



**Student  
Policies  
and  
Procedures  
Manual**

Fall 2021

*In cases of discrepancy between printed versions of this handbook and the online version, the online version takes precedence.*

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## Academic Exceptions

Requests for late withdrawals, medical withdrawals, and drops without record may be made to the Dean of Learning Support. Information on the individual policies is in the 2018-2019 Catalog, page 48. Forms are available in the Dean of Learning Support’s office, room D108.

## Academic Exclusion

Parkland College grants two types of academic exclusion: Exclusion of Academic Record and Individual Grade Exclusion. Information on the individual policies is in the 2018-2019 Catalog, page 45. Forms for both types of academic exclusion are available in the Dean of Learning Support’s office, room D108.

## Academic Honesty

### Policy

Academic honesty is broadly defined as performing academic work without cheating, fabrication, or plagiarism, or unauthorized collaboration. Definitions include, but are not limited to:

1. Academic Honesty can be broadly defined as performing academic work without cheating, fabrication, or plagiarism, or unauthorized collaboration. Definitions include, but are not limited to:
  - a. **Cheating:** Using or attempting to use unauthorized materials, information, or study aids in any academic activity. Submitting assignments, homework, and examinations that are not a student’s own work or for which a student received unauthorized help. Copying the work of another, or allowing another to copy one’s own work, without proper acknowledgment.
  - b. **Fabrication:** falsifying or inventing any information or citation in an academic activity. Falsifying or inventing any information to gain an academic advantage.
  - c. **Plagiarism:** Presenting someone else’s work or ideas as one’s own, by incorporating it without full acknowledgement. All published and unpublished material, whether in manuscript, printed, visual, or electronic form, is covered under this definition. Plagiarism may be intentional or reckless, or unintentional.

- d. **Unauthorized Collaboration:** Work submitted to fulfill an assignment not specifically identified as a group activity must be substantially the work of the author. Instructors should provide guidelines to students to maintain the academic integrity of these collaborative activities.
2. The process of determining the consequences of academic dishonesty begins with the faculty member and may proceed to include the Department Chair, the Division Dean, and/or the Vice President for Academic Services. All incidents of academic dishonesty, including developmental or punitive action, should be referred in writing to the Dean of Learning Support.
3. The student who receives a failing grade for a course as a direct result of violating the expectations of academic honesty will not be permitted to withdraw from the course. The failing grade remains on the student's academic transcript. In cases where the academic dishonesty does not result in a failing grade for the course, the student may decide to withdraw from the course in which the academic dishonesty occurred; however, the required incident reports and possible subsequent disciplinary action will not be halted.

## **Procedure**

### Violations of Academic Honesty

When a student has violated the expectations of academic honesty, the faculty member will take the following steps to address the violation:

- Inform the student privately of her/his findings and attempt a resolution of the problem. Depending upon the nature of the case and consistent with the course syllabus, such resolution could include additional assignments to help educate the student of the nature and negative consequences of academic dishonesty, resubmission of the assignment, a failing grade for that assignment, or failure of the course.
- Document the act of academic dishonesty using the Documentation of Academic Dishonesty form. The student will be asked to sign the form as an acknowledgement of having received written notification. The faculty member will provide copies of the signed form to the Department Chair and to the Dean of Learning Support.

### Appeal Process

- If the student wants to appeal the instructor's decision, he or she may contact the Department Chair or designee within ten (10) business days of notification of the instructor's decision. The Department Chair will review the actions taken by gathering all relevant information from both the student and the instructor. The Department Chair will meet both with the student and the instructor to attempt to resolve the issue.

- If the student wants to appeal the Department Chair’s decision in relation to resolving the issue, he or she may contact the Dean of Learning Support within five (5) business days of receiving the Department Chair’s decision. The Dean of Learning Support will review the actions taken based on relevant information from the student, the instructor, and Department Chair. The Dean will affirm the instructor’s decision or remand the issue back to the department for review.
- If the student wants to appeal the Dean of Learning Support’s decision, he or she may petition the Student Affairs Committee within five (5) business days of receiving the Dean’s decision. The Committee may review the process followed by the department and division to determine whether it has been carried out completely and fairly, in accordance with due process. If not, the case will be remanded to the department for reconsideration following the appropriate guidelines. If all procedures have been followed appropriately and no errors detected, the appeal process is complete and the consequences of the incident will remain the same as originally issued.
- No reprisal shall be taken by the Board of Trustees, Administration, faculty, or staff against any student or faculty because of participation in an appeal.

Egregious or Repeated Offenses

In cases where an egregious violation of academic honesty standards occurs or where three or more incident reports for one student have been filed with the Dean of Learning Support’s Office, the student may be charged with violation of the Student Conduct Code, specifically Acts of Dishonesty. Conduct Code violations will follow the process as outlined in the Student Conduct Code. The Vice President for Academic Services may direct the Dean of Students to impose the sanction of written warning, conduct probation, or restitution. If the Vice President for Academic Services recommends a more serious sanction, the Student Conduct process will be invoked.

Academic Standards

**Academic Warning**

A student will be placed on academic warning if, after attempting six or more credit hours, his/her cumulative grade point average is less than:

6-11 inclusive – 1.5	23-32 inclusive – 1.7	45-55 inclusive – 1.9
12-22 inclusive – 1.6	33-44 inclusive – 1.8	56 and above – 2.0

Student's placed on academic warning should meet with an academic advisor or counselor before midterm of the semester immediately following placement on academic warning. Students on warning who fail to meet with an academic advisor or counselor could have registration privileges discontinued.

### **Academic Probation**

A student will be placed on academic probation if, after attempting six or more credit hours, his/her cumulative grade point average is less than:

6-11 inclusive – 1.0	23-32 inclusive – 1.5	45-55 inclusive – 1.8
12- 22 inclusive – 1.3	33-44 inclusive – 1.6	56 and above – 1.9

While on probation, a student may continue to enroll in the college if he or she complies with the conditions listed on pages 45 and 46 of the 2018-2019 Catalog.

### **Academic Suspension**

Any student on academic probation who fails to achieve a minimum 1.75 semester grade point average will be academically suspended from the college. The suspension will be for a full semester (fall or spring) following the term of current enrollment. A student on academic suspension may not register for any courses. The policies and procedures regarding returning from or appealing an academic suspension are listed on pages 46 and 47 of the 2018-2019 Catalog.

### **Academic Dismissal**

Any student, previously suspended, reenters the college on academic probation. If the student does not achieve a minimum 1.75 semester grade point average at the end of that first semester, he or she will be academically dismissed. Academic dismissal will be for no less than one calendar year. While on academic dismissal, the student may not register for any courses. The policies and procedure regarding returning from or appealing an academic dismissal are listed on pages 47 of the 2018-2019 Catalog.

### **Program Dismissal**

A student may be dismissed from a program of study if his or her behavior in a classroom, laboratory, or clinic jeopardizes the safety of others. This action can be taken only by the appropriate department chair or academic dean.

## **ADA (Americans with Disabilities Act)**

The policy of the College is to provide an accessible campus, both in terms of physical plant and programs/services, to all students, staff and visitors. The College will comply with all regulations as set forth by Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Americans with Disabilities Act Amendments Act of 2008, and the Illinois Accessibility Code of 1988. The Office of Accessibility Services is responsible for coordinating support service and accommodations for students; addressing concerns from students, staff and the public regarding compliance and accessibility; working with the physical plant director to review physical accessibility of the campus; assisting the office of Human Resources with services for staff with disabilities; and addressing specific needs of visitors who wish access to the College's programs and services.

Special support services are provided to students with disabilities who are otherwise qualified to participate in and benefit from a specific course, program or activity under the following conditions:

1. A rehabilitation, psychological, medical or educational, or related summary report describing the disability has been received by Office of Accessibility Services from a proper authority (i.e., doctor, psychologist, Dept. of Rehabilitation, etc.).
2. An assessment by the Office of Accessibility Services staff-determines the need for services in order for the student to successfully complete a course, program, or activity. The existence of a mental or physical disability, in itself, does not justify the need for special support services.
3. A student voluntarily presents him/herself for services and signs a Release of Personal/Academic Information form.

## ADA Grievance Policy and Procedures

### Definitions

A “complainant” is any individual with a documented disability who files a complaint form provided by the director of disability services.

A “grievance” is a formal complaint filed under the ADA by an individual with a disability who meets the essential eligibility requirements for participation in or receipt of benefits of a program, activity, or service offered by Parkland College and who believes he or she has been subject to discrimination by Parkland College due to his/her disability.

Students who desire to review the ADA regulations should contact the Director of Counseling Services.

If a student has a complaint about the accessibility of programs, activities, or services, the student should attempt to resolve the matter informally with the supervisor of the particular program, activity, or service.

### Procedures

1. Grievances must be properly submitted through the channels defined below within the specified time limits. Time limits are stated in school days and may be extended by mutual agreement between the complainant and the reviewer at the designated coordinator and final levels.
2. A complainant’s failure to submit a grievance, or to submit or appeal it to the next level according to procedures, within the specified time limits, shall mean the complainant has withdrawn the grievance or has accepted the last official response given during the grievance process as the college’s final response.
3. During the ADA grievance resolution process, college officials will make reasonable efforts to protect the confidentiality of the complainant, including complainant’s name and identifiable information. The college will not be responsible for any disclosure made by the complainant.

### Designated Director Level

1. If an individual desires to file a formal written grievance, the individual should promptly (but not later than 45 school days after the occurrence that prompted the grievance) submit the grievance to the Director of Counseling Services. The grievance must be submitted in writing on the Grievance Form prescribed for that purpose. The Grievance Form must be completed in full in order to receive proper consideration.
2. Upon request, the Director or representative shall provide assistance in completing the Grievance Form.
3. A college official appointed by the Vice President for Student Services, will investigate the grievance and make reasonable efforts to resolve it. A written response will be provided to the complainant, with a copy to the Vice President for Student Services within 10 school days after the receipt of the fully completed Grievance Form.

#### **Final Review Level**

1. If the individual is not satisfied, or if a reply has not been received within the specified time, the individual may appeal, in writing, within 10 school days, to the Vice President for Student Services. The written response by the Vice President for Student Services, or their designee, will be considered final, and the College's Grievance Process will end there.

#### **Grievance Records**

Grievance records will be maintained for at least five years by the Vice President for Student Services.

## Admission Policy

Admission is open to anyone who is a graduate of an accredited high school or is at least 18 years of age and able to benefit from college-level instruction. High school or home-schooled students who have not earned a high school diploma or GED may enroll in classes as non-degree seeking students through the Early College Services Office (U233; 217/353-2663).

All students seeking degrees or certificates of 30 credit hours or more must be assessed according to the Comprehensive Assessment Policy explained on page 43 of the 2018-2019 Catalog. Students who place below minimum requirements will not be considered eligible for degree- or certificate- seeking status, but instead will be changed to a "Course Enrollee" status by the Office of Admissions and Records.

Admission to the college does not ensure admission to a particular course or program of study; some students may be required to enroll in specific courses before taking others. Admission to health career programs is selective; see Health Career Program Admission information, following.

Because of state regulations, students who apply to Associate in Arts, Associate in Science, Associate in Engineering Science, or Associate in Fine Arts degree transfer programs will be accepted to the college but may be admitted to the program on a provisional basis until certain minimum entrance requirements are satisfied. See Transfer Program Admission, following.

Should it be necessary to limit enrollment, priority will be given to residents of Parkland College District 505.

International students are welcome at Parkland. The college is authorized under federal law to enroll nonimmigrant students. Prospective international students should contact the international student services advisors in room U238 (217/351-2890) to discuss their eligibility for admission.

Parkland does not discriminate in the admission of students on the basis of race, color, national origin, age, gender, gender expression, sexual orientation, religion, veteran status, Vietnam veteran era, marital status, ancestry, or disability. Information regarding admission to the college and to specific programs may be obtained from the Office of Admissions and Records (U214; 217/351-2482).

Each student is encouraged to consult with a Parkland counselor or advisor in the selection of a program consistent with the student's interests and abilities.

### **Transfer Program Admission**

Illinois state law (Public Act 86-0954) specifies that 15 units of high school course work or the equivalent are required for admission to all public institutions. This act affects students at Parkland who wish to be admitted to an Associate in Arts, Associate in Science, Associate in Engineering Science, or Associate in Fine Arts (transfer) program.

Parkland College's minimum entrance requirements for students who wish to enroll in A.A., A.S., A.E.S., or A.F.A. programs are as follows

- Four years of English – written and oral communications, literature
- Three years of mathematics – minimum of one year of Algebra I, one year of geometry, and one year of Algebra II (intermediate algebra)
- Two years of science – laboratory science
- Two years of social studies – history and/or government
- Two years of electives – foreign language, music, art, or vocational education
- Two flexible academic units – two additional courses (years) from any one or two of the science, social studies, and/or electives categories in addition to approved courses in mathematics and English such as advanced mathematics, computer science, journalism, speech, and creative writing.

This requirement pertains only to A.A., A.S., A.E.S., and A.F.A. degree transfer programs; it does not affect the career programs (A.A.S. or certificates) or the Associate in General Studies (A.G.S.) program.

### **Health Career Program Admission**

Admission to Parkland's health career programs (Dental Hygiene, Emergency Medical Services-Basic and Emergency Medical Services-Paramedic, LPN to ADN Bridge, Paramedic to ADN Bridge, Massage Therapy, Medical Assisting, Nurse Assistant, Nursing, Practical Nursing, Occupational Therapy Assistant, Radiologic Technology, Respiratory Care, Surgical Technology, and Veterinary Technology) involves special procedures and deadlines. Those considering applying to a health career program should obtain a copy of the checklist explaining admission procedures for their specific program from the Office of Admissions and Records (U214). The application deadline for most health profession programs is March

1 prior to fall semester enrollment. Programs with spring semester admissions also have an October 1 application deadline.

Most programs offer a \$10 nonrefundable processing fee that must be submitted with the application for admission. The application will be processed only after this fee has been paid. This fee will be assessed every time a student applies to a Health Career Program. NOTE: Students seeking admission to Kankakee's Medical Laboratory Technology program must apply through Kankakee Community College.

Persons seeking admission to a health career program are encouraged to submit all required credentials as early as possible. Once the selection process begins, qualified applicants will continue to be accepted on a monthly basis until programs are filled. Students considering application to a health career program need to be aware of potential legal limitations on licensure. Upon making application for the licensure exam, graduates may be required to complete the following personal history information:

1. Have you ever been convicted of any criminal offense in the state or in federal court (other than minor traffic violations)?
2. Do you now suffer, have you suffered from, been diagnosed as having, or been treated for and disease or condition which is generally regarded by the medical community as chronic i.e., (1) mental or emotional disease or condition, (2) alcohol or other substance abuse, (3) physical disease or condition that presently interferes with your ability to practice your profession?
3. Have you been denied a professional license or permit, or privilege of taking an examination, or had a professional license or permit disciplines in any way by any licensing authority in Illinois or elsewhere?
4. Have you ever been discharged other than honorably from the armed service or from, a city, county, state, or federal prison?
5. Are you a U.S. citizen or a lawfully admitted alien of the United States?

The Illinois Nurse Practice Act and Rules state the Illinois Department of Professional Regulation may refuse to issue a license because of any "deceptive statement in any document connected with the practice of nursing pursuant to this Act." Students should also be aware that many health care institutions now require drug and alcohol screening as well as national criminal background check.

On the first day of class the nurse assistant (CNA) course (NAS 111), students are required to complete a live scan fingerprint background check. More information about selective administration can be found starting on p. 187 of the 2018-2019 Catalog.

## Alcohol and Other Drug Use

In recent years, the abuse of alcohol and other drugs has become a serious problem for many people. Alcohol and drug use can damage body organs, impair brain activity, and harm mental and emotional health. The illnesses, accidents, and violence caused by alcohol and other drug abuse can even result in death.

To address the serious problem of alcohol and other drug use at Parkland College and to comply with federal laws governing drug use and abuse in schools and the workplace, Parkland College has adopted and implemented a program to prevent the illicit use of drugs and the abuse of alcohol by students and employees.

## Alcohol and Other Drugs Policy

The use of alcohol and the unlawful manufacture, distribution, dispensing, possession, or use of controlled substance (as defined in 720 ILCS 570/100, et seq. [1992 State Bar Edition], now in effect and as from time to time amended) is prohibited on the Parkland College campus and off campus when the student is involved in an officially sanctioned college class or activity. Behaviors that are inappropriate, disruptive, and/or endangering as a result of the consumption of alcohol or other drugs will not be tolerated.

### Procedure

#### 1. Enforcement

- a. Reports of behaviors, as described in the policy, will be made to the Vice President of Student Services, Dean of Students, and/or the Department of Public Safety for appropriate action.
- b. The Vice President for Student Services or the Dean of Students will review each incident and if deemed appropriate, a Student Conduct Hearing will be convened in a timely manner to review the case and potentially recommend disciplinary action, which could include one or more of the following:
  - i. A written warning;
  - ii. Conduct probation while attending an approved outpatient rehabilitation program;
  - iii. iii. Suspension or expulsion from school;
  - iv. iv. Report of such incident and person(s) involved to local, state, or federal law enforcement agencies;
  - v. v. Notification of parent/ guardian as appropriate.

#### 2. Appeal

If the student finds the above disciplinary action unjustified, she or he may elect to file an appeal according to the existing appeal procedures, as described in the Student Conduct Code appeals section of this handbook.

#### 2. Program Description

The Vice President for Student Services; Dean of Students; Department of Public Safety; Department of Counseling Services, including the Office of Accessibility Services; and the Wellness Center strive to maintain a drug-free environment. Education and training programs exist in order to make every effort to ensure that all college individuals are aware of issues regarding alcohol and other drug use and abuse, including the following:

The dangers involved;

- a. The policies of the college regarding drug use;
- b. Community resources for alcohol/drug treatment and counseling;
- c. The sanctions that may be imposed upon college students for alcohol and other drug violations.

#### 3. Referral

If a student feels that he or she has a problem with substance abuse, the college will assist in the identification of a program that specializes in this type of problem. Students with such problems

should contact the Vice President for Student Services, Dean of Students, or the Department of Counseling Services for possible referral to one of the substance abuse counseling and treatment programs available in the community.

### **Alcohol and Other Drug Laws in Illinois**

Under Illinois Law:

1. It is a Class A misdemeanor, with a possible fine of \$2500, to knowingly allow individuals to gather at a residence where alcohol is being served to minors.
2. It is illegal to sell or give alcoholic beverages to a person under the age of 21.
3. It is illegal if under 21, to buy, attempt to buy, drink, process, or transport alcohol (unless part of employment).
4. It is illegal to possess an open container of alcohol in a public parking lot or garage, a public street, sidewalk, alley, park, or in a motor vehicle.
5. It is illegal to drive under the influence of alcohol. A driver is considered legally intoxicated in Illinois is he/she is:
  - a. Under the influence of alcohol and/or any other any other drugs to a degree that renders such person incapable of safely driving; or
  - b. The alcohol concentration in such person's blood or breath is .08 or more.
6. It is illegal to possess or distribute illegal drugs or controlled substances. In Illinois, a person can be held liable for injuries or damage to property caused by intoxicated persons to whom she or he has served or sold alcoholic beverages ("Dram Shop" liability).
7. Under the Zero Tolerance law, drivers under 21 with any trace of alcohol can lose their driving privileges.

The legal sanctions that are applicable if one is found guilty of violating these laws can include fines, probations, restitution, loss of driving privileges, forfeiture of property, and imprisonment, along with other sanctions.

### **Who to Contact on Campus**

The following offices are available on campus to provide assistance and possible referral for persons with substance abuse problems:

- Department of Counseling Services
- Director of Department of Public Safety
- Vice President for Student Services
- Dean of Students
- Wellness Center

### **Community Resources**

These community agencies and/or groups are available to provide assistance to persons with substance abuse problems. Unless otherwise listed, call for information on meeting time and place.

- ***Adult Children of Alcoholics*** (ACOA), 217/373-4200  
Support group for adult children of alcoholic parents.

- **Alcoholics Anonymous**, 217/373-4200  
Support group for alcoholics.
- **Alanon**, 217/373-4141  
Support group for family members and significant others of the alcoholic
- **Alateen**, 217/377-4141  
Support for teenage family members of the alcoholic.
- **Carle Addiction Recovery Center**, 204 W. University, Urbana, 217/373-1777  
Offers an outpatient treatment program, DUI evaluations, and an after-care program.
- **Narcotics Anonymous**, 217/373-2063  
Support group for people addicted to narcotics and/or other drugs.
- **The Pavilion New Choice Center for Addiction Recovery**, 809 W. Church, Champaign, 217/373-1700  
Offers an outpatient treatment program and inpatient detoxification service for adults, inpatient program for adolescents, after-care program for adults and adolescents, and a community education series.
- **Prairie Center for Substance Abuse**, 122 W. Hill, Champaign, 217/328-4500  
Residential and outpatient treatment, detoxification, and crisis intervention for adults and adolescents; family counseling; training and education for business, industry, and community groups; and DUI evaluation and education. 24-hour crisis line: 217/359-1160

## Assessment and Course Placement

Parkland College is committed to placing students in appropriate courses in order to provide each student with the greatest chance of success in those classes and future coursework. Assessment is a set of procedures used to determine academic skills which students bring to Parkland and to match those skills with appropriate courses offered by the college. Students should be placed at a level that will challenge them but that is not beyond their reach. Accurate and proper placement is the goal of the assessment program. Consequently, placement made through the assessment process are mandatory.

All entering students must be assessed prior to registration. The assessment will determine student skills in three basic areas; reading, writing, and mathematics. Assessment results will be used by academic advisors to match students with courses that are consistent with their skill level. Any student registering for a college-level course must provide evidence of appropriate reading proficiency before enrolling.

More information on placement can be found at: <http://www.parkland.edu/assessment#> or by calling the Assessment Center at (217) 351-2432

## Attendance and Absences

Regular and prompt attendance in all classes is the expectation. We know that regular attendance, consistent study habits and good time management are necessary for academic success in college.

If students are absent more than one day due to an emergency, of any kind, they or their family members should contact the Dean of Students office at 217-353-2048. The dean's office will send a notification to the students' instructors. Despite this notification from the dean's office, the student is ultimately responsible for communicating with the instructors regarding their absence and what the student's status is for any missed course expectations.

The dean's notification **does not** excuse the students' absences from assignments, exams, or course requirements. Faculty will handle the absence per the policies and grading rubrics outlined in the class syllabus. Faculty have the right to lower grades due to excessive absences.

For absences related to pregnancy by the expectant mother, please see the section on Pregnancy Support Procedures later in this Handbook.

Due to the Family Educational Policy Act (FERPA), instructors will not speak with students' family members about course work, unless a signed release of confidentiality form is on file in the Admissions Office. Absences due to military duty assignments come in advance with orders and you should refer a student to the Dean of Students office for assistance with this process.

Parkland College recognizes and values the diverse religious beliefs of its constituents, and practices shared responsibility in the event a religious observance conflicts with scheduled class work or assignments. Students who inform their instructors in advance of an intended absence for a religious observance will not be penalized. Instructors should inform students of these expectations at the beginning of the semester so that arrangements can be made accordingly.

Instructors can refer students to the Religious Accommodation Request Form which needs to be submitted to the instructor and Dean of Students, room U242, by the end of the second week of the class term (length of class meetings) to request reasonable accommodation. This form will be available for students and faculty on the forms areas or their respective portals. Some examples of the types of reasonable accommodations for religious observances are altering dates for exams or assignments or permitting a student to attend another section of the same course or similar remedies. Please note that instructors are not responsible for teaching material again.

Complaints pertaining to the Religious Observance policy shall be handled according to Student Grievance process in this handbook.

## Chronic Communicable Diseases

### Policy

The Illinois Department of Public Health (IDPH) has specified diseases which are contagious, infectious, communicable, and dangerous to the public health in Section 690.100 of the Rules and Regulations for the Control of Communicable diseases. The purpose of this policy is to insure College Compliance with those and other existing state and federal rules, regulations, and laws.

Parkland College places a high priority on protecting the health and safety of its campus community and aims to reduce communicable disease exposure risk without unlawfully discriminating in enrollment or employment practices. To that end, Parkland College will adhere to the following guidelines:

1. Parkland College will be in full compliance with the Americans with Disabilities Act (ADA) as it relates to those students and employees who have communicable diseases. Any college decisions made resulting from a student or employee's health related circumstances will be made with input from the Office of Accessibility Services and will depend on each unique instance, applicable confidentiality considerations, and relevant medical facts.
2. Parkland College will follow guidelines as directed by the Illinois Department of Public Health.
3. Parkland College will consider the welfare of the campus community while respecting privacy and needs of the individuals involved.
4. Parkland College will make available to all members of the college community educational opportunities about disease transmission and prevention and will encourage preventive measures including, but not limited to, immunizations against meningitis and flu as recommended by the Centers for Disease Control and the American College Health Association.
5. Parkland College will provide appropriate and non-discriminatory services for persons living with infectious diseases.
6. Parkland College will comply with NCAA and NJCAA regulations to reduce infection risk for those students involved in varsity and intramural contact sports.
7. Parkland College will follow occupational safety and health standards mandated under federal law and state law with regard to the transmission of disease in classrooms, laboratories, and work spaces as outlined in the Exposure Control Plan. This compliance will be coordinated by the Wellness Coordinator.
8. Parkland College will, when necessary, isolate infected persons and/or quarantine their contacts in accordance with the Illinois Department of Public Health guidelines and within the parameters of the College Emergency Plan as managed by the Crisis Management Team.
9. The Vice President for Student Services will administer this policy subject to applicable personnel policies and collective bargaining agreements. Any actions undertaken pursuant to this policy will be in accordance with applicable federal and state laws, Parkland College policies and the best interest of all parties involved. The Vice President for Student Services will also act as spokesperson for the campus regarding all communicable disease policy-related decisions and/or changes.

## Classroom Behavior/Contract

Faculty have the right to use a classroom contract in order to preserve the integrity of the teaching and learning environment.

This is a contract drawn up by the instructor to specify conditions for permitting a student to remain enrolled in a class. It represents the formal phase of addressing behaviors that are disrupting the classroom's teaching and learning environment.

The need for a contract arises when the inappropriate behavior is exhibited again after the informal meetings have taken place when the student received written documentation (the documentation of

student behavior form) about inappropriate classroom behaviors. In some cases of egregious behavior, there may not be an opportunity to complete the informal phase of the disciplinary process

Instructors work with their department chair or program managers to develop the contract in order to address the following; the concerning behaviors, description of appropriate behavior expectations, parameters of the contract (including time frame to fulfill expectations) behaviors (both verbal and non-verbal) that constitute a violation of the contract and most importantly, the consequences for violation of the contract. The student cannot negotiate any terms of the classroom contract due to being given prior notice of need for correcting inappropriate behaviors.

The goal is to retain a positive environment to protect both teaching and learning.

### **Administrative Removal from the Classroom Due to Student Behavior – Procedure**

The faculty member's responsibility is to maintain a positive environment in the classroom so that the faculty member can teach without undue hindrances and all students can constructively engage in class learning activities. There are occasions when maintaining an environment that is conducive to teaching and learning requires the removal of a student from class. Such action is necessarily a **multi-step procedure** to ensure that the student's due process rights are not violated.

Faculty should document all issues with student behavior in relation to the learning environment as soon as they become apparent. While most issues are resolved informally at the faculty-student level, a written record of related incidents are required as evidence should a request for administrative removal become necessary.

#### 1. Meeting:

- a. If a faculty member believes that a student's behavior disrupts or is potentially disruptive to the class teaching/learning environment, the faculty member should request a private meeting with the student in the faculty member's office as soon as possible to discuss the behavior in question. If the faculty member and student come to an agreement on classroom behavior expectations, the matter is resolved.
- b. If the one-on-one meeting with the student does not resolve the behavior issue or if the behavior is sufficiently egregious, the faculty member will consult as soon as possible with the department chair. The department chair will meet with the student and the faculty member. If an agreement is reached on classroom behavior expectations between the student and the faculty member, no further action is necessary at this time. The department chair documents the one-on-one meeting and agreement.

#### 2. Temporary removal from class:

- a. In cases where the behavior exhibited in class seriously disrupts class, the faculty member may request the student to leave the class for the day. The student will not be permitted to return to class until after a one-on-one meeting with the faculty takes place. In such instances, it is advisable to involve the department chair in the meeting; in all cases, the department chair must be informed when a student is removed, even temporarily, from class.
- b. The faculty member and/or department chair should consult the Dean of Students when behavior causes the immediate but temporary removal of the student from the class. The department chair will keep the division dean apprised of the situation.

- c. The faculty member will use the Documentation of Student Behavior form (<https://my.parkland.edu/forms/default.aspx>) to record the incidents of behavior.
3. Student contract and consequence of administrative (permanent) withdrawal from the class:
    - a. The department chair in consultation with the faculty member may decide that the agreement on appropriate classroom behavior be explicitly spelled out in the form of a written student contract. The student behavior contract should include:
      - Behavior expectations for the class
      - Description of the behavior (e.g., use of technology; inappropriate speech; inappropriate non-verbal behaviors) that has hitherto contributed to the disruption of the teaching/learning environment
      - Terms of the contract including:
        - Actions that the student has to undertake
        - Broad description of behavior that the student should refrain from (For example, *inappropriate use of technology* rather than *texting in class*)
        - Faculty action and/or resources to support positive student behavior
      - Consequences for repeating the behavior in question that may include permanent administrative withdrawal from the class

Student agreement to the contract is required before a return to class is permitted. When appropriate, contractual terms should be discussed with the Dean of Students. The department chair will expedite setting up of the contract so that the student does not lose class time.

- b. If the student is not satisfied with the terms of the contract written by the department chair, the student should see the division dean. The dean will consider all perspectives of the situation including the student, other class members, faculty member and department chair before making a determination whether the student contract is used appropriately to manage the classroom teaching/learning environment. If the dean determines that the contract is appropriate, the contract is valid as written. If there are grounds for re-consideration, the dean will remand the case back to the department chair for review.
4. Procedures for executing administrative withdrawal from the class
    - a. If the student violates the terms of the contract, or if the behavior is egregious and warrants immediate administrative withdrawal, the department chair in consultation with the division dean should immediately recommend to the Dean of Students that the student be administratively withdrawn from the class. Documentation upon which the recommendation is based will be shared with the Dean of Students.
    - b. Department Chair in consultation with the Division Dean will refer students for administrative withdrawal hearings who have:
      - i. Violated the terms of their classroom contract, or

- ii. Committed egregious behaviors which warrant immediate administrative withdrawal.
- c. Administrative Hearings
  1. Students moved by department to a student administrative withdrawal hearing will have charges presented to them by the Dean of Students within 1 school day of notification of incident from the academic dean. The Dean of Students will attempt to meet with the student the following day to present the charge letter in person as well as email to their Parkland student email account. Notification to the student to meet with the Dean of Students should be made by the faculty at time of incident.
  2. The Dean of Students' charge letter will inform student of the charges and administrative withdrawal hearing date, which shall be no more than 2 school days after the charge letter date.
  3. Student will be informed that Student Conduct Advisor will send them notification via their Parkland student email account to confirm date, time and location of hearing.
- d. Hearing Guidelines
  - i. The Conduct Advisor is responsible for distribution of relevant material to the administrative withdrawal hearing committee members as well as to the charged party. The Conduct Advisor is also responsible for the disposal of all materials. One copy for record will be maintained in the Dean of Students and the Vice President for Student Services' Office for one year.
    - a. Composition of the Committee and Hearing Procedures
      - i. One student selected from a pool of students approved and trained by the Dean of Students.
      - ii. Two employees of the College selected from a pool of employees approved and trained by the Dean of Students. One professional support staff member and one faculty member from a division different than the one referring the student to the hearing.
      - iii. The withdrawal hearing committee chair will be the student conduct advisor or his or her designee. This position will be nonvoting except in tie votes.
      - iv. Other college policies may dictate a variance of this committee composition to include specially trained members – both faculty and students. Composition is dictated by that policies procedure.
    - b. The hearing shall be private, (restricted to committee members, the charged party and the charges parties' advisors). Admission of any person to the hearing shall be determined at the discretion of the dean of students and normally with the consent of the accused student.
    - c. The involved parties shall have the right of counsel by any relative, Parkland College student, Parkland College employee, or any other designee who serves as an advisor. The advisor's role is limited to advising the student. Charged students are responsible for presenting their own cases, and therefore, advisors are not permitted to speak to committee members during a hearing or participate directly in any hearing before an Administrative Withdrawal Hearing Committee.

- d. To ensure the student understands his or her rights, the “Garrity Procedures” will be read to the accused student prior to questioning and/or allowing the student to make a statement.
- e. If an accused student, with notice, does not appear before an Administrative Withdrawal Hearing Committee, the information in support of the charges shall be presented and considered, even if the accused student is not present.
- f. There shall be a single verbatim record, such as a tape recording, of all formal proceedings during an Administrative Withdrawal hearing. The record shall be the property of Parkland College.
- g. The accused student will be notified that the committee will make its decision within one school day. The final decision will be emailed to the student at their Parkland email address. This decision shall be final and not subject to appeal.
- h. Administrative withdrawals result in a W grade on the student’s academic record. No refund for tuition and fees is given.

**Health Professions programs.** Faculty teaching in Health Professions programs should refer to their division document titled Health Professions Essential Qualifications, Code of Conduct, and Intent to Suspend or Dismiss Policy and Procedures. Questions on procedure should be directed to the Dean for Health Professions.

## Computer/Network Usage

Parkland College computers are to be only used by students and employees of the college. Community access to computers is allowed in and limited to the open lab in the Parkland Library. Students and employees who use a Parkland College computer must do so in a manner consistent with the institution’s computer/network usage policy and the college’s Mission and Purposes. College computer use that violates this policy or that is detrimental to the fulfillment of the college’s Missions and Purposes may result in suspension of computer privileges, disciplinary review, suspension or expulsion from the college, termination of employment, and/or legal action.

All members of the college are bound by local, state, and federal laws relating to copyright, security, and other statutes regarding telecommunications and media.

In designated open computer labs, academic class work takes precedence over recreational use. Specific computer labs may post computer use policies to supplement this policy.

Examples of inappropriate and prohibited use of college computing facilities include the following:

- Cheating;
- Plagiarism;
- Any illegal use, including but not limited to uses that infringe on the rights of others to enjoy an environment free of harassment; software copyright infringement; unauthorized distribution of copyrighted materials, including sharing copyrighted music and materials with others.
- Computer and/or network vandalism;

- Advertising or commercial use for private gain;
- Unauthorized alteration of computer hardware or software configuration;
- Unauthorized use of someone else's password or reading of someone else's e-mail or personal files, except in compliance with legal proceedings/investigations;
- Displaying, creating, or transmitting images or messages that are inconsistent with or detrimental to the college's Mission and Purposes.

## Concurrent Enrollment at Parkland and the University of Illinois

The University of Illinois at Champaign-Urbana (UIUC) and Parkland College have a concurrent enrollment agreement that permits Parkland students to enroll in UIUC courses that are not available at Parkland while the students are also enrolled at Parkland. Similarly, UIUC students may enroll in selected Parkland courses. For further information, contact Parkland's Director of Counseling Services.

During the semester for which concurrent enrollment is sought, the student must register for at least as many (and normally more) semester hours at the principal institution and meet the admission requirements of the cooperating college. Students will be required to pay the tuition and fees regularly assessed at each institution in accordance with the number of semester hours taken. The application fee for the University of Illinois, however, will be waived.

### **Parkland Students**

Parkland students wishing to enroll on a concurrent basis at the University of Illinois should follow the procedures described on page 56 of the 2018-2019 Catalog.

### **University of Illinois Students**

University of Illinois students wishing to enroll on a concurrent basis at Parkland should consult the associate dean or representative of their college at the university regarding procedures and approval. An approved Permit to Enter the Concurrent Enrollment is required before registration. The full procedure is described on page 56 of the 2018-2019 Catalog.

## Documentation of Student Behavior

The Documentation of Student Behavior Form has been developed to serve a complementary role to guiding appropriate student behavior both in the classroom and throughout the campus environment. The purpose of the documentation of behavior form is to provide a vehicle for discussion about actions that are causing concern. If a student is violating the syllabus or department criteria or demonstrating behaviors that are disrupting the teaching and learning environment, documenting this information allows an opportunity to discuss the inappropriate behaviors and ways to improve them. This discussion provides the student with due process, being informed of "what is the problem," guidance on improving behavior and an opportunity/ time line, to change or remediate the behavior. The student behavior form is the informal process for addressing student behavior. If the behavior(s) do not improve, the next step is a classroom contract which is the formal step a department takes when considering removal of a student from remaining in a class or using a service/resource department.

The student is asked to sign the documentation form to indicate being informed of the problem and actions for improvement and given a copy. Signing it does not indicate agreement with the information. If a student refuses to sign the form, the instructor can substitute a witness either (staff or office mate) signing to verify student was given copy of the documentation form. If student leaves prior to receiving a copy, as a matter of record, it will be sent to the student's Parkland College email account.

## Drop/Withdrawal Procedures Policy

Students have the privilege of dropping from a class without the class becoming a part of their permanent academic record during specified drop periods. For all classes, regardless of semester and length, the deadline to drop is the Sunday following the start of class at 11:59 p.m. A refund of tuition and fees is given when a class is dropped.

After the drop period, students may withdraw themselves from classes with a grade of W recorded on their permanent academic record. No refunds are given. Students are responsible for obtaining their instructor's signature and submitting the appropriate form either in person to the Office of Admissions and Records or emailing it to [admissions@parkland.edu](mailto:admissions@parkland.edu). [Withdrawals](#) may not be done online in the student portal or by telephone. The deadline to withdraw is 5 p.m. in the last business day of the week before the last week of instruction. The specific dates for drops and withdrawal from standard class sessions are published online and in the class schedules. Students should consult class syllabi for withdrawal deadlines for non-standard class lengths. Failing to withdraw properly from a class may result in receiving a failing grade of F for that class.

Students who are failing a course due to violations of the academic honesty policy or failing a clinical course in a Health Professions program may not be permitted to withdraw. For questions, see the appropriate academic division dean.

Withdrawal from a course may be initiated by either the student or college as follows.

***Student Initiative:*** A student enrolling in a class automatically assumes certain responsibilities. One of these responsibilities is to properly drop or withdraw from a class if the student decides not to take or complete the course. A student having been enrolled in a class, remains enrolled until the student initiates a drop or a withdrawal or the student is administratively dropped or withdrawn.

***Faculty/administrative Action:*** A student who never attends, or ceases to attend, any course in which he or she has enrolled may be administratively withdrawn upon recommendation of the instructor. A student also may be withdrawn from a course by administrative action as a result of the failure to abide by a contract that he/she signed, or emergency or disciplinary procedures under the provisions of board policy on student rights and responsibilities. Administrative withdrawals result in a W grade on the permanent academic record. No refunds are given.

At the census day, immediately following the student drop period, faculty members will initiate the administrative withdrawal process for students who have never attended. After the census date and at any time up until midterm, faculty members will initiate the administrative withdrawal process for students who cease to attend. Attendance in an online class is measured in terms of student

participation in online class discussions or contact with the faculty member. See page 47 and 48 of the 2018-2019 Catalog for additional information.

At midterm, the instructor is required to certify students' attendance according to the requirements of the Illinois community College Board. Each faculty member must sign the following statement at midterm: "I hereby certify that the above listed students, unless W grade has been marked, are currently attending and actively pursuing completion at the course at midterm, and I have proper documentation to support this certification." At midterm or at any other time prior to midterm, the faculty member may administratively withdraw any student who does not satisfy the conditions of the previous statement. After midterm, faculty cannot withdraw any student; withdrawal from a course must be done by the student prior to 5 p.m. on the last day to withdraw as published in the Parkland Class Schedule.

Should a student who has been administratively withdrawn return to class and the faculty member determines it is possible for the student to earn a quality grade, the faculty member and appropriate department chair or academic dean may sign an Authorization to Add a Class form, and the student will be able to re-register in the course with no additional financial cost, assuming that the student has not received any refund. The Business Office will determine whether additional tuition and fees are due.

The Office of Admissions and Records notifies students of faculty/administrative withdrawal actions. The office of Financial Aid and veteran Services is also notified.

The student is responsible for understanding that withdrawal may result in loss of financial aid and that failing to properly withdraw from a course may result in receiving a failing grade or F for that course.

A degree- or certificate-seeking student who is taking more than 6 semester hours who wishes to withdraw from all course work must complete the Official Withdrawal/Checkout Authorization procedure. Forms and instructions may be obtained from the Office of Admission and Records.

## E-Mail Access and Use

Parkland College uses email as an official means of communication. All Parkland employees and retirees, students, and others as determined by College administration are issued an official Parkland email account. Parkland email services are the official email services to be used for instruction, instructional support, advising, service, administration, and college-related correspondence in support of the College's mission. The College has the right to send communications via email and expect those communications to be read in a timely fashion.

Parkland email users are expected to comply with and are subject to all Federal, State, and College rules, regulations, and procedures when using email.

Users are responsible for safeguarding their username and password and for using them only as authorized. Sharing email accounts and/or passwords with another person, or attempting to obtain access to another person's account is prohibited. Each user is responsible for all email transactions made under the authorization of his or her Parkland email username.

Users who choose to access the Parkland email, calendar, and contacts system on their personal devices are responsible for following security procedures and guidelines as defined by Campus Technologies.

Email addresses will be listed in the email directory and other appropriate College publications as allowed by the federal and state laws and regulations. The College is not responsible for the handling of email by non-Parkland email systems.

The College has the right, when required by applicable law, to access, review, and release all electronic information that is transmitted or stored by the College whether or not such information is private in nature. Confidentiality or privacy of electronic mail cannot be guaranteed.

Email is subject to all pertinent laws regarding sharing or transmission of sensitive information, such as:

1. Freedom of Information Act (FOIA)
2. Family Educational Rights and Privacy Act (FERPA)
3. Health Insurance Portability and Accountability Act (HIPAA)

#### Inappropriate Use

The College's email systems and services are not to be used for purposes that could be reasonably expected to strain storage or bandwidth.

Inappropriate use of Parkland email systems and services includes, but is not limited to:

- Email for unlawful purposes such as copyright infringement, obscenity, libel, slander, fraud, defamation, plagiarism, harassment, intimidation, forgery, impersonation, soliciting for pyramid schemes, and computer tampering.
- Email that violates Parkland College's policies, rules, or administrative orders.
- Viewing, copying, altering, or deletion of email accounts or files belonging to Parkland College or another individual without authorized permission.
- Opening email attachments from unknown or unsigned sources.
- Excessive personal use of Parkland email resources which is defined as use that would interfere with productivity, pre-empt any business activity, or consume more than a trivial amount of resources. Limited personal use for communication with family and friends, independent learning, and public service is permitted.
- Use of Parkland email systems and services for non-Parkland commercial activity, political campaigning, and dissemination of chain letters.
- Use of Parkland email by people not associated with the College.

#### Email Account Termination

Upon termination of employment, a user's access to their email account will also be changed to the following:

- Email access for students will be terminated after two consecutive semesters of non-enrollment (excluding summer terms).
- Email access may be terminated for a cause at any given time per a request from HR for employees or Student Services for students.
- Campus Technologies may interrupt and/or terminate access to email accounts for security reasons.

### Email Record Storage and Retention

Some email messages are considered to be College records and must be stored and disposed of in accordance with the State Records Act and Illinois Administrative Code. Email and email attachments related to official College processes, must be copied to a compliant archival system as determined by the appropriate administrator in consultation with Campus Technologies. The Parkland email system is not recognized as an official complaint document storage system.

## Financial Aid: Satisfactory Academic Progress Policy

In accordance with the U.S. Department of Education, Parkland College is required by Federal Regulations 34CFR Parts 668.32(f) and 668.34 to establish satisfactory academic progress standards for federal and state financial aid recipients enrolled in eligible degree and certificate programs. These minimum standards ensure that only those recipients demonstrating satisfactory progress toward the completion of their educational objective continue to receive financial assistance.

The following are “minimum standards” required for a student to be eligible for the following types of student financial aid **regardless** if a student has previously received student financial aid: Federal Pell Grant, Federal Supplemental Educational Opportunity Grant (FSEOG), Federal Work-Study Program (FWSP), Federal Direct Stafford/Ford Loans, Federal Parental Loan for Undergraduate Students (PLUS), Illinois Monetary Award Program (MAP), and the Illinois Incentive Access Grant (IIA).

### **Minimum Standards Regarding Maximum Hours Attempted**

***Students enrolled in eligible degree programs cannot exceed 150 percent of the number of credits needed to complete the program.***

Attempted hours include all Parkland 100-299 level classes, remedial hours, repeated hours, all transfer credit, military credit and proficiency exam credit. Withdrawals, failures, incompletes, and “N” grades are also considered attempted hours.

***Students enrolled in eligible degree programs cannot exceed 150 percent of the number of credits needed to complete the program.***

Attempted hours include all Parkland 100-299 level classes, remedial hours, repeated hours, all transfer credit, military credit and proficiency exam credit. Withdrawals, failures, incompletes, and “N” grades are also considered attempted hours.

### **Minimum Standards for Satisfactory Course Completion Rate**

***All degree/certificate students must comply with the minimum standards for Satisfactory Course Completion Rate of 67 percent regardless of the student previously receiving financial aid at Parkland or any other institution of higher education.***

Satisfactory Completion Rate refers to the percentage of cumulative Parkland hours successfully completed (earned) in relation to cumulative Parkland hours attempted (excluding transfer hours). Attempted hours include all Parkland 100-299 level classes, remedial hours, repeated hours, and proficiency exam credit. Withdrawals, failures, incompletes, and “N” grades are also considered attempted hours. Note: Military Withdrawal grades are excluded from attempted hours.

Successfully completed Parkland (earned) hours are those classes for which there is a letter grade of A, B, C, D, or proficiency exam credit.

Example: To meet the minimum completion rate of 67 percent, a student who has attempted 28 cumulative Parkland hours at the end of a semester must have successfully completed (earned) a minimum of 19 cumulative Parkland hours (round up).

### **Minimum Standards Regarding GPA**

Students who have attempted 60 or more Parkland credit hours (excluding transfer and military credit) must maintain a minimum cumulative college GPA 2.0 or better.

#### **1. Review Period**

Every student who applies for financial aid for the first time at Parkland will be reviewed to determine if the student has met the three minimum standards set by this policy (i.e., minimum completion rate, GPA, and maximum hours attempted). Students who have not successfully completed 67 percent of the previous Parkland attempted hours will be placed on Financial Aid Warning; students who have attempted 60 or more Parkland hours with less than a 2.0 cumulative GPA will be placed on Financial Aid Warning. Degree seeking students who have attempted 150 percent of the number of credits needed to complete the program (including all transfer credit hours and military credit) will be placed on Financial Aid Suspension at the beginning of that semester and will not be eligible for Financial Aid. Certificate seeking students who have attempted 150 percent of credits needed to complete the program (including all transfer credit hours and military credit) will be placed on Financial Aid suspension at the beginning of that semester and not eligible for financial aid.

At the end of each semester, the record of every student who has completed a FAFSA and received Financial Aid for which satisfactory academic progress must be maintained will be reviewed to determine if the student has made progress according to the three minimum standards set by this policy.

The office of Financial Aid and Veteran Services is NOT notified when a student finishes an incomplete class or receives a grade change. Therefore, it is the student’s responsibility to notify the Office of Financial Aid when incomplete courses are finished and/or grade changes are made.

#### **2. Financial Aid Warning**

If a student is not making satisfactory progress under the minimum completion rate standards, he/she will be placed on Financial Aid Warning and allowed the following semester of enrollment to achieve the minimum satisfactory completion rate of 67 percent of all Parkland cumulative attempted hours, the student will be placed on Financial Aid Suspension Status.

If a student is not making satisfactory progress under minimum cumulative college GPA requirement, he/she will be placed on Financial Aid Warning and allowed the following semester of enrollment to achieve the minimum cumulative GPA of 2.0 or better. If at the end of that semester the student has not met the minimum completion rate of 67 percent of all Parkland cumulative attempted hours, the student will be placed on Financial Aid Suspension Status.

Note: There is no Financial Aid Warning period for degree or certificate seeking students who have attempted the maximum of 150 percent of the number of credits needed to complete the program (immediate financial aid suspension occurs).

### **3. Financial Aid Suspension**

A student who has met the minimum completion rate of 67 percent after one semester on Financial Aid Warning will be placed on Financial Aid Suspension and not eligible to receive financial aid funds covered under this progress policy.

A student who has attempted 60 or more Parkland credit hours and does not have a cumulative college GPA of 2.0 or better after one semester on Financial Aid Warning will be placed on Financial Aid Suspension and not eligible to receive financial aid funds covered under this progress policy.

A student enrolled in a degree program who has exceeded 150 percent of the number of credits needed to complete the program (**including all transfer students and military credit**) will be placed on Financial Aid Suspension status without a period of Financial Aid Warning.

A student enrolled in a certificate program who has exceeded 150 percent of the number of credits needed to complete the program (**including all transfer students and military credit**) will be placed on Financial Aid Suspension status without a period of Financial Aid Warning.

### **4. Financial Aid Reinstatement**

There are two ways a student's eligibility can be reinstated from suspension status:

- a. Meet minimum cumulative completion rate and/or cumulative college GPA requirement standard(s) as set forth in this policy; or
- b. Submit an appeal that is approved by the Financial Aid Appeals Committee placing the student on Financial Aid Probation or Extension.

### **5. Financial Aid Probation Status**

A student who submits a Minimum Course Completion Rate and/or GPA appeal that is approved by the Financial Aid Appeals Committee will be placed on Financial Aid Probation, and financial aid will be restrained.

**Note:** While on Financial Aid Probation, the student must complete a minimum of 100 percent of the semester attempted hours with a minimum of a 2.0 semester college GPA. Failure to do so will result in Financial Aid Suspension.

6. **Financial Aid Extension Status**

A student who submits a Maximum Hours Attempted appeal must submit a graduation audit confirming their ability to complete their program in one semester. If the appeal is approved, the student will have his/her aid reinstated and be placed on Financial Aid Extension for one semester of enrollment.

**Appeal Process**

Students who fail to meet the Parkland Satisfactory Progress Requirement defined by this policy may submit a written appeal to the Satisfactory Progress Appeals Committee. Appeal forms are available from the Office of Financial Aid or the Office of Financial Aid website. Appeals must clearly explain why the minimum standard was not met. The Committee will take circumstances, such as medical reasons, family crisis, personal problems, or other circumstances which adversely affected academic performance under consideration. Supported documentation should be included with the appeal. The appeal and any supporting documentation should be sent to the Appeals Committee in care of the Parkland Office of Financial Aid.

The Appeals Committee meets at least three times each semester to review appeals. The Office of Financial Aid and Veteran Services will email notification of the Committee's decision to the student's college email. The Appeals Committee is comprised of staff members from other offices within Parkland's Student Services.

A student who submits a Minimum Course Completion Rate and/or GPA appeal that is **not approved** by the Financial Aid Appeals Committee must meet the minimum cumulative completion rate and/or cumulative college GPA requirement standard(s) as set forth in this policy. **Note: The decision of the committee is final.**

A student who submits a Maximum Hours Attempted appeal that is **not approved** by the Financial Aid Appeals Committee will be placed on Financial Aid Cancellation Status. The committee will not accept future appeals for review. **Note: The decision of the committee is final.**

**Return of Title IV Funds Policy**

The Higher Education Amendment of 1998 requires institutions to calculate the amount of Title IV aid earned by students who totally withdraw from the institution before completing 60 percent of the enrollment term. Parkland must calculate the amount of Title IV funds the student earned for the period enrolled before withdrawing. This process requires Parkland to determine whether any Title IV funds received by or on behalf of that student must be returned or if the student is entitled to further disbursements of awarded Title IV funds. A student who attended more than 60 percent of the payment period earns 100 percent of his or her aid.

The return of Title IV funds formula calculates the amount of Title IV aid to which a withdrawn student is entitled in direct proportion to the percentage of the period that the student attended.

Parkland will notify the student that he or she must repay the overpayment or make satisfactory repayment arrangements within 30 days of determining that a student has completely withdrawn from all classes.

## Grade Appeal

The awarding of grades for work done in courses is the domain of the faculty. Only a faculty-led committee has the authority to override a grade on appeal, except in cases of approvals for drops without record, late withdrawals, and medical withdrawals.

Students have a right to a grade review to correct an erroneous grade and to a grade appeal as a remedy for unfair assignment of a grade in a course. Students seeking a grade appeal must initiate the process by the midterm of the following semester (excluding summers). A student utilizing the grade appeal process is precluded from using the Student Grievance hearing process for the same occurrence.

### Procedure

A student may seek a grade review or grade appeal on any of the following grounds.

The assignment of a grade to a particular student:

- by using some basis other than academic or behavioral performance in the course;
- by using more exacting or demanding standards than were applied to other students in that course;
- by using standards and/or criteria for grade assignment are not clearly presented in the course syllabus, course materials, and/or written communications;
- by a substantial departure from the instructor's previously announced or written standards.

Grades found to be in error may be changed by the instructor or, if the instructor is unavailable, the Department Chair upon discovery and confirmation of the error. Judgments of unfair grading, however, can only be made by a grade appeal committee, usually within the same discipline.

During the grade appeal process, all procedures and meetings, including names and related information, will be confidential unless otherwise mutually agreed upon by all parties involved.

### Requesting a Grade Review

1. The student contacts the instructor by midterm of the following semester (excluding summers) and requests a review and an accounting of how the grade was determined. If the student is satisfied with the response, the procedure ends.
2. If the student wants to appeal the instructor's response, or if the student is unable or does not want to contact the instructor, he or she may contact the Department Chair or designee by midterm of the following semester, excluding summers.
3. The Department Chair reviews the grade by gathering all relevant information from both the student and the instructor.
  - a. If the Department Chair determines that an error has occurred, and the instructor is in agreement, the student's grade will be changed accordingly.
  - b. If the instructor, upon review, reconsiders the grade and believes a different grade is more suitable, he or she may change the grade accordingly.
  - c. If the review does not result in a grade change, and if the student accepts the grade, no change is made.

### Requesting a Grade Appeal

If the foregoing review does not result in a grade change, and the student wants to appeal the grade, a grade appeal must be requested from the Division Dean.

1. The Division Dean will appoint a grade appeal committee, consisting of three faculty members from within the division who are knowledgeable about the requirements of the course and the criteria for evaluating student performance and who are deemed able to render an impartial judgment. One student representative selected from the list of trained students from the Dean of Students will also serve on the committee as a voting member. The appeal committee will independently and separately consider all relevant information from the student and the instructor, the student work in the course, and all the other performance requirements (attendance, timeliness of work, etc.) when determining whether the student's grade is in line with normal course, discipline, departmental, College, and professional guidelines and standards.
  - a. If the appeal committee finds, by simple majority vote, that the grade is fair and correct and should not be changed, the appeal for a grade change will be denied.
  - b. If the appeal committee finds, by simple majority vote, that the grade is not fair or correct and should be changed, its decision will be forwarded to the Division Dean, who will administer the change of grade.
  - c. In the case of a tie vote among appeal committee members, the Division Dean will vote to break the tie.
2. If the student is not satisfied with the result of the appeal, he or she may petition the Student Affairs Committee. The Division Dean will guide the student through the Appeal Process.
  - a. The committee reviews the grade appeal process that the division followed and determines whether it has been carried out completely and fairly, in accordance with due process. If not, the case is remanded to the division for reconsideration following the appropriate guidelines. If all procedures have been followed appropriately and no errors are detected, the appeal process is complete and the grade remains the same as originally issued.
  - b. The committee also reviews the case to determine whether the instructor's requirements and demands are compatible with College policies and procedures (attendance, etc.). If not, the case is remanded to the division for reconsideration with recommended changes in course requirements and reconsideration of the grade appeal. If there are no policy violations, the appeal process is complete and the grade remains the same as originally issued.
  - c. Once a grade appeal has been appealed to the Student Affairs Committee and a final decision has been made, the case will be considered closed.

No reprisal shall be taken by the Board of Trustees, administration, faculty, or staff against any student or faculty because of participation in a grade appeal.

## Graduation

### Conferral of Degrees and Certificates

Associate degrees and certificates are conferred at the end of each semester. Students who plan to graduate are encouraged to file a Petition to Graduate Form early in the semester prior to the semester in which they anticipate graduation. This form and all other graduation credentials must be on file in the Office of Admissions and Records, room U214. All petition to graduate deadlines are posted in the current catalog.

Commencement is held each year at the completion of the spring semester. All students who have graduated with an associate's degree or certificate with 30 or more credits since the last commencement, or who expect to graduate at the end of spring semester or the following summer session, are encouraged to participate. The deadline(s) for filing Spring and Summer Petitions to Graduate in order to participate in commencement are published in the college Academic Calendar.

## Harassment/Discrimination (Non-Sexual) - Students

Parkland College values and respects each and every student and is committed to fostering a diverse educational environment that cultivates the best in each student. This harassment/discrimination policy represents a vital part of maintaining a respectful and productive educational environment.

In general, harassment or discrimination based on race, color, sex, gender, gender expression, national origin, religion, age, veteran status (including Vietnam veteran), marital status, ancestry, disability or sexual orientation, or retaliation for complaining about harassment or discrimination is a violation of federal and state law. Harassment is prohibited in all areas of the College, including off-campus sites. However, this policy does not prohibit constitutionally protected expressions.

### Harassing/Discriminating Behavior

Harassment or discrimination is any conduct which is so severe or pervasive that it actually:

- Interferes with an individual's work or education because of expressions based in race, color, national origin, religion, age, veteran status (including Vietnam veteran); marital status, ancestry, disability or sexual orientation or retaliation for complaining about harassment or discrimination;
- Creates an intimidating, hostile, or offensive environment through written, graphic, or verbal communications including comments, jokes, slurs, or negative stereotyping; or interferes with an individual's performance.

### Retaliation Prohibited

Students who complain of harassment or discrimination, or provide information related to such complaints, or oppose harassing and/or discriminating behavior, shall be protected against retaliation. Retaliation is considered as serious as prohibited harassment and immediate and appropriate disciplinary action, up to and including expulsion shall be instituted. During the complaint investigation, all parties shall be reminded that retaliation is prohibited.

Examples of retaliation can include negative actions such as, but not limited to:

- Poor performance evaluations;

- Change in class assignments or other negative discussions;
- Laughing at, ignoring or failing to take seriously reports/complaint of harassment;
- Continuing/escalating harassing behavior after the student objects.

### **Addressing Harassment/Discrimination**

If you feel you are being harassed, discriminated against, or retaliated against, you are encouraged to notify the Vice President for Student Services, the Office of Human Resources, or a trusted faculty or staff member at the College. If you wish to explore your concerns and options related to harassment, you are encouraged to contact a counselor in the Counseling and Advising Center at the College.

### **Timely Reporting**

An objective of this policy is preventing or intervening when such unwelcome conduct occurs before it creates an uncomfortable or disruptive academic environment. Therefore, students who believe they have been victims of conduct prohibited by this policy are encouraged to report it immediately.

### **Investigation Procedures**

In determining alleged harassment/discrimination, the circumstances, the nature of the harassment/discrimination, and the context in which it allegedly occurred may be investigated by the Vice President for Student Services, the office of Human Resources, or a designee as named by the President if there is potential for a conflict of interest (e.g., the incidents involve either of those offices). The ability of the Vice President for Student Services, the office of Human Resources, or designee, to properly investigate and/or respond to allegations of harassment/discrimination will be limited if the alleged victim is unwilling to provide adequate information, and/or requests confidentiality, and/or the time elapsed has compromised the evidence. Complainant as well as respondent may request updates as to the general progress of the investigation.

### **Hearings**

Student to student complaints will be referred to the Vice President for Student Services for disposition. If the charges cannot be disposed of by mutual consent (mediation) or if either party does not adhere to agreed upon sanction(s) or the charges result from a violation of major offense in which suspension or expulsion would be recommended, the Vice President for Student Services will refer the case to a special sub-committee of the student conduct hearing committee. Members of that special sub-committee will be trained to deal with such matters. The composition of the committee will consist of two faculty/staff, two students, and a nonvoting Chair except in the case of a tie vote. At least one member of the conduct committee must be of the same gender as the complainant. The Vice President for Student Services will not serve as a member of the committee or as the Chair. The hearing will take place in a timely manner.

The response to student complaints against an employee of the College alleging harassment/discrimination will adhere to the procedures as outlined in Parkland College Employee Policy 3.02 "Harassment/Discrimination-Employees".

Employee complaints against a student alleging harassment/discrimination will be disposed by the office of Human Resources and the Vice President for Student Services. If the charges cannot be disposed of by

mediation or agreed upon sanctions, the case will be remanded to a special sub-committee of the student conduct hearing committee, as outlined above. The hearing will take place in a timely manner.

### **Hearing Outcome**

- If the charges of harassment/discrimination are found to have merit, sanctions will be imposed. These sanctions may include one or several of the following: a written warning, probation, suspension, expulsion, academic accommodations, separation of harasser and harassed, counseling and/or training. If the offender is an employee of the College, the office of Human Resources will be responsible for sanctioning which could include warning, training, or termination.
- If the charges of harassment/discrimination are found to have no merit, no sanctions will be imposed.
- Either party may appeal the outcome of the hearing. The appeal process will follow the prescribed procedures as outlined in the Student Conduct Code under Appeals if both parties are students.

### **Rights of the Complainant/Respondent**

- Advocates for both the complainant and respondent will be allowed during the investigation and/or hearing.
- The complainant may withdraw the charges at any time during the process, although the College may continue with the processes if deemed appropriate.

### **Confidentiality**

The confidentiality of all parties who are interviewed or who present information throughout the proceeding shall be maintained to the extent possible. Information about the allegation of harassment/discrimination shall be shared only on a “need to know” basis.

### **Programs**

- The College will make every effort possible to provide a copy of the Harassment/Discrimination policy to all students.
- The College will provide educational awareness programs to address the issue of harassment/discrimination.

## **Harassment/Discrimination/Misconduct (Sexual) - Students**

### **I. Purpose**

The College is committed to maintaining a safe and healthy educational and employment environment that is free from discrimination, harassment and misconduct on the basis of sex, which includes sexual orientation or gender-related identity. The purpose of these Procedures is to implement the College’s Policy Prohibiting Sex-Based Misconduct and Policy 8.26 Harassment/Discrimination – Students and Policy

3.02 Harassment/Discrimination - Employees, ensure a safe and healthy educational and employment environment, and meet legal requirements in accordance with: Title IX of the *Education Amendments of 1972* (“Title IX”), which prohibits discrimination on the basis of sex in the College’s education programs or activities; relevant sections of the *Violence Against Women Reauthorization Act* (“VAWA”); Title VII of the *Civil Rights Act of 1964* (“Title VII”), which prohibits discrimination on the basis of sex in employment; relevant sections of the *Illinois Human Rights Act*, which prohibits discrimination on the basis of sex or sexual orientation, including gender-related identity; the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* (“Clery Act”), which requires timely warning to the community of certain immediate threats; the *Preventing Sexual Violence in Higher Education Act*; and other applicable law and local ordinances.

The College has an affirmative duty to take immediate and appropriate action once it knows or its management should know of an act of sex-based discrimination, sexual harassment or other sex-based misconduct in any of its educational or employment programs or activities. The College will promptly and thoroughly investigate any complaints of sexual discrimination, harassment and/or misconduct in accordance with the procedures set forth below.

## **II. Jurisdiction**

The College’s Policy Prohibiting Sex-Based Misconduct and these implementing Procedures apply to students, faculty, staff, appointees, or third parties, regardless of sexual orientation or gender-identity, whenever the misconduct occurs:

- A.** On College property; or
- B.** Off College property if:
  - 1. The conduct was in connection with a College or College-recognized program or activity; or
  - 2. The conduct may have the effect of creating a hostile environment for a member of the College community.

## **III. Scope**

These Procedures govern sex-based misconduct in various forms, many of which may trigger legal obligations under one or more state and federal laws. In no case does the inapplicability of a particular legal framework require the College not to address an act of misconduct falling within the scope of these Procedures.

Sections I-VII and IX-X include provisions relevant to sex-based misconduct in all its forms.

Sections VI.A and VI.B address specific reporting procedures for students and employees, respectively. Section VIII, which describes a grievance process with a required live hearing, applies only to formal Title IX complaints and complaints alleging sexual violence, domestic violence, dating violence or stalking.

Appendix A provides definitions for these Procedures.

**IV. Administration**

**A. Title IX Coordinator**

The College has designated the Vice President for Student Service as the Title IX Coordinator and the Dean of Students and the Associate Vice President/Chief Human Resource Officer as the Title IX Deputy Coordinator(s).

Contact information for the Title IX Coordinator(s) is as follows:

Michael R. Trame  
Vice President for Student Services  
Parkland College  
Room U334  
2400 W. Bradley Avenue  
Telephone: (217) 351-2551  
Email: [Title\\_IX@parkland.edu](mailto:Title_IX@parkland.edu)

Contact information for the Title IX Deputy Coordinator(s) is as follows:

Marietta Turner  
Dean of Students  
Parkland College  
Room U243]  
2400 W. Bradley Avenue  
Telephone: (217) 351-2505  
Email: [Title\\_IX@parkland.edu](mailto:Title_IX@parkland.edu)

Kathleen McAndrew  
Associate Vice President  
Chief Human Resource Officer  
Parkland College  
Room A116  
2400 W. Bradley Avenue  
Telephone: (217) 353-2024  
Email: [Title\\_IX@parkland.edu](mailto:Title_IX@parkland.edu)

Responsibilities of the Title IX Coordinator(s) include, but are not limited to:

- Overseeing the College's response to all Title IX reports and complaints and identifying and addressing any patterns or systemic problems revealed by such reports or complaints.
- Being informed of all reports and complaints raising Title IX issues, including those initially filed with another individual or office or if the investigation will be conducted by another individual or office.
- Conducting and/or assigning Title IX investigations, including the investigation of facts relative to a complaint. The Title IX Coordinator must not be the decision-maker for a determination of responsibility in response to a formal Title IX complaint of sexual harassment.
- Coordinating any appropriate supportive measures and ensuring the effective implementation of any remedies.
- Ensuring that appropriate policies and procedures are in place for working with law enforcement and coordinating services with local victim advocacy organizations and services providers, including rape crisis centers.
- Ensuring that adequate training is provided to students, faculty and staff on Title IX issues.
- Monitoring students' participation in athletics and across academic fields to ensure that sex discrimination is not causing any disproportionate enrollment based on sex or otherwise negatively affecting a student's access to equal educational opportunities.
- Developing a method to survey the school climate and coordinating the collection and analysis of information from that survey.
- Promoting an educational and employment environment which is free of sex discrimination and gender bias.

Inquiries concerning the application of Title IX may be referred to the Title IX Coordinator(s) or to the Assistant Secretary for Civil Rights at the United States Department of Education:

Office for Civil Rights, *Chicago Office*  
 U.S. Department of Education  
 Citigroup Center  
 500 W. Madison Street, Suite 1475  
 Chicago, IL 60661-4544  
 Telephone: (312) 730-1560  
 Email: [OCR.Chicago@ed.gov](mailto:OCR.Chicago@ed.gov)

**B. Human Resources Department**

For any complaints that involve a College employee as the respondent and fall outside the scope of Title IX, the Human Resources Department will manage the investigation into the allegations and issue a decision and any appropriate sanction(s).

For complaints of sex-based misconduct that involve a College employee as the respondent, investigatory and disciplinary procedures required by any applicable collective bargaining agreement will apply in addition to these Procedures.

**V. Options for Assistance Following an Incident of Sex-Based Discrimination, Harassment or Misconduct**

**A. On- and Off-Campus Counselors and Advocates**

The following on- and off-campus counselors and advocates can provide an immediate confidential\* response in a crisis situation, as well as ongoing assistance and support:

Parkland College Counseling Services

Room U267

217-351-2219

Hours: When College is open, 8 AM-5PM

Mental Health Counselors:

Marya Burke\*

Angela Jancola\*

Joe Omo-Osagie\*

Katie Schacht\*

Donna Tanner-Harold\*

**24-Hour Crisis Lines**

[Courage Connection Domestic Violence for Women and Children](#): (217)384-4390 [Mental health/suicide \(Rosecrance/Community Elements\)](#): (217)693-4580

[Sexual assault \(Rape Advocacy, Counseling, & Education Services\)](#): (217)344-6298 [RAINN \(Rape, Abuse, and Incest National Network\) hotline](#): 1-800-656-4673

[Illinois Coalition Against Sexual Assault \(ICASA\)](#): (217)753-4117

[Illinois Coalition Against Domestic Violence](#): 877-863-6338

\*Indicates Confidential Advisors, as defined in Appendix A.

Note: While the above-listed counselors and advocates may maintain a reporting person's confidentiality vis-à-vis the College, they may have reporting or other obligations under State law.

## **B. Emergency Response**

Anyone who experiences or observes an emergency situation should immediately call 911 and/or one of the phone numbers listed below:

Parkland College Department of Public Safety

Room A160

2400 W. Bradley Avenue

(217)351-2369

[PublicSafety@parkland.edu](mailto:PublicSafety@parkland.edu)

Champaign Police Department

82 E. University Avenue

Champaign, IL 61820

(217)351-4545

[Police@champaignil.gov](mailto:Police@champaignil.gov)

Champaign County Sheriff

204 E. Main Street

Urbana, IL 61801

(217)384-1204

[sheriff@co.champaign.il.us](mailto:sheriff@co.champaign.il.us)

University of Illinois Police Department

1110 W. Springfield Ave.

Urbana, IL 61801

(217)333-1216

[police@illinois.edu](mailto:police@illinois.edu)

Urbana Police Department

400 S. Vine Street

Urbana, IL 61801

(217)384-2320

### **C. On- and Off-Campus Health Care Options**

Individuals may seek treatment for injuries, preventative treatment for sexually transmitted disease, and/or other health services by contacting one of the following health care providers:

Carle Foundation Hospital

611 W. Park St., Urbana, IL 61801

(217)383-3311

Emergency Department - 24 hours/day, 365 days/year

- Offers evidence collection (rape kit) and medical treatment\*

OSF Medical Center

1400 W. Park St., Urbana, IL 61801

(217)337-2131

Emergency Department - 24 hours/day, 365 days/year

- Offers evidence collection (rape kit) and medical treatment\*

Frances Nelson Medical Center

819 Bloomington Rd, Champaign, IL 61820

Phone: (217)356-1558

Champaign- Urbana Public Health

201 W. Kenyon Rd. Champaign, IL 61820

Phone: (217)352-7961

- Preventative treatment for sexually transmitted disease
- FREE STI Testing
- Does not require proof of citizenship

Planned Parenthood

302 E Stoughton St., Suite #2, Champaign, IL 61820

Phone: (217)359-8022

- Offers medical abortions up to 9 weeks

Women's Health Practice

2125 South Neil Street, Champaign, IL 61820

Phone: (217)356-3736

- Offers medical and surgical abortions

Avicenna Community Health Center

819 Bloomington Rd, Champaign, IL 61820

Phone: (217)403-5498

- FREE healthcare for the Uninsured
- Does not require proof of citizenship

\*Indicates health care options which provide medical forensic services (rape kits) and/or Sexual Assault Nurse Examiners at no cost, pursuant to the *Sexual Assault Survivors Emergency Treatment Act* (410 ILCS 70).

Seeking medical treatment also serves to preserve physical evidence of sexual violence.

Off-campus health care providers will generally maintain confidentiality and not share information with the College unless the reporting person requests the disclosure and signs a consent or waiver form. Note, however, that while these health care providers may maintain a reporting person's confidentiality vis-à-vis the College, they may have other reporting obligations under State law.

#### **D. State of Illinois Sexual Harassment and Discrimination Helpline**

The Illinois Department of Human Rights has established a helpline for individuals to obtain information about their reporting options and referrals to other resources. The helpline is available Monday through Friday, from 8:30 a.m. to 5:00 p.m., at (877) 236-7703.

### **VI. Making a Report of Alleged Sex-Based Misconduct**

Any student, employee or community member who wishes to avail himself or herself of these Procedures may do so by making a report to the Title IX Coordinator or Deputy Title IX Coordinator(s). Students may also make a report to any Responsible Employee, as defined below. Detailed information concerning student and employee reporting follows below.

#### **A. Student Reporting**

The College encourages students who have experienced sex-based misconduct to talk with someone about what happened so that they can get the support they need and so that the College can respond appropriately. Different employees on campus have different reporting obligations with regard to alleged sex-based misconduct. Some College employees (referred to as "Responsible Employees") are required to report all incidents of sex-based misconduct to the Title IX Coordinator, including the identities of the persons involved in the incident. While only designated Responsible Employees are required to report all incidents of sex-based misconduct to the Title IX Coordinator, all members of the College community (including students) are encouraged to report such incidents to the Title IX Coordinator.

The various reporting options available are set forth in further detail below. Regardless of to whom a report is made, the College will provide the person alleged to be the victim, if identified, with concise information, written in plain language, of the person's rights and options pursuant to these Procedures.

Immunity for Good Faith Reporting: Students who in good faith report an alleged violation of the College's Policy Prohibiting Sex-Based Misconduct will be granted immunity and will not receive a disciplinary sanction for a student conduct violation (such as underage drinking) revealed during the course of reporting. Immunity will not be provided for student conduct violations which the College determines are egregious, including without limitation misconduct which places the health or safety of another person at risk.

1. Student Reporting to the Title IX Coordinator(s)

Students are encouraged to report alleged incidents of sex-based misconduct to the Title IX Coordinator(s) directly. The College's Title IX Coordinator(s) are:

Contact information for the Title IX Coordinator is as follows:

Michael R. Trame  
Vice President for Student Services  
Parkland College  
Room U334  
2400 W. Bradley Avenue  
Telephone: (217) 351-2551  
Email: [Title\\_IX@parkland.edu](mailto:Title_IX@parkland.edu)

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Dean of Students  
Parkland College  
Room U243]  
2400 W. Bradley Avenue  
Telephone: (217) 351-2505  
Email: [Title\\_IX@parkland.edu](mailto:Title_IX@parkland.edu)

Kathleen McAndrew  
Associate Vice President  
Chief Human Resource Officer  
Parkland College  
Room A116  
2400 W. Bradley Avenue  
Telephone: (217) 353-2024  
Email: [Title\\_IX@parkland.edu](mailto:Title_IX@parkland.edu)

## 2. Student Reporting to Responsible Employees

A Responsible Employee, as defined in Appendix A, must report to the Title IX Coordinator all relevant details about an alleged incident of sex-based misconduct shared by a student, including the date, time and specific location of the alleged incident, and the names of all involved individuals. To the extent possible, information shared with a Responsible Employee will be disclosed only to the Title IX Coordinator and/or those individuals responsible for handling the College's response to the report.

The following categories of employees are the College's Responsible Employees:

- College Administrators
- Title IX Coordinator
- Faculty
- Campus Police

- Coaches
- All faculty/staff advisors to a Recognized Student Club/Organization
- All full-time Assistants to the President/Vice-Presidents
- All full-time Dean of Students Office staff
- All full-time Human Resources staff

Before a student reveals any information to Responsible Employee, the employee should ensure that the student understands the employee's reporting obligations. If the student wants to make a confidential report, the Responsible Employee should direct the student to the confidential resources listed in Section VI.A.3 below.

If the student wants to tell the Responsible Employee what happened but also maintain confidentiality, the employee should tell the student that the College will consider the request, but that the College cannot guarantee it will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the Responsible Employee will also inform the Title IX Coordinator of the student's request for confidentiality.

Although rare, there are times when the College may not be able to honor a reporting party's request in order to provide a safe, non-discriminatory environment for all students and employees.

The College has designated the following individual(s) to evaluate requests for confidentiality:

- Title IX Coordinator
- Deputy Title IX Coordinators
- Chief of Campus Police

When weighing a reporting party's request for confidentiality or that no investigation or discipline be pursued, a range of factors will be considered, including the following:

- The increased risk that the alleged perpetrator(s) will commit additional acts of sexual discrimination, harassment or misconduct, such as:
  - Whether there have been other sexual discrimination complaints about the same alleged perpetrator;
  - Whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of misconduct or violence;
  - Whether the alleged perpetrator threatened further sexual discrimination or violence against the student victim or others;
- Whether the sexual discrimination was committed by multiple perpetrators;
- Whether the sexual discrimination, harassment or misconduct was perpetrated with a weapon;

- Whether the student victim is a minor;
- Whether the College possesses other means to obtain relevant evidence of the sexual discrimination, harassment or misconduct (e.g., security cameras or physical evidence);  
And
- Whether the reporting party's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors could lead the College to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the College will likely respect the reporting party's request for confidentiality.

**If the College determines that it can respect a reporting party's request for confidentiality,** the College will take immediate action as necessary to protect and assist the reporting party.

**If the College determines that it cannot maintain a reporting party's confidentiality,** the College will inform the reporting party at the earliest point possible and will, to the extent possible, only share information with people responsible for handling the College's response. The College will also take immediate action as necessary to protect and assist the reporting party.

If a party's request for confidentiality limits the College's ability to formally investigate a particular allegation, the College may take steps to limit the effects of the alleged sexual discrimination, harassment and/or misconduct and prevent its recurrence without initiating formal action against the alleged perpetrator or revealing the identity of the complainant. Such action may include, but is not limited to:

- Providing increased monitoring, supervision, or security at locations or activities where the alleged misconduct occurred;
- Providing training and education materials for students and employees;
- Revising and publicizing the College's policies regarding sexual discrimination, harassment and misconduct; and
- Conducting climate surveys regarding sexual misconduct.

### 3. Confidential Reporting

Students who wish to confidentially report an incident of sex-based misconduct may make a confidential report to:

Parkland College Counseling Services  
Room U267

217-351-2219

Hours: When College is open, 8 AM-5PM

Mental Health Counselors:

Marya Burke

Angela Jancola

Joe Omo-Osagie

Katie Schacht

Donna Tanner-Harold

The individuals in this list are Confidential Advisors, as defined in Appendix A. Professional, licensed counselors who provide mental health counseling to students (including counselors who act in that role under the supervision of a licensed counselor) are not required to report any information about an alleged incident to the Title IX Coordinator without a student's permission.

Note: While the individuals listed above may maintain a student's confidentiality vis-à-vis the College, they may have reporting or other obligations under State law. Any College employee who suspects or receives knowledge that a minor student may be an abused or neglected child or, for a student aged 18 through 21, an abused or neglected individual with a disability, is required to: 1) immediately report or cause a report to be made to the Illinois Department of Children and Family Services (DCFS) on its Child Abuse Hotline; and 2) follow directions given by DCFS concerning filing a written report within 48 hours with the nearest DCFS field office.

Also Note: If the College determines that a person alleged to be the perpetrator of sexual misconduct poses a serious and immediate threat to the College community, College Police may be called upon to issue a timely warning to the College community. Any such warning will not include any information that identifies the person alleged to be the victim.

#### 4. Electronic and/or Anonymous Reporting

The College maintains an online system for electronic reporting. The reporter may choose to provide his/her identity or may choose to report anonymously. The system will notify the user, before he/she enters information, that entering personally identifying information may serve as notice to the College for the purpose of triggering an investigation. Anonymous reports can be filed [here](#). Where a reporter chooses to provide his/her identity and contact information, the College will respond to the reporter within 12 hours.

#### 5. Note Regarding Student Participation in Public Awareness Events

Public awareness events such as “Take Back the Night,” the Clothesline Project, candlelight vigils, protests, “survivor speak outs” or other forums in which students disclose incidents are not considered notice to the College of sex-based discrimination, harassment or misconduct for purposes of triggering an obligation to investigate any particular incident(s). Such events may, however, inform the need for campus-wide education and prevention efforts, and the College will provide information about students’ rights at these events.

## **B. Employee Reporting**

### **1. Alleged Sex-Based Misconduct of a Student**

In addition to the reporting requirements for Responsible Employees (see Section VI.A), all College employees who have information regarding sex-based misconduct of a student should report it to the Title IX Coordinator or any Responsible Employee.

### **2. Alleged Sex-Based Misconduct of an Employee**

An employee should notify the Title IX Coordinator or Human Resources Department if he or she believes that the College or a member of the College community has engaged in sex discrimination, sexual harassment or other sex-based misconduct in violation of the College’s Policy 3.01 Prohibition of Sex-Based Misconduct.

## **VII. College Response to Reports of Alleged Sex Discrimination, Harassment or Other Misconduct**

### **A. Processing of Report**

Upon receipt of a report, the Title IX Coordinator will analyze the report to determine the appropriate method for processing and reviewing it.

For any report alleging sexual harassment, as defined under Title IX, and/or alleging sexual violence, domestic violence, dating violence or stalking pursuant to the *Preventing Sexual Violence in Higher Education Act*, the Title IX Coordinator will promptly contact the person alleged to be the victim (hereinafter “complainant”) to:

1. Discuss the availability of supportive measures (see Section VII.B below);
2. Consider the complainant’s wishes with respect to supportive measures;
3. Inform the complainant of the availability of supportive measures with or without the filing of a formal complaint; and
4. Explain to the complainant the process for filing a formal complaint.

## **B. Supportive Measures**

Supportive measures (also referred to as “interim protective measures”) are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to a complainant or respondent, irrespective of whether a formal complaint has been filed.

Examples of supportive measures that the College may offer include, but are not limited to:

- Counseling, mental health support, and wellness support;
- Extensions of deadlines or other course-related adjustments;
- Leaves of absence;
- Changes to academic, living, dining, transportation and/or working schedules or situations;
- Increased security and monitoring of certain areas of campus;
- Issuance and enforcement of mutual campus no contact orders; and
- Enforcement of an order of protection or no contact order entered by a State civil or criminal court.

A report of alleged sex-based misconduct may also prompt the College to consider broader remedial action, such as increased monitoring, supervision or security at locations where the alleged incident occurred; increased education and prevention efforts, including to targeted population groups; the use of climate assessments and/or victimization surveys; and/or revisions to the College’s policies and practices.

The College will maintain as confidential any supportive measures provided to a complainant or respondent, to the extent that maintaining such confidentiality would not impair the College’s ability to provide the supportive measures.

The Title IX Coordinator(s) is/are responsible for coordinating the College’s implementation of supportive measures.

## **C. Emergency Removals and/or Administrative Leave**

Prior to initiating or completing the Grievance Process in response to a formal complaint, described further in Section VIII below, or in the absence of a formal complaint, the College may remove a respondent from the College’s education program or activity on an emergency basis. Where the alleged conduct, if proven, would constitute sexual harassment as defined under Title IX, the College will effectuate an emergency removal only where the College has determined, based on an individualized safety and risk analysis, that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal. In such cases, the College will provide the respondent with notice and an opportunity to challenge the decision immediately following the removal.

In addition, the College may place an employee on administrative leave during the pendency of the Grievance Process in response to a formal complaint.

#### **D. Clery Act Reporting Obligations**

Pursuant to the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* (“Clery Act”), 20 U.S.C. § 1092(f), the College will issue timely warnings to the campus community about crimes that have already occurred but may continue to pose a serious or ongoing threat to students and employees. The *Clery Act* also requires the College to maintain a public crime log and publish an Annual Security Report (“ASR”) available to all current students and employees. The ASR documents three calendar years of select campus crime statistics (including statistics regarding incidents of dating violence, domestic violence, and stalking), security policies and procedures, and information on the basic rights guaranteed to victims of sexual assault.

#### **VIII. Grievance Process for Complaints Alleging Title IX Sexual Harassment and/or Alleging Sexual Violence, Domestic Violence, Dating Violence or Stalking**

For purposes of this Grievance Process, a formal complaint is a document filed by a complainant or signed by the Title IX Coordinator, alleging (a) sexual harassment in violation of Title IX and/or (b) sexual violence, domestic violence, dating violence or stalking in violation of the *Preventing Sexual Violence in Higher Education Act*; and requesting that the College investigate the allegation. At the time of filing a formal complaint pursuant to this Grievance Process, the complainant must be participating in or attempting to participate in the College’s education programs or activities, either as a student or an employee. Should a formal complaint be filed, the Title IX Coordinator will investigate the formal complaint or appoint a qualified person to undertake the investigation on his or her behalf.

#### **A. Notice of Allegations**

Within 10 school days after signing a formal complaint or receiving a formal complaint filed by a complainant, the Title IX Coordinator will provide written notice to the parties who are known of the following:

1. This Grievance Process, including the informal resolution process, where applicable.
2. The allegations potentially constituting sexual harassment under Title IX and/or sexual violence, domestic violence, dating violence or stalking under the *Preventing Sexual Violence in Higher Education Act*, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview.

3. That the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
4. That the parties may have an advisor of their choice, who may be, but is not required to be, an attorney.
5. That the parties may inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including evidence upon which the College does not intend to rely in reaching a determination regarding responsibility, and inculpatory or exculpatory evidence, whether obtained from a party or other source.
6. The College Code of Conduct provision(s) that prohibit knowingly making false statements or knowingly submitting false information during the grievance process.

If, during the course of an investigation, the College decides to investigate allegations that are not included in the initial written notice of allegations, the Title IX Coordinator will provide subsequent written notice of the additional allegations to all known parties.

#### **B. Informal Resolution**

At any time after receiving the initial notice of allegations (See Section VIII.A above), and prior to a determination regarding responsibility being reached, the complainant and respondent may request to participate in an informal resolution process. Informal resolution will only occur with both parties' voluntary, written consent. At any time prior to agreeing to a resolution, any party will have the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

The College does not permit informal resolution in cases involving alleged sexual harassment, sexual violence, domestic violence, dating violence or stalking by a College employee toward a student.

#### **C. Consolidation of Formal Complaints**

The Title IX Coordinator may consolidate formal complaints as to allegations against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual misconduct arise out of the same facts or circumstances.

#### **D. Dismissal of Formal Complaints**

If, during the course of an investigation or following an investigation into a formal complaint, the Title IX Coordinator or designated Investigator determines that the conduct alleged in the formal complaint

would not constitute sexual harassment as defined in 34 C.F.R. § 106.30 (Title IX) even if proved, did not occur in the District's education program or activity, or did not occur against a person in the United States, then the Title IX Coordinator will dismiss the formal complaint with regard to that conduct for purposes of Title IX. In cases where the College determines that Title IX is not applicable but the College still intends to apply this Grievance Process to resolve the alleged misconduct, the College will inform the parties that Title IX is inapplicable but that such Process will nevertheless be applied. In addition, dismissal of a formal complaint for purposes of Title IX does not preclude action under other College policies and procedures.

The Title IX Coordinator may dismiss a formal complaint, or any allegations therein, at any time during an investigation if: (1) the complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; (2) the respondent is no longer enrolled or employed by the College; or (3) specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon dismissal—either of a complaint altogether, or of a complaint for purposes of Title IX—the Title IX Coordinator or Investigator will promptly send written notice of the dismissal and reason(s) for the dismissal simultaneously to the parties. Dismissal of a formal complaint under this Process does not preclude action under other College policies and procedures.

#### **E. Investigation of Formal Complaint**

The Title IX Coordinator will appoint one or more trained investigators to undertake an investigation into a formal complaint. Throughout the investigation, the parties will be afforded an equal opportunity to present witnesses including fact and expert witnesses, and other inculpatory and exculpatory evidence. The Investigator will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence. Any proceeding, meeting, or hearing held to resolve formal complaints pursuant to this Grievance Process will protect the privacy of the participating parties and witnesses.

Both parties will be afforded an opportunity to be accompanied to any meeting or proceeding by an advisor of their choice, who may be, but is not required to be, an attorney. The advisor's role is limited to providing support, guidance and/or advice, and to conducting cross-examination during the live hearing (see Section VIII.F below). A party's advisor may not speak on behalf of the party during any meeting, interview or hearing and must comply with all behavioral rules and expectations set forth in these Procedures. If a party's advisor violates these Procedures or engages in behavior that harasses, abuses or intimidates a party, witness or individual resolving a complaint, that advisor may be prohibited from further participation.

When a party's participation is invited or expected at an investigative interview or other meeting, the Investigator will provide that party with written notice of the date, time, location, participants, and purpose of said interview or meeting at least three (3) school days prior to the interview or meeting.

At the conclusion of the investigation and prior to the Investigator's completion of his/her investigative report, the Investigator will send to each party (and the party's advisor, if any) the evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, in

electronic format and/or in hard copy. The parties will have 10 school days to submit a written response to the evidence, which the Investigator will consider prior to completion of his/her investigative report.

After receiving and reviewing the parties' written responses, if any, the Investigator will create an investigative report that fairly summarizes the relevant evidence, and will forward a copy of his/her report to the Title IX Coordinator. Upon receipt of the Investigator's Report, the Title IX Coordinator will schedule a hearing. At least ten (10) school days prior to the hearing, the Title IX Coordinator will:

- (1) Provide both parties with written notice of the hearing date, time, location, participants (including the name of the appointed Hearing Officer) and purpose of the hearing; and
- (2) Send to each party (and the party's advisor, if any) the investigative report [in electronic format or hard copy] for their review and written response. Any written response submitted by a party to the Title IX Coordinator will be provided to the decision-maker, for the decision-maker's review and consideration, in making a determination of responsibility.

#### **F. Hearings**

A hearing will be conducted by a Hearing Officer appointed by the College. Both parties will have the opportunity to request a substitution if the participation of the appointed Hearing Officer poses a conflict of interest. A party wishing to request a substitution must contact the Title IX Coordinator within three (3) school days after the party's receipt of the notice of hearing to make such a request.

At the request of either party, the College will arrange for the live hearing to occur with the parties located in separate rooms, with technology enabling the Hearing Officer and parties to simultaneously see and hearing the party or witness answering questions. A party wishing to request that the live hearing occur with the parties located in separate rooms must contact the Title IX Coordinator to request such an arrangement at least three (3) school days in advance of the hearing. The College may conduct any live hearing virtually, with the participants in one or more separate geographical locations, and with technology enabling participants simultaneously to see and hear each other.

At the live hearing, each party's advisor will be permitted to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination will be conducted directly, orally, and in real time by the party's advisor of choice and may never be conducted by a party personally.

The College will assign each party an advisor of the College's choice, free of charge, to conduct cross-examination for that party at the live hearing. Each party will be given notice of such assignment at least ten (10) days prior to the hearing. Each party may elect to bring an advisor of their own choosing instead of the assigned advisor. If a party has already secured an advisor of their own choosing, that party must notify the College of such within three days of receiving notice of the College-assigned advisor.

Only relevant questions, as determined by the Hearing Officer, may be asked of a party or witness. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant and will not be permitted, except where:

1. The questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant; or
2. The questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

If a party or witness does not submit to cross-examination at the live hearing, either due to absence from the hearing or due to the party's or witness's refusal to answer cross-examination or other questions, the Hearing Officer will not rely on any statement of that party or witness in reaching a determination regarding responsibility; however, the Hearing Officer will not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

The College will make all evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint available for the parties' inspection and review during the hearing. In addition, the College will create an audio or audiovisual recording, or transcript, of the live hearing, which the Title IX Coordinator will make available to the parties for inspection and review upon request.

#### **G. Determination Regarding Responsibility**

Within ten (10) school days after the conclusion of the hearing, the Hearing Officer will make a decision regarding responsibility. The Hearing Officer will apply a preponderance of the evidence standard when determining responsibility. Within seven (7) school days of reaching his/her decision, the Hearing Officer will issue a written determination to both parties simultaneously. The written determination will include:

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 C.F.R. § 106.30 (Title IX) and/or constituting sexual violence, domestic violence, dating violence or stalking pursuant to the *Preventing Sexual Violence in Higher Education Act*;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the College Code of Conduct or other conduct standards to the facts;
5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the College imposes on the respondent, and whether remedies designed to restore or

preserve equal access to the College's education program or activity will be provided by the College to the complainant; and

6. The procedures and permissible bases for the complainant and respondent to appeal.

## **H. Appeals**

Both parties will have the right to appeal any determination regarding responsibility, and any dismissal of a formal complaint or allegations therein, to the Title IX Coordinator or designee. An appeal must be based on one or more of the following grounds:

1. A procedural irregularity occurred;
2. New evidence or information exists that could affect the outcome of the matter;
3. The Title IX Coordinator, Investigator or Hearing Officer had a conflict of interest or bias for or against complainants or respondents generally, or the individual complainant or respondent, that affected the outcome of the matter; and/or
4. The sanction is disproportionate with the violation.

A party who wishes to appeal a determination regarding responsibility or a dismissal of a formal complaint or allegations therein must submit a written appeal request to the Title IX Coordinator within seven (7) school days of the party's receipt of the written determination or written dismissal notice. The written appeal request must identify the ground(s) on which the party seeks to appeal the determination or dismissal.

Within seven (7) school days of the Title IX Coordinator's receipt of an appeal request, the Title IX Coordinator will forward the appeal request to a designee assigned by the Title IX Coordinator and will notify the other party in writing that an appeal has been filed. Before reaching a determination regarding the appeal, the designee assigned by the Title IX Coordinator will afford both parties an equal opportunity to submit a statement in support of, or challenging, the determination or responsibility or dismissal that is the subject of the appeal. Within seven (7) school days after the designee has concluded his/her review of the appeal, the designee will issue a written decision simultaneously to both parties, describing the outcome of the appeal and the rationale for the outcome. The designee's decision is final.

## **IX. Prevention and Education for Students**

The College will review on an ongoing basis, its sexual discrimination, harassment and misconduct prevention and education programming to ensure students and employees are provided substantive opportunities to learn about sexual discrimination, harassment and misconduct, including primary

prevention, bystander intervention, risk reduction, consent, reporting methods, relevant College policies and procedures, retaliation, survivor-centered and trauma-informed response, relevant definitions, and other pertinent topics.

The College, in conjunction with its Parkland College Sexual Violence Prevention task force established pursuant to the Campus Security Enhancement Act of 2008 (110 ILCS 12/10), will annually review its prevention and education offerings to identify ways in which to enhance its effectiveness.

## **X. Training**

The Title IX Coordinator(s) and anyone else involved in the receipt of reports of, responding to, investigating or adjudicating alleged incidents of sexual discrimination, harassment or other misconduct, or involved in the referral or provision of services to survivors receive annual education and training on primary prevention, bystander intervention, risk reduction, consent, reporting obligations, investigation procedures, confidentiality requirements, relevant College policies and procedures, retaliation, survivor-centered and trauma-informed response, relevant definitions, and other pertinent topics.

In addition to the above training, individuals who investigate or resolve complaints, including through informal resolutions, receive at least 8-10 hours of annual training on issues related to *Preventing Sexual Violence in Higher Education Act* offenses including sexual violence, domestic violence, dating violence, and stalking; the scope of the College's education program or activity; the Title IX and College definitions of sexual harassment; how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; and how to conduct the College's Grievance Process outlined in Section VIII, above. Decision-makers in particular receive training on any technology to be used at live hearings and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant. Investigators in particular receive training on issues of relevance so as to enable them to create an investigative report that fairly summarizes relevant evidence.

All Confidential Advisors receive 40 hours of training on sexual violence before being designated a Confidential Advisor. Annually thereafter, Confidential Advisors attend a minimum of six (6) hours of ongoing educational training on issues related to sexual violence. Confidential Advisors also receive periodic training on the College administrative process, interim protective measures and accommodations, and the College's Grievance Process pursuant to Section VIII above.

The College, in conjunction with its Parkland College Sexual Violence Prevention task force established pursuant to the *Campus Security Enhancement Act of 2008* (110 ILCS 12/10), will annually review its training offerings to identify ways in which to enhance its effectiveness.

Any materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, will not rely on sex stereotypes and will promote impartial investigations and adjudications of formal complaints of sexual harassment.

## **Definitions for the College's Sex-Based Misconduct Procedures**

- A. **Bystander Intervention:** see Section 5 of the *Preventing Sexual Violence in Higher Education Act*, [110 ILCS 155/5](#).
- B. **Complainant:** an individual who is alleged to be the victim of conduct that could constitute sex-based misconduct.
- C. **Confidential Advisor:** a person who is employed or contracted by the College to provide emergency and ongoing support to student survivors of sexual violence. Confidential Advisors may include persons employed by a community-based sexual assault crisis center with whom the College partners. Individuals designated as “Responsible Employees” in Section VI of these Procedures are not Confidential Advisors.
- D. **Consent:** knowing and voluntary agreement to engage in sexual activity. Coercion, force, or the threat of either invalidates consent. Consent may not be inferred from silence, passivity, or a lack of verbal or physical resistance. A person’s manner of dress does not constitute consent. Past consent to sexual activities does not imply ongoing or future consent. Consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another person. Consent may be withdrawn at any time. A person cannot consent to sexual activity if that person is unable to understand the nature of the activity or give knowing consent due to circumstances, including without limitation the following: 1) the person is incapacitated due to the use or influence of alcohol or drugs; 2) the person is asleep or unconscious; 3) the person is under age; or 4) the person is incapacitated due to a mental disability.
- E. **Dating Violence:** violence committed by a person: 1) who is or has been in a social relationship of a romantic or intimate nature with the victim; and 2) where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- F. **Domestic Violence:** includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of Illinois, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the State of Illinois.
- G. **Education Program or Activity:** a location, event, or circumstance over which the College exercised substantial control over both the respondent and the context in which the sex-based misconduct occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the College.
- H. **Hate Crime:** an act or an attempted act that violates a criminal statute by any person that in any way constitutes an expression of hostility toward the victim because of his or her sex, race, ethnicity, religion, age, disability, national origin, sexual orientation, or gender-related identity, color, marital status, military status or unfavorable military discharge.

- I. **Hostile Environment Caused by Sexual Harassment:** a sexually harassing hostile environment is created when conduct by an individual is so severe, pervasive or persistent that it denies or limits an individual's ability to participate in or receive the benefits, services or opportunities of the College's educational programs or activities or the individual's employment access, benefits or opportunities. In determining whether a hostile environment has been created, the conduct in question will be considered from both a subjective and an objective perspective of a reasonable person in the alleged victim's position, considering all the circumstances.
- J. **Incapacitation:** when a person is incapable of giving consent due to the person's age, use of drugs or alcohol, or because an intellectual or other disability which prevents the person from having the capacity to give consent.
- K. **Intimidation:** to intentionally make another timid or fearful, to compel or deter by or as if by threats. Intimidation is a form of retaliation prohibited by the College's Policy Prohibiting Sex-Based Misconduct and these Procedures.
- L. **Preponderance of the Evidence:** when considering all the evidence in the case, the decision-maker is persuaded that the allegations are more probably true than not true.
- M. **Respondent:** an individual who has been reported to be the perpetrator of conduct that could constitute sex-based misconduct.
- N. **Responsible Employee:** a College employee who has the authority to redress sex-based misconduct, who has the duty to report incidents of such misconduct or other student misconduct, or whom a student could reasonably believe has this authority or duty. Section VI of these Procedures lists categories of employees who are Responsible Employees for the College.
- O. **Retaliation:** Any form of retaliation, including intimidation, threats, harassment and other adverse action taken or threatened against any complainant or person reporting or filing a complaint alleging sexual discrimination, harassment or misconduct or any person cooperating in the investigation of such allegations (including testifying, assisting or participating in any manner in an investigation) is strictly prohibited. Action is generally deemed adverse if it would deter a reasonable person in the same circumstances from opposing practices prohibited by the College's Sex-Based Misconduct Policy and these Procedures. Retaliation may result in disciplinary or other action independent of the sanctions or supportive measures imposed in response to the allegations of sexual discrimination, harassment or misconduct.
- P. **Sexual Assault:** any type of sexual contact or behavior that occurs by force or coercion, without consent of the recipient of the unwanted sexual activity, or in a familial relationship of a degree that would prohibit marriage. It includes sexual acts against a person who is unable to consent either due to age or lack of capacity or impairment. Examples include forcible sexual intercourse, forcible sodomy, forcible fondling, child molestation, incest, attempted rape, statutory rape and rape. Sexual assault can occur between members of the same or opposite sex. Sexual assault includes any forced act against one's will where sex is the weapon.

- Q. Sex-Based Misconduct:** Misconduct on the basis of sex, sexual orientation or gender-related identity. Such misconduct includes sex discrimination, sexual harassment, sexual assault, sexual exploitation, dating violence, domestic violence, sexual violence and stalking.
- R. Sexual Exploitation:** when a person takes non-consensual or abusive sexual advantage of another for anyone's advantage or benefit other than the person being exploited, and that behavior does not meet the definition of sexual assault. Sexual exploitation includes prostituting another person, non-consensual visual or audio recording of sexual activity, non-consensual distribution of photos or other images of an individual's sexual activity or intimate body parts with an intent to embarrass such individual, non-consensual voyeurism, knowingly transmitting HIV or a sexually transmitted disease to another, or exposing one's genitals to another in non-consensual circumstances.
- S. Sexual Harassment:** Unwelcome sexual advances, requests for sexual acts or favors, and other verbal, non-verbal or physical conduct of a sexual nature when:
- Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment, academic advancement, evaluation, or grades;
  - Submission to or rejection of such conduct by an individual is used as a basis for employment, academic advancement, evaluation, or grading decisions affecting that individual;
  - Such conduct has the purpose or effect of substantially interfering with an individual's employment or educational performance or creating an intimidating, hostile, or offensive employment or educational environment; or
  - Such conduct denies or limits an individual's ability to participate in or receive the benefits, services or opportunities of the College's educational programs or activities or the individual's employment access, benefits or opportunities.

Examples of conduct of a sexual nature may include:

- Verbal: Specific demands for sexual favors, sexual innuendoes, sexually suggestive comments, jokes of a sexual nature, sexual propositions, or sexual threats, whether spoken or in emails, articles, documents, or other writings.
- Non-Verbal: Sexually suggestive objects or pictures, graphic commentaries, suggestive or insulting sounds or gestures, leering, whistling, or obscene gestures.
- Physical: Touching, pinching, brushing the body, or any unwelcome or coerced sexual activity, including sexual assault.

- T. Sexual Violence:** physical sexual acts attempted or perpetuated against a person’s will or where a person is incapable of giving consent (*e.g.*, due to the person’s age, use of drugs or alcohol, or because an intellectual or other disability prevents the person from having the capacity to give consent). Sexual violence includes, but is not limited to, rape, sexual assault, sexual battery, sexual abuse and sexual coercion. All such acts of sexual violence are forms of sex discrimination prohibited by Title IX.
- U. Survivor:** an individual who has experienced sexual violence, domestic violence, dating violence, or stalking while enrolled, employed, or attending an event at a higher education institution.
- V. Survivor-Centered:** See Section 5 of the *Preventing Sexual Violence in Higher Education Act*, [110 ILCS 155/5](#).
- W. Stalking:** engaging in a course of conduct directed at a specific person that would cause a reasonable person to: 1) fear for his or her safety or the safety of others; or 2) suffer substantial emotional distress.
- X. Threat:** any oral or written expression or gesture that could be interpreted by a reasonable person as conveying an intent to cause harm to persons or property.
- Y. Trauma-Informed Response:** See Section 5 of the *Preventing Sexual Violence in Higher Education Act*, [110 ILCS 155/5](#).

## Permit to Peacefully Assemble

### Policy

Parkland College recognizes that students have the right to assemble peacefully. Such assembly may include protests and demonstrations against or in support of any topic or cause.

### Procedures

Students wishing to assemble may only do so in one of the designated areas on campus (Flag Lounge, fountain area, or gymnasium) and must complete a permit to do so, available from the Office of Student Life. Only currently enrolled Parkland College students are eligible to file a permit to assemble. The permit to assemble must be approved by the director of student life and the department of public safety at least 48 hours prior to the assembly.

It should be made clear that students choosing to assemble in this manner speak only for themselves and are responsible to ensure that the assembly:

1. Does not interfere with the rights of others
2. Does not disrupt the normal process of college life – classes, administration, research;
3. Does not utilize amplification equipment – electric or otherwise (megaphones, bullhorns, etc.);
4. Does not block entrances to buildings or obstruct traffic in hallways, on streets, in parking lots, or on sidewalks;
5. Does not pose a safety concern.

The Department of Public Safety and/or the Vice President for Student Services has the authority to regulate, and if necessary, disperse the assembly for reasons listed above.

## Pregnancy Support Procedure

Title IX of the 1972 Education Amendments provides pregnant students with certain rights regarding their education.

- Pregnant students need to meet with the Dean of Students office in order to complete the intake process. This support network will involve communication throughout the semester between the students, the faculty, department chair/program manager, dean of students' office and campus resource system. The goal is to insure student support in order to enhance the student's course retention and ability to advance towards class and program completion.

### **Agreement and procedure includes the following:**

- Obtain a Title IX photo id picture.
- Documentation of pregnancy status.
- Submit documentation for any change in status, including request for leave of absence for recovery or pregnancy complications other than deliveries.
- Notify Dean of Students' Office for leave of absence due to delivery.
- Agree to referral to Accessibility Services if accommodations needed.
- Provide contacts for emergencies
- Meet with instructors to show id and talk about plans for semester. Agree for Dean of Students Office to email all of student's on-line instructors informing them of situation.
- Contact Dean of Students' Office whenever absent from any classes prior to or day of absence in order for instructors to be notified.
- Contact Dean of Students' Office for any change in health status.
- Meet or contact instructor to arrange plans to make up anything missed due to absences.
- Include Dean of Students' office in communication about plans. If unable to complete a course due to pregnancy complications student needs to ask instructor if incomplete contract is possible. Include Dean of Students' office in discussion with instructor about incompletes or withdrawals.
- Meet all absence plan deadlines for assignments and exams to successfully complete classes and continue academic goals.

## Recording in the Classroom

### **General statement**

Students who wish to record classroom learning activities must request permission from the instructor prior to doing so. Classroom learning activities include lectures, in-class discussions, student presentations, and other course-related activities at Parkland College. This policy covers all forms of recording using available technology. The instructor should specify the kinds of learning activities that are permitted to be recorded and the medium in which the recording takes place. The instructor has the right to deny or limit the request.

### **Accommodations under the ADA**

Students are allowed to record learning activities as an accommodation under the American with Disabilities Act (ADA) if the Disability Services ID card issued by the Office of Disability Services is presented to the instructor prior to recording. Students who request recording permission under the ADA must not be denied permission.

### **Limited permission**

Permission for recording of learning activities in the classroom is given exclusively for the student's personal study and review and must not be used for other purposes. Class content and instructional methods are the sole intellectual property of the instructor and subject to copyright law. Distribution (electronically or in other forms) of the recording is prohibited without additional written permission from the instructor.

### **Sanctions for violations**

Violations of this policy are subject to disciplinary action. The instructor has the right to impose grade-related penalties. In the case of egregious violation of this policy, the instructor in consultation with the department chair has the right to fail the student in the course. The student who fails the course directly as a result of an egregious violation of this policy is not permitted to withdraw from the course.

### **Student right to know**

Students have the right to know that their class is being recorded. The instructor will notify the class that permission has been given for a recording without identifying the individual student(s) requesting recording permission.

## **PROCEDURE**

### **Syllabus statement**

The General College Syllabus will include a statement that specifies the following: (i) Students who wish to record classroom or other learning activities must request permission from the instructor prior to doing so; (ii) Permission is given solely for the purpose of personal study and review and the recording may not be used for any other purposes without the express written consent of the instructor; (iii) Students are permitted to record learning activities as an accommodation under the ADA if the Disability Services ID Card is presented to the instructor prior to recording.

### **Repercussions of violations**

When a student has violated this policy about recording in the classroom, the instructor will take the following steps to address the violation:

- The instructor will inform the student privately of his/her findings and attempt a resolution of the problem. Depending on the nature of the violation, such resolution could include an instruction to destroy the recording, a sanction of deduction of points, or failure of the course. A sanction of course failure requires prior consultation with the Department Chair.

### **Appeal process**

If the student is not satisfied with the decision of the instructor regarding the violation of this policy, he or she has the right to pursue one or more of the following levels of appeal:

- If the student is not satisfied with the instructor's decision, he or she may contact the Department Chair or designee (e.g., Program Director) within 10 school days of notification of

the instructor's decision. The Department Chair will review the actions taken by gathering all relevant information from the student and the instructor. The Department Chair will meet with the student and the instructor, together or separately, to attempt to resolve the issue to both parties' satisfaction.

- If the student is not satisfied with the Department Chair's decision in relation to resolving the issue, he or she may contact the Division Dean within five school days of receiving the Department Chair's decision. The Division Dean will review the actions taken based on relevant information from the student, the instructor, and department chair. The Dean will affirm the instructor's decision or remand the issue back to the department for review.
- If the student is not satisfied with the Division Dean's decision, he or she may petition the Student Affairs Committee within five school days of receiving the Dean's decision. The committee will review the process followed by the department and division to determine whether it has been carried out completely and fairly, in accordance with due process. If it has not been, the case will be remanded to the department for reconsideration following the appropriate guidelines. If all procedures have been followed appropriately and no errors detected, the appeal process is complete and the consequences of the incident will remain the same as originally issued.

No reprisal shall be taken by the Board of Trustees, administration, faculty, or staff against any student or faculty because of participation in an appeal.

## Refund Policies: Tuition and Fees

By registering for classes at Parkland College, you assume financial responsibility for all charges billed to your student account. To avoid financial responsibility, if you decide not to attend a class, you must officially drop that class within the stated refund period. Do not assume that your classes are automatically dropped for non-payment or non-attendance. Classes that are not dropped will be graded.

- There will be a full refund of tuition and fees for any course cancelled by the college.
- Dropping a full-semester credit course and at the same time adding a full-semester course is permitted only during the drop without record period. Exceptions will be made after the registration period for schedule changes made for the same course prefix resulting from placement adjustments and will be possible only with the department chair's signature of approval on an Authorization to Add a Class form. Charges or credits will occur if there is a difference in course fees or credit hours of the courses involved in the transaction.
- If a student owes money to the college, the refund will be withheld.
- No refund will be granted when a student is administratively withdrawn from a course or dismissed from the college from disciplinary reasons.
- A student who believes an exception should be made to the refund policy should complete a Request for Billing Adjustment form. Forms are available from the Cashiers Office, room U247.

### **Full Semester Courses**

- A 100 percent refund of tuition and fees will be made if official drop and without record from full-semester courses occurs during the first week of the first semester.
- No refund of tuition or fees will be made for official withdrawal from full-semester courses after the first week of the session.

### **Part-Semester Courses**

- For courses that are fewer than fifteen (15) but at least eight (8) weeks in length, a 100 percent refund will be made if the official drop without record occurs during the first week of the session.
- For courses that are fewer than eight (8) weeks in length, the official drop without record must be within one (1) calendar day of the start of the session to qualify for a 100 percent refund.

### **Summer Courses**

- For all summer session courses, a 100 percent refund of tuition and fees will be made if an official drop without record occurs by the end of the day following the first day of class. The last day for students to withdraw from any summer session course is always the Monday before the final exam.

### **Noncredit Courses**

- Refunds are processed by the Business Office, 217-351-2233. You will be responsible for payment of fees associated with these workshops/courses unless you officially drop before the first day of the workshop/course. If the college cancels a course, your drop from the course and your refund of all fees are processed automatically.

*Refund dates are printed in the Class Schedule each semester.*

## **Residence Classification**

A resident of 505 is one who has established a permanent dwelling place (domicile) in the district and shows evidence of continuing intent to remain in the district for non-educational purposes. Evidenced of the applicant's registry should be submitted to the Office of Admission and Records.

A student who takes exception to non-residency ruling should pay the applicable fee and then file an Application for Change of Residence Classification, claiming a refund of the portion in excess of the resident rate within thirty (30) days from the date instruction begins for the semester (15 days for the summer term) for which the rate is assessed. A refund will be provided only if a change of residence classification is granted.

For further information, consult the Residency Regulations booklet available from the Office of Admissions and Records.

## Parkland College Restroom Access Statement

(Much of the language is directly quoted from the University of Arizona's model Statement on Restroom Access)

Parkland College strives to create and sustain a campus environment that supports and values all members of our community, including visitors. One aspect of creating a comfortable environment is providing safe, accessible, and convenient restroom facilities. Many people may experience difficulty and inconvenience when required to use gender-specific<sup>1</sup> restrooms. Parents with children of a different gender are not able to accompany them into a gender-specific restroom and the same holds true for others with attendants/caregivers of a different gender. Additionally, transgender/gender non-conforming individuals may be subject to harassment or violence when using male- or female-specific restrooms. Consequently, this statement has been developed to declare the College's commitment to creating an inclusive and supportive campus environment.

In keeping with the College's policy of nondiscrimination, the College allows individuals to use the restroom that corresponds to their gender-related identity<sup>2</sup>. In addition, the College is committed to designating and maintaining a gender-neutral restroom in as many of its buildings as reasonably feasible. In some instances, a designated gender-neutral restroom may contain multiple stalls. Additionally, the College is committed to include at least one gender-neutral restroom in new buildings constructed on campus to the extent feasible.

[1] "Gender-specific" means designated for use by one gender, i.e., male or female.

[2] "Gender-related identity" means an individual's actual or perceived gender, including an individual's self-image, appearance, expression, or behavior, whether or not that self-image, appearance, expression, or behavior is different from that traditionally associated with the individual's sex at birth as being either female or male.

## Tobacco Use Policy

In compliance with the Smoke-Free Campus Act (110 ILCS64/), all tobacco use will be prohibited on the Parkland College campus effective July 1, 2015. For the purpose of this policy, "campus" means all property owned or leased by, or leased to the college, including building, grounds, roads, parking lots and vehicles.

## Student Grievance Policy and Procedure

### **Policy**

A student grievance exists when a student claims that a violation, misapplication, or misinterpretation of a Parkland College policy, procedure, or practice has occurred. A student filing a grievance should follow the procedures outlined.

### **Procedures**

Should a condition exist that a student feels is in violation of the rules, procedures, policies, or other standards of the college, it is important that he or she bring it to the attention of the appropriate person or committee. During the process of a grievance, all procedures, meetings, names, and related information will be confidential unless otherwise mutually agreed upon by all the parties involved.

### **Informal Process**

It is best for everyone concerned if problems can be resolved informally. Therefore, before the formal grievance process is instituted, the student is expected to meet with the person whom s/he believes has violated, misapplied, or misinterpreted the policy or procedure. If the student does not believe that s/he is able to do that, s/he needs to meet and discuss the incident with the supervisor of the staff or department chair of the faculty member. This informal meeting needs to take place no later than five (5) school days after the occurrence that gave rise to the complaint. The vice president for student services is available to give students guidance in the informal process as well as in the formal process. If a student believes s/he has been discriminated against because of race, color, sex, gender, gender expression, national origin, religion, age, veteran status (including Vietnam veteran), marital status, ancestry, disability or sexual orientation in any way by college personnel, it is important that s/he bring the situation to the attention of the employee relations manager in the Office of Human Resources, vice president for student services, or a designee named by the president if there is a potential for a conflict of interest (e.g., the condition involves the department of human resources or vice president). If a student believes s/he has been discriminated against because of disability, it is important that s/he bring the situation to the attention of the dean/director of counseling services.

### **Formal Process**

If the student is not satisfied with the results of the informal process, s/he should initiate the formal process no later than 10 (ten) school days after the completion of the informal process and no later than 15 (fifteen) school days after the occurrence that caused the complaint. (School days are defined as weekdays - Monday through Friday- when classes are in session during the fall and spring semesters). Items not resolved prior to the end of the spring semester or during summer semesters may be suspended until the first day of classes of the immediate subsequent fall semester, following the guidelines below.

1. The student must obtain a Grievance form from the vice president for student services, who will discuss with the student the procedure for filing a formal grievance.
2. As instructed on the Grievance form, the student must submit the grievance to the supervisor of the person charged. The supervisor will immediately deliver a copy to the charged employee,

who must respond in writing to the student within five (5) school days and provide the supervisor with a copy of the response.

3. The student, if not satisfied by the reply, or if not in receipt of a reply within five (5) school days, may then appeal, in writing, within five (5) additional school days to the Student Grievance Committee. The student appeal goes to the vice president for student services who will initiate the hearing process. The charged party will be informed. This appeal should include copies of any responses from the charged employee and the supervisor. The chair of the Student Grievance Committee will initiate a hearing within twenty (20) school days.
4. Items not resolved prior to the end of the semester will be suspended until the following semester. The vice president for student services and chair of the Student Grievance Committee may at their discretion continue the grievance process during the breaks or summer sessions.
5. A student utilizing the Student Grievance hearing process is precluded from using the Grade Appeal process for the same occurrence.

### **Student Grievance Committee**

#### *Composition of the committee*

1. The Student Grievance Committee shall be composed of three faculty members from three different disciplines and three students selected from a pool of students approved and trained by the dean of students. In addition, the chairperson of the PCA Student Affairs Committee shall be an ex officio member of the Student Grievance Committee and have voting power only in case of a tie vote. Student Grievance Committee members must be present at the hearing in order to vote.
2. No charged or charging party in a grievance shall serve as a member of the Student Grievance Committee when the grievance is being considered. If the chairperson of the Student Grievance Committee is a party in the grievance, a temporary chairperson shall be appointed by the Parkland College Association's president.

#### *Charge Guidelines*

Charges brought before the Student Grievance Committee should be presented in the following format:

1. Full name, address, and telephone number (if any) of the person(s) making the charge;
2. Full name of each person being charged and a list of specifics against each person charged;
3. A list of charges and a concise chronological description of the incident(s) on which each charge is based (including dates, times, locations, and persons present);
4. A list and brief description of all physical evidence to be presented to the Student Grievance Committee;
5. A list of all witnesses to be presented and a brief description of the relevance of the testimony of each witness. The list of witnesses must include the name(s) of the charged party(ies) in order for them to be called as witnesses by the charging party. The charging party retains the option to call or not call the charged party(ies) as a witness as long as the charged parties' names appear on the list of witnesses;
6. A description of the recommendation sought from the Student Grievance Committee.

### *Hearing Guidelines*

1. The involved parties shall have the right to be assisted by any relative, Parkland College student, Parkland College employee, or any other designee who serves as an advisor. The advisor's role is limited to advising the involved parties. Each of the involved parties is responsible for presenting his or her own case, and therefore, advisors are not permitted to speak to committee members during the hearing or participate directly in any hearing before a Student Grievance Committee.
2. The hearing shall be private (restricted to committee members, the grievant, the charged party, the parties' advisors, and witnesses).
3. A tape recording of the hearing (except for executive sessions) will be made by a designated employee of the college and copies of the tape recording will be available at cost to the involved parties. No other recordings shall be allowed.
4. The chair of the Student Grievance Committee shall have the power to call the hearing into executive session.
5. The Student Grievance Committee shall consider only information pertaining to the list of specific charges and introduced as evidence at the hearing. No new charges or evidence may be introduced by the charging party during the hearing.
6. The burden of proof shall lie with the charging party. The charging party may opt not to require the charged party to appear as a witness. However, such option shall not exclude the committee from calling upon the charged employee for testimony if the committee so desires.
7. Seven (7) copies of any materials from either party to be read by the committee must be submitted to the chair no later than ten (10) school days before the hearing.
8. The charged party will provide a list to the chair of all witnesses to be presented, and a brief description of the relevance of the testimony of each witness.

### *Hearing Procedures*

1. The chair of the Student Grievance Committee will preside over the hearing and introduce all participants.
2. The chair will read aloud the list of the specific charges being made against each charged party and actions sought against each.
3. The charging party will present his or her case first, including testimony of witnesses, if any. Following testimony, each witness may be asked questions. The questioning must pertain to the original testimony. Witnesses will provide information to, and answer questions from, the Student Grievance Committee. Questions may be suggested by the involved parties to be answered by each other or by other witnesses. Questioning will be conducted by the Student Grievance Committee 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.
4. The charged party will present his or her case in the same manner as the charging party.
5. Upon conclusion of the charged party's case, the charging party may summarize, followed by the summary by the charged party.

### *Report of Hearing*

The chair of the Student Grievance Committee shall write or delegate the writing of the final report to be completed within seventy-two (72) hours of the decision. The report shall consist of the following:

1. a copy of the charges and responses;
2. a summary of the Student Grievance hearing;
3. The conclusions reached by the Student Grievance Committee on the basis of the evidence presented;
4. The decisions for the disposition of the case. The report shall be sent to the appropriate vice president who will act on or send it to the proper college official responsible for action and will communicate to the parties within five (5) school days, or as soon as possible.

#### *Withdrawal*

The student may withdraw the grievance at any time.

#### *Right of Appeal*

Within ten (10) school days after the decision of the Student Grievance Committee is presented, an appeal may be made in writing by either party to the college president. An appeal shall be limited to the review of the verbatim record and supporting documents of the Grievance Hearing. No new information is to be presented.

#### *No reprisals*

No reprisals shall be taken by the Board of Trustees, administration, faculty, or staff against any student or faculty because of participation in a grievance.

#### *Grievance records*

Grievance records will be maintained for at least one (1) year by the vice president for student services.

For more information concerning the student grievance process, contact the Vice President for Student Services.

## Student Records

Educational records are maintained by the Office of Admissions and Records in room U214. In accordance with college policy and state and federal regulations, student records are maintained in a manner that protects the privacy of students and provides eligible students access to the information recorded. For further information, consult the “FERPA – What You Should Know about Your Rights” booklet available at the Office of Admissions and Records.

### **Privacy Act**

The Family Educational Rights and Privacy Act (PL 93-380) includes provisions that protect the privacy of students. One provision requires educational institutions to allow students to suppress certain information regarded as public directory information. A full description of Parkland College’s policies and procedures for release of information about students can be found [here](#) in the Parkland College Policy and Procedure Manual.

### **Public Directory Information**

Parkland defines public directory information as: name; address; Parkland e-mail address; photo ID pictures; telephone numbers; major field of study; dates of attendance; enrollment status (full- or part-

time, hours enrolled in or completed); degrees, honors, certificates received or anticipated; weight and height if athletic team member; participation in officially recognized activities and sports; and institutions previously attended.

A student may suppress the above public information items by completing and submitting a Public Directory Information form prior to the second week of class (first week of class for summer term). Forms may be obtained from the Office of Admission and Records in room U214.

### **Release of Financial Information**

The financial Aid office will release information about the financial status of a student to those parties within the college concerned with financial welfare as related to the student's attendance at Parkland. Inquiries from off-campus agencies and individuals such as landlords will be answered only if the student has completed a Consent to Release Information form, which is available from the Financial Aid and Veteran Services office, room U286.

## Transcripts

A transcript is an official record of a student's academic history of course enrollment and achievements. All courses officially attempted are listed. An official Parkland transcript, available from the Office of Admissions and Records, is signed and dated by the Director of Enrollment Services and mailed directly to another institution or business.

A fee of \$5 is charged for each transcript requested. All transcript requests must be in writing and signed by the student whose official record is being requested or online through Credential Solutions (link is available on Parkland's website). Parkland cannot forward the original or a copy of any document received by Parkland from another institution or agency to a third party. Transcripts, test scores, and other documents must be requested by the student from the originating institution or agency.

## Parkland College Student Rights and Responsibilities

### **Preamble**

Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students, and the general well-being of society. Free inquiry and free expression are indispensable to the attainment of these goals. As members of the academic community, students should be encouraged to develop the capacity for critical judgment, and to engage in sustained and independent search for truth. Institutional procedures for achieving these purposes may vary from campus to campus, but the minimal standard of academic freedom of students outlined below are essential to any community of scholars.

Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. Students should exercise their freedom with responsibility.

The responsibility to secure and to respect general conditions conducive to the freedom to learn is shared by all members of the academic community. Each college and university has a duty to develop policies and procedures which provide and safeguard this freedom. Such policies and procedures should be developed at each institution within the framework and general standards, and with the broadest possible participation of the members of the academic community. The purpose of this statement is to enumerate the essential provision for students' freedom to learn.

### **Section I – Freedom of Access to Higher Education**

Parkland College is an open-door institution that within the limits of its facilities and subject to prevailing admissions policy, is open to all students. The facilities and services of the college are open to all of its enrolled students.

### **Section II – Civility**

Our College Core Values of Fair and Just Treatment serve as guideposts for civility. Parkland College is committed to campus-wide civility by cultivating a community where the faculty, staff, and students:

- Respect people and property
- Show empathy tolerance
- Demonstrate concern for and fairness toward others
- Employ critical thinking and patience
- Accept accountability for their own actions

### **Section III – In the Classroom**

The instructor in the classroom and in conference shall encourage free discussion, inquiry, and expression. Student performance is evaluated solely on an academic basis, not on opinions or conduct in matters unrelated to academic standards.

- a. Protection of freedom of expression  
Students are free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled.
- b. Protection against improper academic evaluation  
Students are protected through orderly procedures against prejudice or capricious academic evaluation. At the same time, they are responsible for maintaining standards of academic performance established for each course in which they are enrolled.
- c. Protection against improper disclosure  
Information about student views, beliefs and political associations that instructors acquire in the course of their work as instructors, advisors, and counselors is considered confidential. Judgments of ability and character may be provided under appropriate circumstances, normally with the knowledge or consent of the student.

### **Section IV – Student Records and Privacy**

1. Parkland has a written policy as to the information which should be part of a student's permanent educational record, and as to the conditions of its disclosure. To minimize the risk of improper disclosure, academic and disciplinary records are separate, and the conditions of

access to each are set forth in an explicit policy statement. No records are kept which reflect the political activities or beliefs of the students. Provisions are also made for periodic routine destruction of noncurrent disciplinary records. Administrative staff and faculty members shall respect confidential information about students that they acquire in the course of their work.

2. A student's sexual orientation, gender identity, or transgender/gender non-conforming status is the student's private information. It is the student's choice whether to discuss these private matters openly, keep this information private, or a combination of both. No college employee may disclose any information that might reasonably indicate the student's identity or status without the student's express consent to do so.

3. A transgender/gender non-conforming student should be addressed by the name and pronouns of their choice in most all communications\*, verbal and written. A court-ordered name change or physical gender change is not required in these circumstances. (\*Exempted from this expectation are correspondences that the college must use legal name for such as, but not limited to, financial aid documents, tax document, and transcripts)

## **Section V – Student Affairs**

The following standards will be maintained:

a. Freedom of association

Students are free to organize and join associations to promote their common interests,

1. The membership, policies, and actions of a student organization are determined by vote only of those persons who are bona fide Parkland students.
2. Affiliation with an extramural organization does not itself disqualify a student organization from institutional recognition.
3. Each organization is free to choose its own advisor, and institutional recognition will not be withheld or withdrawn solely because of the inability to of a student organization to secure an advisor. Campus advisors may advise organizations in the exercise of responsibility, but they do not have the authority to control the policy of such organizations.
4. Student organizations may be required to submit a statement of purpose, criteria for membership, rules of procedures, and a current list of officers. They are not required to submit a membership list as a condition of institutional recognition.
5. Campus organizations, including those affiliated with an extramural organization, are open to all students without respect to race, religion, disability, gender, sexual orientation, color, age, marital status, veteran status, veteran era, Vietnam veteran era, ancestry, or national origin.

b. Freedom of inquiry and expression

1. Students and student organizations are free to examine and to discuss all questions of interests to them, and to express opinions publicly and privately. They are free to support causes by orderly means that do not disrupt the regular and essential operation of the institution. At the same time, it should be made clear to the academic and larger community that in their public expressions or demonstrations, students or student organizations speak only for themselves.

2. Students are allowed to invite and to hear any person of their own choosing. The routine procedure required by Parkland before a guest speaker is invited to appear on campus are designed only to ensure that there is orderly scheduling of facilities and adequate preparation for the event, and that the occasion is conducted in a manner appropriate to an academic community. It should be emphasized to the academic and larger community that sponsorship of guest speakers does not necessarily imply approval or endorsement of the views expressed, either by the sponsoring group or the institution.
3. All students, including transgender/gender non-conforming students, should feel comfortable dressing in any manner that they wish, especially with regard to dressing in a manner consistent with their gender-related identity, as long as this dress does not violate Parkland's prohibition on disorderly, lewd, or indecent conduct.

#### C. Student participation in institutional government

As constituents of the academic community, students are free, individually and collectively, to express their views on issues of institutional policy, and on matters of general interest to the student body. The student body has clearly defined means to participate in the formulation and application of institutional policy affecting academic and student affairs. The role of the Student Government and both its general and specific responsibilities are explicitly stated in the Parkland College Student Association Constitution.

#### D. Student publications

Student publications and the student press are valuable aids in establishing and maintaining an atmosphere of free and responsible discussion, and of intellectual exploration on the campus. They are a means of bring student concerns to the attention of faculty and the institutional authorities, and of formulating student opinion on various issues on the campus and in the world at large.

The development and interpretation of student publication policies are the responsibility of a Publications Board composed of an equal number of students and faculty.

### **Section V – Off-Campus freedom of Students**

- a. Exercise of rights of citizenship  
Parkland students are both citizens and members of the academic community. As citizens, students enjoy the same freedom of speech, peaceful assembly, and right of petition that other citizens enjoy, and as members of the academic community, they are subject to obligations which accrue to them by virtue of this membership. Institutional powers are not employed to inhibit such intellectual and personal development of students as is often promoted by their exercise of the rights of citizenship both on and off campus.
- b. Institutional authority and civil penalties  
Activities if students may upon occasion result in violation of law. Students who violate the law may incur penalties prescribed by civil authorities, but institutional authority should never be used merely to duplicate the function of general laws. Only where the institution's interests as an academic community are distinct and clearly involved should the special authority of the institution be asserted. The student who incidentally violates institutional regulations in the

course of his or her off-campus activity, such as those relating to class attendance, will be subject to no greater penalty than would normally be imposed. Institutional action is dependent of community pressure.

## **Section VI - Parkland College Student Conduct Code**

### **Preamble**

In assisting students to develop responsible behavior, the Student Conduct Code has been developed to play a complementary role to counseling, guidance, and other forms of student development actions. At the same time, the college has a duty and the corollary disciplinary powers to protect its educational purpose through the setting of standards of scholarship and conduct for its students and through the regulations of the use of its facilities.

Discipline will be administered so as to guarantee procedural fairness to an accused student. The regular disciplinary procedures and standards of conduct, including the student's right to appeal a decision, will be clearly formulated and communicated in advance. Disciplinary procedures may vary in formality with the gravity of the offense and the sanctions that may be applied. Some Student Conduct Code violations may be adjudicated informally under prescribed procedures.

Parkland College will adhere to procedural fair play by requiring that in all situations the student be informed of the nature of the charges against him or her, and that he or she be given a fair opportunity to refute them.

### **Article I: Definitions**

- a. The term Parkland College means Parkland College District 505. The term "Parkland College" includes all land, building, facilities, and other property in the possession of or owned, used, or controlled by Parkland College (including adjacent streets and sidewalks).
- b. The term "student" includes all persons taking courses at Parkland College, both full-time and part-time, credit or noncredit. Persons who are not officially enrolled for a particular term but who have a continuing relationship with Parkland College are considered "students".
- c. The term "faculty member" means any person hired by Parkland College to conduct classroom activities, including counselors and librarians who hold faculty status.
- d. The term "Parkland College official" includes and person employed by Parkland College, performing assigned administrative or professional responsibilities.
- e. The term "member of Parkland College community" includes any person who is a student, faculty member, Parkland College official, or any other person employed by Parkland College.
- f. The term "complainant" means any person who submits a charge alleging that a student violated the Student Conduct Code. When a student believes that s/he has been a victim of another student's misconduct, the student who believes s/he has been a victim will have the same rights under this Student Conduct Code as are provided to the complainant, even if another member of the college community submitted the charge itself.
- g. The term "respondent" means any student accused of violating the Student Conduct Code.
- h. The term "organization" means any number of persons who have complied with the formal requirements for Parkland College Student Government Recognition.

- i. The term “Student Conduct Committee” means any person or persons authorized by the Vice President for Student Services to determine whether a student has violated the Student Conduct Code and to recommend imposition of sanctions.
- j. The term “student conduct advisor” means a Parkland College official authorized in a case-by-case basis by the dean of students to impose sanctions upon students found to have violated the Student Conduct Code. The dean of students may authorize the student conduct advisor to serve simultaneously as a student conduct advisor and the sole member or one of the members of a Student Conduct Committee. Nothing shall prevent 1) the dean of students from authorizing the same student conduct advisor to impose sanctions in all cases or 2) the dean of students to serve as the student conduct advisor.
- k. The term “Appellate Board” means any person/persons authorized by the dean of students to consider an appeal from a Student Conduct Committee’s determination that a student has violated the Student Conduct Code or from the sanctions imposed by the student conduct advisor.
- l. The term “shall” is used in the imperative sense.
- m. The term “may” is used in the permissive sense.
- n. The Dean of Students is that person designated by the Parkland College Vice President for Student Services to be responsible for the administration of the Student Conduct Code.
- o. The term “policy” is defined as the written regulations of Parkland College as found in, but not limited to, the college catalog and Parkland College Student Policies and Procedure Manual.
- p. The term “cheating” includes but is not limited to: (1) use of any unauthorized assistance in taking quizzes, tests, or examinations; (2) dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; (3) the acquisition, without permission, of tests or other academic material belonging to a member of the Parkland College faculty or staff; or (4) engaging in any behavior specifically prohibited by a faculty member in the course syllabus or class discussion.
- q. The term “plagiarism” includes, but is not limited to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgement. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.

## **Article II: Judicial Authority**

- a. The Vice President for Student Services or the chairperson of the PCA Student Affairs Committee shall determine the composition of the Student Conduct Code Committee and Appellate Boards and determine which Student Conduct Committee, student conduct advisor, and Appellate Board shall be authorized to hear in each case.
- b. The Dean of Students shall develop policies for the administration of the student conduct program and procedural rules for the conduct of hearings which are not inconsistent with provisions of the Student Conduct Code. The Dean of Students will also facilitate the training of Student Conduct Advisors and Student Conduct Committee Members
- c. Decisions made by a Student Conduct Committee and/or student conduct advisor shall be final, pending the normal appeal process.

## **Article III: Proscribed Conduct**

a. Jurisdiction of Parkland College

Generally, Parkland College jurisdiction and discipline shall be limited to conduct which occurs in Parkland College premises and other officially recognized off-campus locations or events in which Parkland College is represented as a sponsor or participant. Conduct that adversely affects the Parkland College community and/or the pursuit of its objectives may be included and adjudicated, however, regardless of location and said conduct. It is the sole discretion of the dean of students to decide on a case by case basis whether the Student Conduct Code shall be applied to conduct occurring off campus. Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree, which may include conduct occurring before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment, and even conduct not discovered until after a degree is awarded.

b. Conduct – Rules and regulations

Any student found to have committed the following misconduct is subject to the disciplinary sanctions outlined in Article IV, Section B.

1. Acts of dishonesty, included but not limited to the following:
  - a. Cheating, plagiarism, or other forms of academic dishonesty covered under the Student Policies and Procedures Manual;
  - b. Furnishing false information to any Parkland College official, faculty member, or office;
  - c. Forgery, alteration, or misuse of any Parkland College document, record, or instrument of identification;
  - d. Tampering with the election of any Parkland College recognized student organization.
2. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other Parkland College activities, including its public service functions on or off campus, or other authorized non-Parkland College activities, when the act occurs on Parkland premises. (Hearings associated with faculty-initiated Administrative Removal from the Classroom Due to Student Behavior will follow a separate hearing procedure as outlined under the Classroom Contract section).
3. Physical abuse, verbal abuse, threats, intimidation, harassment, coercion, and/or other conduct which threatens or endangers health or safety of any person. This is to include acts or threats to one's personal safety and/or life.
4. Attempted or actual theft and/or damage to property of Parkland College or property of a member of the Parkland College community or other personnel or public property, on or off campus.
5. Hazing, defined as an act which endangers the mental or physical health or safety of a student, 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. The express or implied consent of the victim will not be a defense, nor will apathy or acquiescence in the presence of hazing.
6. Failure to comply with directions of Parkland College officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.

7. Unauthorized possession, duplication, or use of keys to Parkland College premises or unauthorized entry to or use of Parkland College premises.
8. Violation of any Parkland College policies, rules, or regulations published in hard copy or available electronically on the Parkland College premises.
9. Violation of federal, state, or local law on Parkland College premises or at Parkland College sponsored or supervised activities.
10. Use, possession, manufacture, or distribution of illegal drugs or controlled substances except as expressly permitted by law.
11. Use, possession, manufacturing, or distribution of alcoholic beverages on property, or intoxication at any college sponsored event on or off campus, or appearance on campus while under the influence of intoxicants. Alcoholic beverages may not, in any circumstances, be used by, possessed by, or distributed to any person under twenty-one (21) years of age.
12. Illegal or unauthorized possession of firearms, explosives, other weapons, look-alike weapons, or dangerous chemicals on Parkland College premises or use of any such item, even if legally possessed, in a matter that harms, threatens, or causes fear to others.
13. Participation in campus demonstration which disrupts the normal operations of Parkland College and infringes on the rights of other members of the Parkland College community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area; intentional obstruction which unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus.
14. Obstruction of the free flow of pedestrian traffic inside or outside the facilities or vehicular traffic on Parkland College premises or at Parkland College sponsored or supervised functions.
15. Conduct that is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on Parkland College premises or at functions sponsored or participated in by Parkland College. Disorderly conduct includes, but is not limited to, any unauthorized use of electronic or other devices to make an audio, video, or photographic record of any person while on Parkland College premises without his/her prior knowledge, or without his/her effective consent when such a record is likely to cause injury or distress.
16. Theft or other abuse of computer facilities and resources, including but not limited to:
  - a. Unauthorized entry into a file, to use, read, or change contents, or for any other purpose;
  - b. Unauthorized transfer of a file or software;
  - c. Unauthorized use of another individual's identification and password;
  - d. Use of computing facilities to interfere with the work of another student, faculty member, or Parkland College official;
  - e. Use of computing facilities to send obscene or abusive messages;
  - f. Use of computing facilities to interfere with normal operation of any Parkland College computing system;
  - g. Use of computing facilities and resources in violation of copyright laws;
  - h. Violation of the Parkland computer/e-mail use policies
17. Abuse of the student conduct system, including but not limited to:

- a. Failure to obey the notification from a Student Conduct Committee or Parkland College official;
  - b. Falsification, distortion, or misrepresentation, if information before a Student Conduct Committee;
  - c. Disruption or interference with the orderly conduct of a student conduct proceeding;
  - d. Interruption of a student conduct proceeding knowingly without cause;
  - e. Attempting to discourage an individual's proper participation in, or use of, the student conduct system;
  - f. Attempting to influence the impartiality of a member of the Student Conduct Committee prior to, and/or during the course of the student conduct proceeding;
  - g. Harassment (verbal or physical) and/or intimidation of a member of the student conduct system and/or a Student Conduct Committee prior to, during, and/or after a student conduct proceeding;
  - h. Failure to comply with the sanction(s) imposed under the Student Conduct Code;
  - i. Influencing or attempting to influence another person to commit an abuse of the student conduct system
18. Violating special safety regulations that are necessary to govern various facilities and activities of the college.
19. Violating the Sexual Discrimination, Harassment, and Misconduct policy of the college (Separate investigation and adjudication procedures exist for this policy).
20. Violating the policy on harassment/discrimination of students.
- c. Violation of law and Parkland College discipline
- 1. Parkland College administration may institute disciplinary proceedings against a student charged with violation of a law that is also a violation of this Student Conduct Code, for example, if both violations result from the same factual situation, without regard the pendency of civil litigation in court or criminal arrest and prosecution. Proceedings under this Student Conduct Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus.
  - 2. When a student is charged by federal, state, or local authorities with a violation of law, Parkland College will not request or agree to special consideration for that individual because of his or her status as a student. However, if the alleged offense is also the subject of a proceeding before a Student Conduct Committee under the Student Conduct Code, Parkland College may advise off-campus authorities of the existence of the Student Conduct Code and how such matters will be handled internally within the Parkland College community. Parkland College will cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators. Individual students and faculty members, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.
- d. Interim Suspension
- a. In certain circumstances, the Dean of Students may impose an interim suspension prior to a student's hearing before a Student Conduct Committee.

- e. A student will be subject to involuntary interim suspension from Parkland College, if it is determined, by clear and convincing evidence, that the student:
  - a. Engages or threatens to engage in behavior which poses a danger of causing physical harm to self or others.
  - b. Engages or threatens to engage in behavior which would cause significant property damage, or directly and substantially impedes the lawful activities of others.
  - c. Engages or threatens to engage in behavior which significantly disrupts or obstructs teaching and learning.
  - d. Failure to comply with requested psychiatric evaluation as set forth in the involuntary withdrawal section below.
    - a. Interim suspension process
      - i. A letter of investigation will be prepared and delivered to student involved either personally, by parkland email and/or by certified US mail.
      - ii. This letter will contain:
        - 1. A summary of the conduct being investigated
        - 2. The date, time, and location of a meeting with the Dean of Students to discuss the potential interim suspension. This meeting will give the respondent an opportunity to be heard with regard to the potential interim suspension.
      - iii. The meeting to discuss the potential interim suspension will be scheduled no earlier than 2 business days from the sending of the investigation letter.
    - b. Within 2 business days after the conclusion of this meeting, the student will be delivered a letter either personally, by parkland email and/or by certified US mail that indicates the outcome of the meeting – whether or not the interim suspension will be imposed. This disposition letter will be sent whether or not the student chooses to attend the meeting regarding potential interim suspension.
    - c. These standards do not preclude removal from Parkland College, in accordance with provisions of other college rules or regulations.
    - d. During the interim suspension, students shall be denied access to the campus (including classes - in-person, online, hybrid, and any other delivery mode) and/or all other Parkland College activities or privileges for which the student might otherwise be eligible. A Ban Notice will be prepared and processed with the student through the Department of Public Safety.

- e. The student may participate in the ongoing conduct processes at Parkland by contacting the Department of Public Safety before doing so.
- f. An interim suspension will last until the conclusion of the conduct investigation and any subsequent Student Conduct processes.
- g. Standards and procedure for involuntary administrative withdrawal

*Standards for withdrawal*

1. A student will be subject to involuntary administrative withdrawal from their course(s) and/or Parkland College, if it is determined:
  - i. The student has been suspended or expelled as a result of a student conduct hearing and has exhausted all appeals to which they are entitled, or.
  - ii. At the conclusion of the final step of the faculty-initiated Administrative Removal from the Classroom Due to Student Behavior Procedure, or.
  - iii. By preponderance of the evidence, the student lacks the ability to comply with the published Parkland College policies, rules, and regulations as a result of a mental disorder.

*Procedures for administrative withdrawal related to mental health*

2. The Dean of Students may refer a student for evaluation by an independent licensed psychiatrist chosen by Parkland College, if the dean of students reasonably believes that the student may meet this criteria. Parkland will incur all expenses for the initial evaluation. The student will assume future costs associated with evaluation, hearing, etc.
3. Students referred for evaluation in accordance with this part shall be so informed in writing, either by personal delivery or by certified mail, and shall be given a copy of these standards and procedures. The evaluation must be completed within five (5) business days from the date of the referral letter, unless an extension is granted by the dean of students in writing. Students may be accompanied by a licensed psychologist or psychiatrist of their choice, who may observe, but not participate in the evaluation process. Legal representation will not be permitted.
4. Any pending disciplinary action may be withheld until the evaluation is completed, at the discretion of the dean of students.
5. A student who fails to complete the evaluation in accordance with these standards and procedures may be subject to interim suspension, as set as set forth above, or referred for disciplinary action, or both.
6. A student accused of violating the Parkland College student code may be diverted from the student conduct process and withdrawn in accordance with these standards, if the student, as a result of a mental disorder:
  - a. Lacks the capacity to respond to pending student conduct charges; or
  - b. Did not know the nature or wrongfulness of the conduct at the time of the offense.
7. Students subject to conduct charges (section iv above) who wish to introduce relevant evidence of any mental disorder must so inform the dean of students in writing at least two (2) business days prior to any student conduct hearing. If the dean of students determines that the information provided may have merit, the case shall then be resolved in accordance with these

standards and procedures. Thereafter, if it is determined that the student does not meet the criteria set forth in section IV above, the case will be returned to the student conduct process. Evidence of any mental disorder may not be admitted into evidence or considered by the Student Conduct Committee in any student conduct proceeding.

#### *Interim withdrawal*

8. An interim administrative withdrawal may be implemented immediately if a student fails to complete an evaluation, as provided by paragraphs 5 and 6 of these standards and procedures. Also, an interim withdrawal may be implemented immediately if the dean of students determines that a student may be suffering from a mental disorder, and the student's behavior poses an imminent danger of:
  1. Causing serious physical harm to the students or others; or
  2. Causing significant property damage, or directly and substantially impeding the lawful activities of others.
9. A student subject to an interim withdrawal shall be given written notice of the withdrawal either by personal delivery or by certified mail, and shall be given an opportunity to appear personally before the dean of students two (2) business days from the elective date of the interim withdrawal, in order to review the following issues only:
  1. The reliability of the information concerning the student's behavior;
  2. Whether or not the student's behavior poses a danger of causing imminent, serious physical harm to the student or others, causing significant property damage, or directly and substantially impeding the lawful activities of others;
  3. Whether or not the student has completed an evaluation, in accordance with these standards and procedures.
10. A student subject to interim withdrawal may be assisted in the proceeding specified in paragraph 10 by a family member and a licensed psychologist or psychiatrist, or in lieu of a licensed psychologist or psychiatrist, by a member of the faculty or staff of Parkland College. Furthermore, the student may be accompanied by a legal counsel, although the role of counsel will be limited to providing legal advice to the student. Students will be expected to speak for themselves whenever possible. Associated costs for legal counsel or licensed psychologists or psychiatrists shall be incurred by the student.
11. An informal hearing, as provided in paragraph 3, will be held within seven (7) school days after the student has been evaluated by the proper mental health professional. Such evaluation should be undertaken within two (2) school days after the student submits a proper request for an appointment. The student will remain withdrawn on an interim basis pending completion of the informal hearing, but will be allowed to enter upon the campus to attend the hearing, or for other necessary purposes, as authorized in writing by the dean of students.

### *Informal Hearing*

12. Students subject to an involuntary withdrawal shall be accorded an informal hearing before the dean of students. The following guidelines will be applicable.
13. Students will be informed of the time, date, and location of the informal hearing, in writing, either by personal delivery or by certified mail, at least two (2) business days in advance.
14. The entire case file, including an evaluation prepared pursuant to paragraph 5 of these standards and procedures, and the name of the prospective witnesses, will be available for inspection by the student in the dean of students' office during normal business hours. The file, which should be available at least two (2) school days before the informal hearing, need not include the personal and confidential notes of any institutional official or participant in the evaluation process.
15. The informal hearing shall be conversational and non-adversarial. Formal rules of evidence will not apply. The dean of students shall exercise active control over the proceedings to avoid needless consumption of time and to achieve the orderly completion of the hearing. Any person who disrupts the hearing may be excluded.
16. The student may choose to be assisted by a family member and a licensed psychologist or psychiatrist or, in lieu of a licensed psychologist or psychiatrist, by a member of the faculty or staff of Parkland College. Furthermore, the student may be accompanied by legal counsel, although the role of counsel will be limited to providing legal advice to the student.
17. Those assisting the student, except for the legal counsel, will be given reasonable time to ask relevant questions of any individual appearing at the informal hearing, as well as to present relevant evidence.
18. Whenever possible, the student will be expected to respond to questions asked by the dean of students. Students who refuse to answer due to concerns about incrimination may be informed that they dean of students could draw a negative inference from their refusal, which might result in their dismissal from the institution, in accordance with these standards and procedures.
19. The informal hearing may be conducted in the absence of a student who fails to appear after proper notice.
20. The mental health professional who prepared the evaluation pursuant to paragraph 5 of these standards and procedures may be expected to appear at the informal hearing, and to respond to relevant questions, upon request of any party, if the dean of students or designee determines that such participation is essential to the resolution of a dispositive issue in the case.
21. The dean of students or designee may permit a Parkland official and the mental health professional who prepared the evaluation to appear at the informal hearing and to present

evidence in support of any withdrawal recommendation. Such evidence will not be presented by legal counsel for the college.

22. The informal hearing shall be tape recorded by the dean of students or designee. The tape(s) shall be kept with the pertinent case file for as long as the case file is maintained by the institution.
23. A written decision shall be rendered by the dean of students within five (5) school days after the completion of the informal hearing. The written decision, which should be mailed or personally delivered to the student, should contain a statement of reasons for any determination leading to involuntary withdrawal. The student should also be advised as to when a petition for reinstatement would be considered, along with any conditions for reinstatement.
24. The decision of the dean of students shall be final and conclusive and not subject to appeal.

*Deviations from established procedures*

25. Reasonable deviations from these procedures will not invalidate a decision or proceeding unless significant prejudice to a student may result.

*\*Adapted from "The Dismissal of Students with Mental Disorders," by Gary Pavela, J.D.*

These standards do not preclude removal from Parkland College, in accordance with provisions of other college rules or regulations.

**Article IV: Judicial Policies**

- A. Charges and hearings
  1. Any member of the Parkland College community may file a complaint against any student for misconduct. Complaints should be prepared in writing and directed to the Dean of Students who is responsible for the administration of the Parkland College student conduct system. Any complaints should be submitted as soon as possible after the event takes place, preferably within 5 business days.
  2. A member of the Parkland College community may receive a complaint from a person who is not a member of the Parkland College community as defined in this code. Those complaints should be immediately forwarded to the Dean of Students. Complaints presented to the dean of students by persons "outside" of the Parkland community will be evaluated for possible disposition action under the provisions of the Student Conduct Code.
  3. The Dean of Students or their designee may conduct an investigation to determine if the complaint has merit and/or if they can be disposed of administratively or through mediation with the consent of the parties involved. Such disposition shall be final and there shall be no subsequent proceedings provided all parties adhere to the agreed upon sanctions. If the charges cannot be disposed of by mutual consent or if either party does not adhere to the agreed upon sanction(s) or the charges result from a violation of a major offense, the Dean

of Students may officially charge the student and refer the case to the student conduct advisor who shall proceed with a disciplinary hearing.

B. Charges referred to student conduct hearing

1. All charges that will be referred to a student conduct hearing shall be presented to the accused student in written form and mailed to the student's local address of record using certified mail as well as emailed to their Parkland student email account. An attempt to meet with the student in person to present the charge letter will also be made by the Dean of students.
2. The charge letter will also notify the student of a required meeting with the Student Conduct Advisor. This meeting shall take place no more than 3 business days after the sending of the charge letter by Parkland email. The purpose of the meeting will be to review the student conduct process and discuss scheduling of the rest of the process.
3. The scheduling of the hearing will be done by the Student Conduct Advisor, in consultation with the accused student. This consultation will happen at the required meeting when a time shall be set for a hearing, not less than 5 nor more than 10 business days after the date that the student has met with the Conduct Advisor.
4. In extreme cases, maximum time limits for scheduling of meetings and hearings may be extended, at the discretion of the Dean of Students.
5. At the meeting with the Student Conduct Advisor, the accused student shall be presented with a summary of the documentation. In addition, the accused student shall be allowed to examine any pertinent information that will be presented in the hearing. At a student conduct hearing, the technical rules of evidence applicable to civil and criminal cases shall not apply.
6. Hearing shall be conducted by the Student Conduct Committee under the following guidelines:

1. Hearing Guidelines

a. Composition of the Committee

- i. Two students selected from a pool of students approved and trained by the Dean of Students. If absolutely necessary to expedite the hearing, one student may be used.
- ii. Two employees of the college selected from a pool of employees appointed by the Parkland College Association Senate. This pool will perform as an ad hoc subcommittee of the Student Affairs Committee of the Senate.
- iii. The chair will be the student conduct advisor or his or her designee. This position will be nonvoting except in tie votes.
- iv. Other college policies may dictate a variance of this committee composition to include specially trained members – both faculty and students. Composition is dictated by that policies procedure.

- b. The hearing shall be private, (restricted to committee members, the complainant, the charged party(ies) the charges parties' advisors, and witnesses). Admission of any person to the hearing shall be determined at the discretion of the dean of students and normally with the consent of the accused student.

- c. In hearings involving more than one accused student, the Student Conduct Advisor, at his or her discretion, may permit the hearings concerning each student to be conducted jointly.
  - d. The involved parties shall have the right to be assisted by any relative, Parkland College student, Parkland College employee, or any other designee who serves as an advisor. The advisor's role is limited to advising the student. The complainant and the accused are responsible for presenting their own cases, and therefore, advisors are not permitted to speak to committee members during a hearing or participate directly in any hearing before a Student Conduct Committee.
  - e. To ensure the student understands his or her rights, the "Garrity Procedures" will be read to the accused student prior to questioning and/or allowing the student to make a statement.
  - f. There shall be a single verbatim record, such as a tape recording, of all formal proceedings during a discipline hearing. The record shall be the property of Parkland College.
  - g. The complainant, the accused, and the Student Conduct Committee shall have the privilege of presenting witnesses. The College will try to arrange the attendance of possible witnesses who are members of the College community, if reasonably possible, and who are identified by the complainant and/or accused student at least two weekdays prior to the Student Conduct hearing. Witnesses will provide information to, and answer questions from, the Student Conduct Committee. Questions may be suggested by the accused student and/or complainant to be answered by each other or by other witnesses. Questioning will be conducted by the Student Conduct Committee 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.
  - h. A Student Conduct Committee, at the discretion of the chairperson, may present pertinent records, exhibits, and written statements for consideration.
  - i. All procedural questions during the hearing are subject to the final decision of the chairperson of the Student Conduct Committee.
  - j. After the hearing, the Student Conduct Committee shall determine using the preponderance of evidence standard (by the majority vote) whether the student has violated each section of the Student Conduct Code which the student is charged with violating.
  - k. The accused student will be notified of his or her right to appeal.
- 7. If an accused student, with notice, does not appear before a Student Conduct Committee hearing, the information in support of the charges shall be presented and considered, even if the accused student is not present.
  - 8. The Student Conduct Committee may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the complainant, accused student, and/or other witness during the hearing through the use of written statements or other means, where and as determined in the sole judgement of the student conduct advisor to be appropriate.

### C. Sanctions

1. The following sanctions may be imposed upon any student found to have violated the Student Conduct Code:
  - a. Warning – A notice in writing to the student that the student is violating or has violated the Student Conduct Code and if the conduct continues more stringent sanctions shall be imposed.
  - b. Probation – Probation is for a designated period of time and includes probability of more severe disciplinary sanctions if the students is found to be violating any conduct code during the probationary period.
  - c. Loss of privileges – Denial of specified privileges for a designated period of time.
  - d. Fines – Previously established and published fines may be imposed.
  - e. Restitution – Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
  - f. Discretionary sanctions – Work assignments, service to Parkland College, or other related discretionary assignments (such assignments must have the prior approval of the student conduct advisor or vice president for student services).
  - g. Administrative Withdrawal – Removal of the student from one or more Parkland College courses.
  - h. Parkland College suspension – Separation of the student from Parkland College for a definite period of time, after which the student id eligible to return. Conditions for readmission may be specified.
  - i. Parkland College expulsion – Permanent separation of the student from Parkland College. Student may petition for reentry after a minimum of one (1) academic year has elapsed since imposition of expulsion.
  - j. Revocation of admission and/or degree – Admission to, or a degree awarded from, the college may be revoked for fraud, misrepresentation, or other violation of college standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.
  - k. Withholding degree – The college may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Conduct Code, including the completion of all sanctions imposed, if any.
2. More than one of the sanctions listed above may be imposed for any single violation.
3. Other than Parkland College expulsion, disciplinary sanctions shall not be made part of the student's permanent academic record but shall become part of the student's confidential record. Upon graduation, the student's confidential record may be expunged of disciplinary actions and Parkland College suspension. Parkland College expulsion records may be expunged upon written request by the student to the student conduct advisor or dean of students.
4. The following sanctions may be imposed upon groups or organizations:
  - a. Those sanctions listed above in B1, a through f.
  - b. Deactivation – Loss of all privileges, including Parkland College recognition, for a specified period of time.
5. In each case which a Student Conduct Committee determines that a student has violated the Student Conduct Code, the sanction(s) shall be determined and imposed by the student

conduct advisor. In cases in which persons other than or in addition to the student conduct advisor have been authorized to serve as the Student Conduct Committee, the recommendation of all members of the Student Conduct Committee shall be considered by the student conduct advisor in determining sanctions. The student conduct advisor is not limited to sanctions recommended by members of the Student Conduct Committee.

#### D. Report of Hearing

1. The Conduct Advisor or Dean of Students shall write the final report to be completed within 72 hours of the decision. The report shall consist of the following:
  - a. A copy of the charges.
  - b. The summary judgement of the Student Conduct Committee whether a student has violated the Student Conduct Code for each charge and the sanction(s) imposed.
  - c. Any specific actions that the student must complete as part of any sanction.
  - d. Guidelines for the appeal process.

#### E. Appeals

1. A decision reached by the Student Conduct Committee or a sanction imposed by the student conduct advisor may be appealed by accused students or complainants to an Appellate Board within 10 school days of the decision. Such appeals shall be in writing and shall be delivered to the dean of students or the student conduct advisor. A student utilizing the Student Conduct hearing appeal process is restricted from using the Student Grievance hearing process for the same occurrence. The student may use the Student Grievance process, however, if the grievance has no parties or changes related to the conduct process that is being appealed.
2. Except as required to explain the basis of new evidence, an appeal shall be limited to review of the verbatim record of the initial hearing and supporting documents for one or more of the following purposes.
  - a. To determine whether the original hearing was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures giving the complaining party reasonable opportunity to prepare and present information that the Student Conduct Code was violated, and giving the accused student a reasonable opportunity to prepare and to present a response to those allegations.
  - b. To determine whether the decision reached regarding the accused student was based on substantial information; that is, whether the facts in the case were sufficient to establish that a violation of the Student Conduct Code occurred.
  - c. To determine whether the sanction(s) imposed were appropriate for the violation of the Student Conduct Code which the 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 Student Conduct hearing.

3. If an appeal is upheld by the Appellate Board, the matter shall be remanded to the original Student Conduct Committee and student conduct advisor for reopening of the hearing to allow reconsideration of the original determination and/or sanction(s).
4. In cases involving appeals by students accused of violating the Student Conduct Code, review of the sanction by the Appellate Board may not result in more severe sanction(s) for the accused student.
5. In the event the student disagrees with the decision of the Appellate Board, the student may file a final appeal to the Vice President for Student Services. After receipt of the Appellate Board's decision, the student may file in writing the reason for the appeal to the Vice President within five (5) school days. The Vice President shall have the option of hearing the matter or not and may remand the matter if the Vice President's finding is inconsistent with the Appellate Board's decision.

**Article V: Interpretation and Revision**

- a. Any question of the interpretation regarding the Student Conduct Code shall be referred to the dean of students or student conduct advisor.
- b. The Student Conduct Code shall be reviewed every two (2) years under the direction of the Dean of Students.
- c. If any provision in this Student Conduct Code is or shall at any time be contrary to or unauthorized by federal or state law, then such provisions shall not be applicable, performed, or enforced except to the extent permitted by law.

*Note: The Parkland College Student Conduct Code is based on the work of Edward N. Stoner, II and John Wesley Lowery (2004). See the Journal of College and University Law, Vol. 31, No. 1, published by the National Association of College and University Attorneys and the Notre Dame Law School.*

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