

Students should be aware that the student conduct process is quite different from criminal and civil court proceedings. Procedures and rights in student conduct procedures are conducted with fairness to all but do not include the same protections of due process afforded by the courts. Due process, as defined within these procedures, assures written notice and an administrative conference before an objective decision maker. No student will be found in violation of the Code without information showing that it is more likely than not that a violation occurred, and any sanctions will be proportionate to the severity of the violation and to the cumulative conduct history of the student.

The University reserves the right to initiate disciplinary proceedings for allegations of violations of the Student Conduct Code whenever the University has jurisdiction, regardless of whether criminal or civil proceedings have been commenced. Disciplinary actions by the University are independent of any criminal or civil proceedings and the University will not consider any decision, settlement, judgment, or other outcome of a criminal or civil proceeding in the adjudication of alleged violations of this Code. The disciplinary process will not be delayed pending the outcome of any legal proceedings.

Academic dishonesty allegations in the School of Law will be administered through the Professional Ethics Policy of the School of Law.

Academic dishonesty allegations in the School of Medicine will be administered through the School of Medicine Student Progress System.

Law students and medical students charged with alleged non-academic violations of this Code may be subject to the disciplinary procedures outlined in this Code, in addition to being charged under their respective school-specific policy or system. The outcome of any administrative conference under a school-specific policy will not be considered in the adjudication of alleged violations of this Code, though it may be considered in determining appropriate sanctions.

## **RIGHTS AND RESPONSIBILITIES**

The following rights and responsibilities are the foundational principles upon which the Student Conduct Code is based.

### **Rights**

All students have the right to engage in a free exchange of ideas. University policies are intended to safeguard the rights of free inquiry, expression, and assembly.

All students have the right to freely express their views and examine all questions of interest.

All students have the right to be free from discrimination or harassment based on any person or group of persons based on race, color, national origin, ancestry, religion, sex, sexual orientation including gender identity, marital status, age, physical or mental disability, military status, unfavorable discharge from military service, or veteran's status, in accordance with applicable federal, state and local laws.

All students alleged to have violated any provision of the Student Conduct Code have the right to procedural due process. All students have the right to be free from unreasonable restrictions or intrusions upon privacy, personal property or dignity, in accordance with the provisions of this Code.

### **Responsibilities**

All students are responsible for knowing and complying with the Code as well as all local, state and federal laws, and other University standards, policies and procedures. All students have the responsibility to recognize the ways in which their actions reflect upon and affect the University and every member of the University community. All students have the responsibility to respect and protect the rights of every other member of the University community. All students are personally responsible for their actions, choices, and decisions.

## **Interim Policy and Procedures on Sexual Misconduct**

### **A. DISCRIMINATION AND PROHIBITED CONDUCT**

Southern Illinois University Carbondale (“SIUC” or “the University”) does not discriminate on the basis of sex and is committed to a policy of providing equal employment and educational benefits, programs, activities, and opportunities. In particular, Southern Illinois University is committed to maintaining a community in which students, faculty, and staff can work and learn together in an atmosphere free of all forms of discrimination, including but not limited to sexual harassment and retaliation. Further, SIUC is committed to fostering an environment in which all members of our campus community are safe, secure, and free from gender-based violence of any form, including but not limited to sexual assault, dating violence, domestic violence, and stalking. SIUC expects that all interpersonal relationships and interactions—especially those of an intimate nature—be grounded upon mutual respect, open communication, and clear consent.

Sexual harassment, sexual misconduct, sexual assault, dating violence, domestic violence, stalking, and retaliation (hereinafter collectively referred to as “Prohibited Conduct”) violates the dignity of the individual and the integrity of the University as an institution of higher learning, and thus, sexual harassment, sexual misconduct, sexual