity Protection Act 5 ILS 179
 - Children's Online Privacy Protection Act (COPPA)
 - FTC Identity Theft Red Flag Rules
 - Payment Card Industry Data Security Standards (PCI DSS)

- Gramm-Leach-Bliley Act (GLBA) Title V
- Family Educational Rights and Privacy Act (FERPA)
- Health Insurance Portability and Accountability Act (HIPPA)
- Fair Credit Reporting Act (FCRA)
- **Transporting of Obscene Materials for Sale or Distribution** [18 USC § 1465](#)
- **Intercepting Electronic Communications** [18 USC § 2703 et seq](#)
- **Computer Fraud** [18 USC § 1030](#)
 - Illinois Compiled Statutes Computer Fraud [720 ILCS 5/16D-6](#)
 - Illinois Compiled Statutes Computer Tampering (hacking, maliciously spreading viruses, etc.) [720 ILCS 5/16D-3](#)
 - Illinois Compiled Statutes Illicit or Unauthorized Use of a Password [720 ILCS 5/16D-7](#)
- **Slander and Libel** [47 USC § 230e1](#)
 - Illinois Compiled Statutes Slander and Libel [740 ILCS 145/1](#)
- **Copyright** [17 USC](#)
 - Rights of Copyright Holders [17 USC § 106 to 121](#)
 - Infringement of Copyright [17 USC § 501 to 513](#)
 - Circumvention of Copyright Protection Systems [17 USC § 1201](#)

Policy Statement F

Cannabis and Other Controlled Substances (See Section D.20.) - Faculty, administrative staff, Civil Service employees, and/or students will not manufacture, possess, use, deliver, sell, or distribute any substance prohibited by the Illinois Cannabis Control Act, Drug Paraphernalia Control Act, or the Illinois Controlled Substances Act, any other State statute, or any Federal statute, except as authorized by law, the Board of Trustees regulations, and the policies of Western Illinois University.

Substances prohibited under this policy will include, but are not limited to, marijuana, hashish, amphetamines, barbiturates, cocaine, heroin, lysergic acid (LSD), methaqualone, morphine, pentazocine, peyote, phencyclidine, anabolic steroids, rohypnol, and GHB.

Policy Statement G

University Alcohol Regulations (See Section D.21.) - Students and/or their guests under 21 years of age may not possess or consume alcoholic beverages on University property. Students and their guests who are of legal age as defined by Illinois statute, may not possess or consume alcoholic beverages, except in certain designated locations which have been specified in accordance with State law and University policy (consult the Residence Hall Handbook and/or Office of Student Activities for locations which have been designated as exceptions). No alcoholic beverages having a proof exceeding 100 will be permitted. The possession of alcoholic beverages in open containers by students and/or their guests is prohibited on University property, except as specified by University policy. Students and/or their guests may not sell or effect the delivery of alcoholic beverages on University property. Students may not purchase alcoholic beverages with University approved student fees or with any other student funds which are collected and administered by a University office or agency.

The possession and/or consumption of alcoholic beverages is prohibited in certain residential areas outlined by University Housing and Dining Services in the Residence Hall Handbook by any person, regardless of age. Alcohol is not permitted in any outside area adjacent to any residence hall. Full details on which halls and locations alcohol is not permitted can be found in the Residence Hall Handbook. In certain residential areas, alcoholic beverages may be possessed and/or consumed only by persons who are of legal age. Alcoholic beverages may only be consumed in individual rooms and may not be consumed in hallways, stairways, elevators, lounges, or any other public area of the residence hall. Alcohol containers may not be larger than one quart (32 fluid ounces). The Residence Hall Handbook can be viewed at http://www.wiu.edu/student_services/housing/resources/index.php

Student organizations are expected to abide by State laws and institutional policies concerning alcoholic beverages. The University will not sanction or approve an off-campus event sponsored by a student organization where

alcoholic beverages are served or provided by the organization as a part of the event. The University will not authorize the use of University approved student fees or other student funds collected and administered by a University office to support such off-campus events. When some members of an organization are under the legal drinking age, the members of the organization are responsible for conducting themselves in accordance with State laws.

Policy Statement H

Skateboarding (See Section D.23.) - The use of skateboards, roller skates, in-line skates, and bicycles on stairways, walls, planters, parking bumpers, and similar objects is prohibited. The use of skateboards, roller skates, in-line skates, and bicycles for the purpose to perform acrobatic stunts anywhere on campus is prohibited. Students, faculty, and staff engaging in such activities will be subject to disciplinary action, while others not part of the University community will be removed from campus. Nothing in this policy prohibits the safe use of the listed items.

Policy Statement I

Misuse of Electronic Devices (See Section D.25.) - Cellular phones, pagers, and other electronic devices may not be used in a manner that causes disruption in the classroom, library, or within college-owned or operated facilities. This includes abuse of cellular devices with photographic capability. Utilizing such devices for the purposes of photographing test questions or other forms of academic misconduct or illegal activity is prohibited. Photographing or video recording individuals in secured or private areas such as restrooms and locker rooms is prohibited.