

Federal and State Laws

Americans with Disabilities Act

Drug Free Schools and Communities Act

Family Educational Rights and Privacy Act

Equity in Athletics Disclosure Act

Jeanne Clery Disclosure of Campus
Security Policy and Campus
Crime Statistics Act

Religious Observances Policy

Student Right to Know Act

College Policies

Academic Honesty Policy

Bulletin Boards and Publicity

The Student Center

Communicable Diseases Policy

Discrimination Complaint Procedure

Distribution of Literature and
Use of Tables or Display Space

Locker General Use Statement

Non-Solicitation Policy

Policy Regarding Sexual Offenses

Sexual Harassment Policy

Smoking Policy

Speakers Policy

Student Activities Awards Programs

Student Code of Conduct and
Dispute Resolution Procedures

Student Dress

Technology and Information Resources
Acceptable Use Guidelines

Workplace Violence Policy

This section includes information on College policies and procedures. Elsewhere in the Catalog, College academic regulations are delineated for students. These include Harper College Standards for Academic Performance, Assessment and Placement Policy, Repeat Policy, Forgiveness Policy, Grading and Grade Points, Incomplete Grades, Attendance Policy, Academic Honesty Policy, Auditing a Course, Tuition and Refunds, Academic Honors, Withdrawals, Honors Program, Transcripts and Transfer of Credits. The catalog also includes graduation requirements for degrees and certificates, and information on all programs and courses and their prerequisites. The current semester course schedule mailed to district residents and schedule printouts posted throughout the College provide specific information regarding class times and registration procedures.

Federal and State Laws

Americans With Disabilities Act

Reasonable accommodations and services are available for students, staff and visitors with disabilities in accord with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. Persons with disabilities, who may require accommodations and/or support services, should contact Access and Disability Services in Building D, Room D119, or telephone 847.925.6266 (voice) or 866.327.1630 (VP). While mandated services will be offered at Harper College facilities, complete College support services such as tutoring, counseling and others may only be available at the Palatine campus. Employees seeking accommodations should contact Human Resources.

Drug Free Schools and Communities Act

It is the policy of Harper College to provide a drug and alcohol free environment and workplace as defined by the Drug Free Workplace Act of 1988 and the Safe and Drug Free Schools and Communities Act of 1994.

Harper College prohibits the unlawful possession, use, distribution, dispensing and manufacture of illicit drugs and alcohol by students and employees on its property or as part of any College activity.

Students who violate this policy will be governed by the College's Student Conduct Code and subject to disciplinary action up to and including suspension, expulsion and referral for prosecution. Employees who violate this policy will be subject to disciplinary action in accordance with their appropriate employee group regulations up to and including suspension, termination of employment and referral for prosecution.

These sanctions will be consistent with local, state and federal laws in reference to the Cannabis Control Act, the Controlled Substance Act and the Liquor Control Act. Students and employees are reminded that these laws provide for a variety of legal sanctions and penalties which include, but are not limited to, incarceration and monetary fines. Further information on these local, state and federal ordinances and statutes will be maintained on the Harper Web site at harpercollege.edu.

Students and employees are encouraged to access this information.

In addition, all employees directly engaged in performance of work pursuant to the provisions of a federal grant or federal contract in excess of \$25,000 and students who are Pell Grant recipients must notify the College within five days of any criminal drug statute conviction for a violation occurring on or off College premises while conducting College business or activities. The College shall, within 10 days after receiving such notice, inform the federal agency providing the grant of such conviction.

Within 30 days following such notification of conviction, appropriate disciplinary action shall be taken against such employee or student and/or the employee or student may be required, at his or her own expense, to participate satisfactorily in a substance abuse assistance or rehabilitation program. With the intent to provide a drug and alcohol free educational and work environment, Harper College is committed to providing proactive drug and alcohol abuse prevention programs, confidential counseling, intervention and referral for its students and employees. An Employee Assistance Program is available for employees and their immediate family members.

Harper College shall conduct bi-annual reviews of the drug and alcohol abuse programs to determine their effectiveness and implement appropriate changes.

Family Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act of 1974 establishes the rights of students to inspect and review their education record; provides that personally identifiable information will not, with certain exceptions, be disclosed without the students' permission; provides for guidelines for the correction of inaccurate or misleading data through informal or formal hearings; grants the right to file complaints with the Family Educational Rights and Privacy Act (FERPA) office concerning alleged failures by the institution to comply with the Act; and makes provision for notice to the students concerning their rights.

No one shall have access to, nor will the institution disclose, any information from students' education records — other than Directory Information — without the written consent of students, except to officials of other institutions in which students seek to enroll; to persons or organizations providing students financial aid; or providing enrollment and/or degree verification to accrediting agencies carrying out the accreditation function; in compliance with a judicial order; in emergency situations when necessary to protect the health or safety of students or other persons; and to those members of the College community with a legitimate educational interest.

"Legitimate educational interest" means and includes a demonstrable need to know by any staff member in terms of his or her assigned duties. Parents of a dependent child (as defined by IRS code) are also eligible to inspect that dependent student's record.

Educational records that are not governed by the Act and are not accessible to students include:

1. Records kept by Harper personnel such as faculty, counselors and administrators, which are used only by the maker or his or her substitute and are not available to any other person.

2. Law enforcement records which are kept apart from the student's other educational records and are maintained solely for law enforcement purposes. These records are made available for inspection by Harper College Police personnel only when acting in the line of duty and only to law enforcement officials of the same jurisdiction. Educational records maintained by the institution may not be disclosed to the personnel of the law enforcement unit.
3. Employment records for College employees, which are kept solely for business reasons.
4. Student records made or maintained by a physician, psychiatrist, psychologist or other recognized professional or para-professional acting in his or her professional or para-professional capacity, and which are made, maintained or used only in connection with the provision of treatment to the student and are not available to anyone other than persons providing such treatment, except that such records can be personally reviewed by a physician or other appropriate professional of the student's choice.

Directory Information

The following items are hereby designated as "Directory Information," and as such may be disclosed or released by the College for any purpose, at its discretion:

The student's name, address, telephone listing, e-mail address, major field of study, participation in officially recognized activities and sports, weights and heights of members of athletic teams, dates of attendance, part-time/full-time enrollment status, photographs, degrees and awards received and the most recent previous educational institution attended and information sent to the National Student Clearinghouse.

Currently enrolled students have the right to withhold the release and disclosure of any or all of these items by giving written notice on the appropriate form to that effect to the Dean of Enrollment Services by the first day of each course or program, as the case may be, for which they enroll. Request for non-disclosure will be effective for only one academic year; therefore, authorization to withhold Directory Information must be filed annually.

Review of Records

The law provides students with the right to inspect and review information contained in their education record; to a response to reasonable requests for explanations and interpretations of the record; to challenge the contents of their education record; to have a hearing if the outcome of the challenge is unsatisfactory; and to submit explanatory statements for inclusion in their files if they feel the decision of the hearing officer is unacceptable. The Dean of Student Affairs has been assigned by the College to coordinate the inspection and review procedures for student education records, which include admissions, personal, academic, and financial files, and academic cooperative education, disclosure and placement records.

Students wishing to review their education records must make written request to the official responsible for the records listing the item or items of interest.

Records covered by the Act will be made available within 45 days of the request. Students may have copies made of their records with certain exceptions (e.g., a copy of the academic record for which a financial "hold" exists, or a transcript of an original or source document which exists elsewhere). Education records do not include

records of instructional, administrative and educational personnel which are the sole possession of the maker and are not accessible or revealed to any individual except a temporary substitute, records of the law enforcement unit, student health records, employment records or alumni records. Health records, however, may be reviewed by physicians of the students' choosing.

Students may not inspect and review the following: financial information submitted by their parents; confidential letters and recommendations associated with admissions, employment or job placement, or honors to which they have waived their rights of inspection and review; educational records containing information about more than one student, in which case the institution will permit access ONLY to that part of the record which pertains to the inquiring student; and confidential letters and recommendations placed in their files prior to January 1, 1975, providing those letters were collected under established policies of confidentiality and were used only for the purposes for which they were collected.

Procedures to Amend Records and Request Hearings

Students who believe that their education records contain information that is inaccurate or misleading, or is otherwise in violation of their privacy or other rights, may discuss their problems informally at a meeting with the author of the record and the Dean of Student Affairs. If the decisions are in agreement with the student's request, the appropriate records will be amended. If not, the students will be notified within a reasonable period of time that the records will not be amended, and they will be informed by the Dean of Student Affairs of their right to a formal hearing. Students' requests for a formal hearing must be made in writing to the Dean of Student Affairs who, within a reasonable period of time after receiving such requests, will inform students of the date, place and time of the hearing.

Students may present evidence relevant to the issues raised and may be assisted or presented at the hearings by one or more persons of their choice, including attorneys, at the students' expense. The hearing officers who will adjudicate such challenges will be designated by the President of the College.

Decisions of the hearing officer will be final, will be based solely on the evidence presented at the hearing, will consist of written statements summarizing the evidence and stating the reasons for the decisions and will be delivered to all parties concerned. The education records will be corrected or amended in accordance with the decisions of the hearing officer, if the decisions are in favor of the students.

If the decisions are unsatisfactory to the students, the students may place with the education records statements commenting on the information in the records, or statements setting forth any reason for disagreeing with the decisions of the hearing officer. The statements will be placed in the education records, maintained as part of the students' records, and released whenever the records in question are disclosed.

Students who believe that their rights have been abridged may file complaints with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Ave., SW, Washington, D.C., 20202-5901 concerning alleged failures of the College to comply with the Act.

Copies of the Act, Harper policies and procedures and forms for use in implementing the Act, are available upon request in the Registrar's Office, Student Center, Building A, Room A213.

Equity in Athletics Disclosure Act

Harper College complies with the Equity in Athletics Disclosure Act by annually completing a report that contains participation rate, financial support and other information on men's and women's intercollegiate athletic programs. Such information can be found at harpercollege.edu/about/consumer.shtml
Hard copies are available upon request.

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

The Clery Act requires colleges and universities to disclose data on crimes committed on and off campus and campus safety policies and procedures. An amendment, The Campus Sex Crimes Prevention Act, requires disclosure of where law enforcement agency information provided by the State concerning registered sex offenders may be obtained. Harper compliance information can be found at harpercollege.edu/about/consumer.shtml.
Hard copies are available upon request.

Religious Observances Policy

Harper College recognizes that on occasion examinations or other scheduled academic activities may conflict with the religious observances of some members of the academic community, and accordingly encourages the instructional and administrative staff to make reasonable accommodations to minimize the resulting difficulties for individuals concerned. In compliance with the Higher Education Religious Observances Act (110 ILCS 110/0.01), students faced with such conflicts must make prior arrangements with the instructor five (5) school days* in advance of the examination or other activity creating the conflict. Students believing that they have been unreasonably denied an educational benefit due to their religious beliefs or practices may appeal the decision in accordance with the College's Student Academic or Non-Academic Complaint Procedures.

* School days are defined as those weekdays (Monday through Friday) when classes are in session.

Student Right to Know Act

The Federal government, under the Student Right to Know Act, requires that all colleges and universities report graduation or completion rates and, if applicable, transfer-out rates for new full-time, degree or certificate-seeking students. Information for Harper College is available at harpercollege.edu/about/consumer.shtml.
Hard copies are available upon request.

College Policies

Academic Honesty Policy

Harper College is strongly committed to the promotion of high ethical standards. Such standards can best be accomplished in an environment where honesty and integrity are practiced.

For this reason the College strongly condemns academic dishonesty. Academic dishonesty includes cheating, plagiarism or other improper appropriation of another's work as one's own and falsifying records to advance one's academic standing.

Cheating includes but is not limited to copying answers, stealing and/or disseminating tests or answer keys, using someone else's data in preparation of reports or assignments and assisting others in such practices.

Plagiarism involves the presentation of another person's words, ideas, or work as one's own. It includes but is not limited to copying any material, (written or non-written) without proper acknowledgement of its source, and paraphrasing another's work or ideas without proper acknowledgement.

Falsifying records includes but is not limited to falsifying or improperly altering College records and documents, or knowingly supplying false or misleading information to others (e.g. the College, other educational institutions or prospective employers).

Any form of academic dishonesty as defined by the faculty member or department is a serious offense requiring disciplinary measures. Discipline for academic dishonesty involving a specific course shall be first determined by the instructor of the course and may include failure of the specific assignment, project or test or failure of the course. The student may appeal the instructor's decision in accordance with the College's Student Academic Complaint Procedures. In cases of academic dishonesty the faculty assigned grade supersedes a student-initiated withdrawal. In cases where disciplinary measures beyond course failure may be deemed appropriate or dishonesty that is not related to a specific course, the student may be disciplined in accordance with the Student Conduct Policy.

Bulletin Boards and Publicity

Announcement of College events can be found on:

- print event listings, distributed to all students who have paid an activity fee, and to all community members who request one from the Student Activities office.
- the online Events Calendar (harpercollege.edu);
- the Algonquin Road marquee;
- Harper Vision, the closed circuit television monitors; and
- bulletin boards around the campus. Publicity must be approved and/or stamped by the Student Activities office and may be hung or distributed only in designated locations according to posting guidelines. Recommended poster size is 8.5" x 11" tall, but larger posters will be allowed if space is available. The name of the organization sponsoring an event should be clearly visible on all publicity material as well as the Harper logo. A poster service is available to student clubs and organizations through the Student Activities office, Student Center, Building A, Room A336. A three-week lead time is requested for posting and the

poster service. Generally, posters will be displayed for a period not to exceed three weeks. Exceptions to these regulations may be requested through the Student Activities office.

If space allows, bulletin boards may also be used for announcements of events by non-Harper not-for-profit organizations; contact the Student Activities office at 847.925.6242 for guidance. Only the two Open Access bulletin boards may be used to announce non-Harper for-profit events: one is in the Student Center, Building A, near the Registrar's Office (on the west side of the hallway); the other is in Building J, near J Theatre (across from the vending machines).

In addition, both on-campus and off-campus groups wishing to advertise should contact both WHCM Radio 88.3 FM and *The Harbinger*, campus newspaper, for rates to reach customers through these student-run venues.

For further information, refer to the Student Activities "Posting Policy Guidelines" online at harpercollege.edu

The Student Center

Many of Harper's lectures, concerts, informal discussions, meetings, conferences and other activities are held in the Student Center. Its facilities include The Hawks Nest (Cyber Cafe), Cockrell Dining Hall, game room, two TV areas, lounges, meeting rooms and offices for student government, clubs and organizations, student publications, student development and health services.

To insure efficient use of the facilities, the following building policies have been established:

- Playing cards or table games, visiting and studying are not permitted in the Student Center dining hall between 10:30 a.m. and 1:30 p.m. The second floor lounge and third floor game room may be used for these activities at any time. However,
- Students are expected to be respectful of others who are using the facility.
- Regulations governing the use of the third floor of the Student Center are posted in that area.
- Programs are occasionally held in the Student Center that may require the relocation of students from one area to another. In such cases, regulations will be posted or announcements will be made indicating the affected area. The fireplace, lounge area and game room may be closed during formally scheduled activities in the lounge.

Communicable Diseases Policy

A student who has a chronic communicable disease or who is a carrier of a chronic communicable disease may attend the College and participate in programs and activities whenever, through reasonable accommodation, there is no significant risk of transmission of the disease to others.

A student who has a chronic communicable disease or who is a carrier of a chronic communicable disease may be denied admission to, or may be dismissed from, a particular program or course of study whenever such chronic communicable disease has a direct effect on the student's ability to perform so as to render the student not qualified for the program or course of study.

No other person who has a chronic communicable disease or who is a carrier of a chronic communicable disease shall be denied the use of College facilities or

services whenever, through reasonable accommodation, there is no significant risk of transmission of the disease to others.

The President is authorized to establish rules and regulations that are designed to implement this policy.

Rules and Regulations

A. Temporary Exclusion

When there is a question concerning admittance, suspension or dismissal of a student because the student has a chronic communicable disease or is a carrier or is reasonably suspected of having a chronic communicable disease or of being a carrier, such student or other user of College facilities or services may be temporarily excluded from the College by the Provost or designee, pending a final determination. A student who has been temporarily excluded from the College shall be provided with an opportunity to make up any work missed during the absence.

B. Initial Evaluation

Whenever necessary, a student or other user of College facilities or services who has a chronic communicable disease or who is a carrier of a chronic communicable disease, or is reasonably suspected of having a chronic communicable disease or of being a carrier, shall be evaluated by a team that may consist of the Provost or designee, other appropriate College personnel, a physician, the student's physician, public health personnel and other consultants selected by the President or his/her designee. The team's report and recommendations, along with any dissenting opinions, shall be forwarded to the President for decision. Every effort shall be made to complete the evaluation in a timely and prompt manner.

C. Admission Decision

The President shall make the decision on admittance, suspension or dismissal after reviewing the report and recommendations of the evaluation team. The President's decision may be appealed to the Board of Trustees.

D. Subsequent Evaluations

The student shall be periodically reevaluated by the evaluation team to determine whether the student's status continues to be appropriate. The frequency of the reevaluations shall be determined by the team.

E. Withdrawal

If such student cannot attend the College, or participate in a particular program, activity or course of study, the student shall be permitted to withdraw without prejudice and receive a tuition refund within the given guidelines. Any other user of College facilities or services who cannot use such facilities or services shall receive a refund for fees paid.

F. Confidentiality

Such student's medical condition shall be disclosed only to the extent necessary to minimize the health risks to the student and others.

Discrimination Complaint Procedure

William Rainey Harper College prohibits discrimination against any individual on the basis of race, color, religion, sex, national origin, ancestry, age, marital status, sexual orientation, physical or mental disability or unfavorable discharge from military service.

The purpose of the discrimination complaint procedure is as follows:

- to advise individuals who believe that they have been subjected to discrimination of how to proceed with a discrimination complaint;
- to ensure that such complaints are resolved in a manner which is prompt and confidential.

Non-Discrimination Compliance Officer

The College President will appoint an employee to act as the College's Non Discrimination Compliance Officer (NDCO).

The NDCO will be responsible for the investigation of complaints of alleged discrimination within the guidelines of existing legislation, College policy and appropriate contracts.

Informal Discussion

Before filing a formal complaint, students and employees are encouraged to discuss their concerns with the Non-Discrimination Compliance Officer. This confidential discussion is seen as the first step in the resolution procedure. It allows for sharing of information, giving of advice and achieving mutual resolution between/among parties.

Filing and Resolution of a Complaint of Discrimination

A formal investigation of a claim of discrimination will only be undertaken by the Non-Discrimination Compliance Officer (NDCO) upon authorization of the complaining individual and receipt of a written complaint.

The following procedures shall be used for investigating complaint(s) of discrimination:

Within 21 calendar days of the alleged discriminatory act or conduct, an employee or student should:

- submit a specific and detailed written complaint setting forth the nature of the alleged discrimination;
- identify the person(s) against whom the complaint is being filed; and
- identify the date(s) of the action(s) which is (are) the subject of the complaint, and the remedy or relief sought.

Upon receipt of the written complaint, the NDCO will review and discuss the complaint with all parties directly involved. On the basis of the written complaint and interview(s), the NDCO will determine what further investigative action is required.

After the initial interview(s) with the complainant, the NDCO will conduct further investigation as deemed appropriate. Such investigation may include, but is not limited to:

- interviewing the party(ies) alleged to have committed the discriminatory act;
- interviewing witnesses identified by the complaining or accused party; and
- reviewing documents relevant to the complaint.

As a result of the above initial steps, resolution with the parties will be explored. If resolution is not achieved, the NDCO will determine the appropriate actions to be taken.

The NDCO shall prepare a confidential report with regard to the investigation. The report shall state whether or not the NDCO believes a violation of the College's non-discrimination policy has occurred and whether or not resolution has been achieved. The NDCO's report shall be completed within 30 calendar days of receipt of any complaint(s); however, such time may be extended for an additional 30 calendar days if necessary.

If resolution is not achieved, the NDCO's report shall be submitted to the Executive Council for review and action within 14 calendar days of receipt of the report.

A copy of the confidential report will be sent to and maintained by the Chief Human Resource Officer of the College. The NDCO's findings shall be sent to the complaining and accused parties.

Either party may appeal in writing the decision of the Executive Council by filing an appeal with the President within five calendar days of receipt of the Executive Councils decision. The President shall respond within 30 calendar days of receipt of the appeal.

Distribution of Literature and Use of Tables or Display Space

The College encourages student organizations, individuals and agencies to interact and communicate directly with Harper students in the Student Center, Building Z or in Building J lobby. In the designated areas, tables may be set up without charge for representatives of student organizations, as well as representatives of non-profit, non-commercial organizations in accord with the following rules:

1. The space is available only upon advance request, which shall be obtained by filing a reservation form in the Student Activities office, Student Center, Building A, Room A336; 847.925.6242.
2. Space shall be allocated on a first-come, first-served basis. It shall be requested at least five days prior to desired date. Requests for a subsequent semester will not be accepted earlier than six weeks prior to the beginning of that semester.
3. No displays or distribution shall be conducted when the lounge is reserved for an activity.
4. A maximum of three tables or displays may be placed in the designated area in the Student Center at the same time, and a maximum of two may be placed in the designated area of either Building Z or Building J at the same time. Tables will be provided by the College. Displays shall not exceed 4' x 8' in size. The tables and displays will be placed next to the windows along the south corridor of the Student Center lounge in front of the glass case near the Z119/111 sign, or along the north wall by the events sign in the Business and Social Science Center.
5. In order to allow as many groups as possible to be represented in the Student Center, Building Z, and Building J, an exhibitor may reserve a space for a maximum of once a week, per organization. If preferred, space may be reserved for a maximum of one week per semester.

6. There shall be no more than one space per organization at the same time; however, if no other requests have been made by the reservation deadline, one additional display space may be reserved. No more than four, nor less than one person(s), shall staff any display.
7. Displays may not be distributive in nature. No sound amplification equipment may be used in the designated area.
8. Representatives of organizations or individuals may communicate anywhere in the designated area.
9. Representatives of organizations or individuals must clearly identify themselves to Harper students.
10. Alcoholic beverages, narcotics, profane language, quarreling, fighting or gambling are prohibited. Smoking is also prohibited.
11. The solicitation of funds, the sale of goods or services, or advertising for the sale of goods or services is prohibited except:
 - a. by student organizations as part of a bona fide fund-raising activity for the organization; and
 - b. by a tax-exempt charitable organization, if approved by Student Activities.
12. The distribution of literature that is obscene or pornographic is prohibited.
13. Literature may be sold and contributions solicited in the designated areas.
14. The individual or organization is responsible for prompt payment of any damage to the College property.
15. The College may assume a violation of regulations has occurred if an organization does not staff its reserved space for two reserved dates without notifying the Office or Director of Student Activities. In the event of such a violation, the College may cancel the balance of the reserved time.
16. Violation of the regulations shall result in the revocation of the organization's or individual's reservation by the Director of Student Activities for the remainder of the semester or three months, whichever is longer, by service of a cancellation notice in writing upon the person making the reservations. If there is a dispute as to the facts causing the violation, the party contesting the cancellation notice may, within five days of the cancellation, request the Dean of Student Affairs to hold a meeting with the aggrieved party and the College office cancelling the reservation to review the alleged violation.

Locker General Use Statement

Lockers are the property of Harper College. At no time does the College relinquish its exclusive control of lockers which are assigned to its students for the students' convenience and temporary use. Students are to use lockers exclusively to store school-related materials. Students are responsible for any items placed in the lockers and Harper College will not be responsible for the loss or damage of the students' goods under any conditions; therefore, students shall not store valuable items in the lockers. Students will be held responsible for damage to lockers beyond expected wear.

Inspection of the interior of lockers may be conducted by College officials, for any reason at any time, without notice, without student consent, and without a search warrant. The personal possessions of students within a College locker may be searched only when College officials have a reasonable suspicion that the search will uncover evidence of a violation of state or federal law or college policy. As soon as practical before the search of a locker, the College officials will provide notice of the search to students whose lockers will be searched unless disclosure would impede an ongoing investigation by police or school officials.

Procedures

Requests for location of lockers will be considered, but due to limited availability, locker location may be determined by the College or division. If a student who is mobility impaired requests a locker, preference will be given for an accessible location (where possible). Procedures for obtaining locks, lockers, or keys may vary according to division or building within Harper College. There may be a fee or deposit applied to use of the lockers within each division; see division office for details.

The lock and any material left in a locker after the assignment ceases will be removed and secured in the Harper College Police Department Lost and Found area. Lockers will be cleaned periodically and all locks and materials in the lockers for which the assignment has terminated will be removed for this purpose and placed in Lost and Found.

Seizure of Contraband

If a search of a student locker yields contraband, College officials will seize the item and, where appropriate, turn it over to Harper College Police Department who may follow standard procedures regarding criminal activity. Contraband may be used as evidence in internal College disciplinary proceedings against the student. Contraband is defined as any unauthorized item or substance possession of which is prohibited by College policy and/or state or federal law. It includes but is not limited to weapons and "look-alikes", alcohol beverages, controlled substances and "look-alikes", equipment or records belonging to the College, and stolen property.

Violations

A student found to have violated general use statement for College owned lockers shall be subject to discipline in accordance with the College's Student Code of Conduct, which may include suspension, exclusion, or expulsion, and the student may, when appropriate, be referred to Harper College Police.

Non-Solicitation Policy

Employees of the College are required at all times to perform their duties in such a manner that they present a proper and official image to the community and avoid the activities that may result in personal or private gain. Toward that end, class lists and any other data about students are to be utilized solely for College instructional, administrative, advising/counseling and business purposes. Use of this information for personal or business solicitation is strictly prohibited.

Policy Regarding Sexual Offenses

Harper College is committed to providing a safe environment for its students, free of harassment, coercion and violence. Moreover, Harper College recognizes that it is a part of a larger community and is obligated to uphold the laws of that community. Although the College policies and procedures and the laws of the community may overlap, they also function independently from one another.

It is illegal and against the policy of Harper College for any student, employee or other person to commit the offense of stalking (when such person transmits a threat with intent to place the victim in reasonable apprehension of sexual assault), sexual assault, aggravated sexual assault, sexual abuse, aggravated sexual abuse, as defined in the Illinois Criminal Code of 1961, 720 ILCS 5/12-7.3, 12-13 through 12-16, against any person while on the Harper College campus, at a College activity or off-campus if there is a direct relationship between the sexual offense and the College. Such illegal and prohibited activities include, but are not limited to, sex offenses which are commonly called date rape or acquaintance rape, or which may involve unwanted touching or fondling, whether forcible or non-forcible.

In conformance with these Acts, the President of the College shall establish a program and rules to implement this policy. The rules will be delineated in the Administrative Services Procedure Manual, the Academic Affairs Procedure Manual, the Student Affairs Procedure Manual and other appropriate publications.

Rules and Regulations

A. Introduction

These procedures clarify definitions of acquaintance rape and sexual assault, outlines the steps the institution is taking toward education, prevention and treatment, sets forth disciplinary procedures that may occur when acquaintance rape/sexual assault has taken place on the campus and explains resources available to Harper College students who are victims/survivors of acquaintance rape/sexual assault.

B. Definitions

Acquaintance rape is defined as forced, manipulated or coerced sexual contact by someone the victim knows. Under Illinois law, acquaintance rape is a crime—the law makes no distinction between sexual assault by strangers or acquaintances. Any forced sexual conduct including forced touching and fondling is also a crime under Illinois law. Under this law, consent cannot be given by someone under the age of 18, someone under the influence of alcohol or someone who is diagnosed with a mental disability and therefore unable to make a reasonable judgment about the harmfulness of an activity.

C. Reporting Procedures

1. If any person believes that he or she has been a victim of a sexual offense, such person should report the alleged sexual offense immediately to the Dean of Student Affairs, a faculty member, administrator or Harper College Police. If an employee other than the Dean of Student Affairs receives a report of a sexual offense, the employee shall report the alleged sexual offense to the Dean of Student Affairs.

2. Such person who believes he or she is a victim of sexual offense has the option of also notifying any other law enforcement authorities, including on-campus Harper College Police and local police. The Dean of Student Affairs shall offer to assist such person in notifying law enforcement authorities, and will assist such person if he or she so requests.
3. There are no express time limits for initiating reports under this Policy; however, every effort should be made to file such complaints as soon as possible, while facts are known and potential witnesses are available.
4. The victim of a sexual offense shall make every effort to preserve evidence as may be necessary for the proof of the sexual offense.

D. Notification to Victims of Sexual Offense

Upon receipt of a report of an alleged sexual offense, the Dean of Student Affairs, or designee shall notify the victim of his or her right:

1. To report the sexual offense to other law enforcement authorities including on-campus Harper College Police and local police.
2. To be assisted in reporting the sexual offense to such law enforcement authorities.
3. To seek the services of existing counseling, mental health, medical or student services for victims of sexual offense, both on-campus and in the community.
4. To receive assistance in changing academic situations if the victim is a student, and if such changes are reasonably available.

E. Investigation

1. The Dean of Student Affairs shall undertake an investigation of all reports of sexual offense or appoint a qualified person (including the Harper College Police) to conduct the investigation.
2. The accused shall be notified in a timely manner that an investigation is being conducted.
3. The investigator shall file a written report of his/her findings with the Dean of Student Affairs and the President within twenty-eight (28) days after the report of a sexual offense has been made. In the event the investigative report cannot be completed within twenty-eight (28) days, the report shall state the reasons for the delay. Both the accuser and accused shall be notified of the finding of the investigation.

F. Disciplinary Procedures

The person accused and found guilty of a sexual offense through the Harper College investigation shall be subject to disciplinary action in accordance with established procedures, which procedures shall provide at a minimum that (1) the accuser and the accused are entitled to the same opportunities to have others present during a campus disciplinary proceeding; and (2) both the accuser and the accused shall be informed of the outcome of any campus disciplinary proceeding brought alleging a sexual offense.

G. Sanctions

An employee found to have committed a sexual offense against another individual will be subject to discipline, up to and including termination.

A student found to have committed a sexual offense against another individual will be subject to discipline, up to and including expulsion and/or barring the student for re-enrollment in the College. Any other person found to have committed a sexual offense against another individual may be barred from the College campus.

H. Prevention and Education

The Student Development Sexual Assault/Prevention Task Force is dedicated to the prevention of sexual offenses. The Task Force's goal is to educate and promote awareness of rape, acquaintance rape and other sexual offenses. In furtherance of this goal, modules have been developed by counselors to address this issue and facilitate discussion in the classroom. The prevalence of the connection between the use of alcohol and other drugs and the occurrence of acquaintance rape is an important part of this discussion. Counselors are available to faculty campus-wide to present these modules which can be modified depending on the classroom subject area.

A fact sheet about acquaintance rape and a list of resources are included in the orientation packets for new students and is available in the Health and Psychological Services and Student Development offices.

I. Services for VictimsOn-Campus

Student Development counselors will provide assistance to a victim in changing academic situations after an alleged sexual offense incident if such changes are reasonably available.

The Office of Harper College Police is committed to the safety and security of the students and will make appropriate efforts to safeguard the campus.

Off-Campus

CASA-Northwest is a local agency which can provide free counseling and advocacy services to Harper students or employees who are victims/survivors of sexual offenses. The agency is also utilized as a resource for training Harper staff and provides consultation in person or via telephone.

Sexual Harassment Policy

It is the policy of Harper College that no staff member or student shall be subject to sexual harassment.

Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- A. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education;
- B. Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual; or
- C. Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile or offensive education or employment environment.

Individuals engaging in such prohibited activity shall be subject to disciplinary action up to and including termination from this institution as determined by such administrative or Board action as is required by Illinois law or by Board policy. This policy applies to acts of sexual harassment by any member of one sex against a member of the opposite or the same sex at all levels of the College community (i.e., supervisor-subordinate, faculty-student, employee-peer, student-student).

Rules and Regulations**A. Reporting**

If a student believes that she/he has been sexually harassed, the student should report the alleged act immediately to the Dean of Student Affairs.

B. Investigation

1. The Dean of Student Affairs or the Chief Human Resource Officer shall undertake an investigation of all such complaints or appoint an administrator or other qualified person to conduct the investigation. No complaint or identity of a complainant will be disclosed except when necessary to fully investigate the complainant and after notification to the complainant. After a written complaint has been filed, the person accused of sexual harassment shall be notified of the substance and content of the complaint expeditiously.
2. The investigator shall file a written report as to his/her findings with the Dean of Student Affairs or the Chief Human Resource Officer within twenty-eight (28) days after a written complaint has been made. In the event the report cannot be completed within twenty-eight (28) days, the report shall state the reasons for the delay. The complainant and the person accused shall be notified of the findings of the investigation.
3. If the investigation discloses evidence that an act or acts of sexual harassment have been committed, the person accused of sexual harassment may be subject to disciplinary action in accordance with established procedures. Also, one or both parties may be recommended for counseling in order to understand the nature and/or deal with the consequences of the complaint.

C. Dissemination of Policy

1. Any student is encouraged to raise questions she/he may have regarding sexual harassment with Student Development counselors or other faculty members or administrators, including executive council member(s) or the president.
2. A copy of the Student Handbook containing Board policy and implementing regulations shall be made available to students annually.

Smoking Policy

It is the policy of Harper College to provide a smoke/tobacco free environment consistent with its efforts to promote wellness and a campus environment conducive to work, study and activities for students, employees and the public. The policy pertains to all of the facilities of Harper College, which includes all owned or leased facilities, regardless of location.

The College recognizes the rights of those who choose to use tobacco and does not prohibit the use of tobacco products. It does, however, in accordance with the State of Illinois Public Act 86-1018, the Illinois Clean Indoor Air Act (effective July 1, 1990), and the Smoke Free Illinois

Act (effective January 1, 2008), restrict the use of these materials to designated areas outside College buildings and vehicles.

This policy complies with the Americans with Disabilities Act, which provides smoke-free entrances for employees and students with respiratory and other conditions affected by exposure to smoke. In addition, in accordance with the American College Health Association guidelines, smoking will be prohibited in outside athletic and classroom areas, which include but are not limited to, the tennis courts, baseball and football fields, track and field areas, and stadium and seating areas.

As defined in this policy, tobacco products include cigarettes, cigars or tobacco in any other form, including smokeless tobacco which is any loose, cut, shredded, ground, powdered, compressed or leaf tobacco that is intended to be placed in the mouth without being smoked.

A map of the designated smoking areas is available online and at all information desks.

Health and Psychological Services will offer assistance to staff and students who desire to quit smoking through cessation workshops and other support.

In the event of a disagreement between a non-smoker and smoker, the rights of the non-smoker to protect his/her health shall prevail over the rights of the smoker.

Speakers Policy

Harper College respects the right of all members of the academic community to explore and to discuss questions which interest them, to express opinions even if unpopular, publicly and privately. It is the policy of the College to make its facilities available for peaceful assembly, to welcome guest speakers and to encourage the exercise of these rights free from disruption or interference.

Recognized student organizations may invite guest lecturers, panel participants, discussion leaders or others from off campus to speak, provided such programs are registered with the Student Activities office four weeks in advance; (If the program is open to only members of the sponsoring organization – and not open to other students or the public – then two weeks advance notice is sufficient). All expenses involved in retaining the speaker shall be specifically provided for by the sponsoring organization at the time of registration.

No arrangements with guest speakers are to be made until the registration with the Student Activities office has been completed. Individual students may request guest speakers through recognized campus organizations under the above procedures.

Permission to appear at the campus does not imply College endorsement of a speaker or an issue.

Limitations on speakers are warranted only when the Dean of Student Affairs office deems their appearance or content of their speech represents a real threat toward maintaining campus order (e.g., it is obscene, defamatory, or intent on inflicting emotional distress, or it invites lawlessness or contains “fighting words”). In such cases, an ad hoc speakers committee composed of three faculty members appointed by the Provost, three students chosen by the Student Senate, subject to approval of the Dean of Student Affairs and the Coordinator of Media Relations shall determine whether or not the speaker will appear.

The committee's decisions may be appealed by either the sponsoring organization or the Dean of Student Affairs office, and subject to the approval of the College President and Board of Trustees. Should the speaker represent a real threat toward maintaining campus order after being contracted, the Dean of Student Affairs office or the sponsoring organization with the approval of the Dean of Student Affairs office may cancel the contract.

In the event the speaker or issues are not deemed a real threat toward maintaining campus order but are deemed controversial or extreme by the Dean of Student Affairs office, the sponsoring organization shall obtain a member of the faculty to chair the program, and shall provide time during the program for the audience to question the speaker.

Student Activities Awards Programs

The annual Student Awards Ceremony recognizes outstanding contributions by students in all areas of the Student Activities program. Nominations are submitted by individual organizations and faculty advisors, generally in March. The students are honored at an awards ceremony sponsored by the College in May and given awards in the form of plaques, special awards or certificates depending upon the particular level of activity.

Student Service Awards reimburse full (up to 12 credit hours) or half-tuition (up to 6 credit hours) for students who have made outstanding contributions to student activities. These awards are granted for one semester. Since the budget is limited, only a specific number of students in each club are eligible for consideration. Club and organization officers and members may be nominated by the advisor and/or other students, based on their performance, position, responsibility, leadership, length of service and involvement in Harper's student leadership program. Only students who have served in their position for the entire semester are eligible for consideration. Evidence of significant contributions must be documented in the recommendation.

More information on these award programs is available in the Student Activities office.

Student Code of Conduct and Dispute Resolution Procedures

I. Introduction

The core values of Harper College are:

Integrity
Respect
Excellence
Collaboration

These values are the hallmark of the College and will be protected vigorously. When students choose to attend Harper College, they accept the rights and responsibilities of membership in the College's academic and social community. Each person has the right and ability to make personal decisions about his or her own conduct. Just as importantly, each person has the responsibility to live with the consequences of his or her decision-making.

Students have rights under the United States Constitution, which may be exercised in the College as in other public institutions. The law recognizes that these rights are subject to restraints that may be imposed because of the College's role and function. It is the policy of the Board of Trustees of Harper College to respect the properly exercised rights of the students.

The Student Code of Conduct describes misconduct that is inconsistent with the essential values of Harper College. It lists procedures to respond to such behaviors, and it provides for sanctions that are intended to educate and to safeguard members of the College community. If you have any questions about this Code, please contact the Dean of Student Affairs (M219/847.925.6846).

The term "school days" as used in this "Student Code of Conduct / Discipline and Dispute Resolution Procedures" means those weekdays (Monday through Friday) when classes are in session.

II. The Student Code of Conduct

A. Violations of Code

Whenever a student commits or attempts to commit a violation of the Student Code of Conduct as set out below on the College campus, or at an activity, function or event sponsored or supervised by the College, discipline and sanctions may be imposed on the student. Discipline may also be imposed whenever a student commits a violation of this Student Code of Conduct off campus, if the misconduct adversely affects the College community or the pursuit of its educational objectives.

Violations of the Student Code of Conduct include but are not limited to:

1. Possession, use or distribution of an illegal or controlled substance, or look-alike drug.
2. Unauthorized and/or illegal possession, use or distribution of any alcoholic beverage.
3. Theft of property or services.
4. Intentional or willful and wanton destruction of property.
5. Assault and/or battery.
6. Conduct which constitutes harassment or abuse that threatens the physical or mental well-being, health or safety of any individual.
7. Sexual assault or sexual harassment of another person.
8. Possession or use of weapons or explosive devices.
9. Trespassing on College property or other unauthorized use of College property or services.
10. Abuse of College computer, network, or other technology system resources, including unauthorized distribution of copyrighted material including through peer-to-peer or "P2P" file sharing and other violations of the Acceptable Use Guidelines as published in the Student Handbook and updated from time to time on the College website.
11. Academic dishonesty, including cheating, plagiarizing or furnishing false information on such forms as transcripts or applications for admission.

12. Disrupting the peace, the education process or related activity.
13. Failure to comply with the directions of an authorized College employee or representative who is performing his/her duties.
14. Any conduct that constitutes a violation of the terms of any discipline imposed in accordance with this procedure.
15. Any conduct that constitutes a violation of handbooks, contracts, or behavioral agreements specific to College programs or activities.
16. Any conduct that constitutes a violation of a Federal or State law, local ordinance or College rule or regulation.

B. Determination of Sanctions

In keeping with the essential values of Harper College, sanctions are designed to promote the College's educational mission. Sanctions may also serve to promote safety or to deter students from behavior that harms, harasses, or threatens people or property. Some behavior is so harmful or disruptive to the College community or to the educational process that it may require more serious sanctions, such as removal from specific courses or activities, suspension from Harper College, or expulsion. More than one sanction may be recommended.

1. Factors Considered in Determining Sanctions

Although in no way binding or definitive, the following factors may be considered in determining what sanctions are appropriate in a particular case:

- a. The nature of the violation(s).
- b. Prior violations and disciplinary history.
- c. Mitigating circumstances surrounding the violation.
- d. The student's motive or purpose for engaging in the behavior.
- e. Sanctions which have been imposed in similar cases in the past.
- f. The development and educational impact on the student.

2. Possible Sanctions

Multiple sanctions may be imposed, including but not limited to one or more of the following:

- a. **Expulsion:** Expel a student from the College, a program, course, or activity on a permanent basis.
- b. **Suspension:** Suspend a student from the College, a program, course or activity for a specified period of time.
- c. **Prohibition on Re-enrollment:** Bar a student from re-enrolling in the College, a program, course or activity for a specified or unlimited period of time, if a student withdraws prior to being suspended or expelled.
- d. **Conditional Enrollment or Re-Enrollment:** Condition a student's enrollment or re-enrollment on his or her taking or refraining from specific actions.

- e. **Disciplinary Probation Status:** Place a written reprimand in the student's file admonishing him/her about the conduct and warning that further conduct in violation of the Student Code of Conduct may result in additional sanctions.
- f. **Community and/or College Service:** A student may be offered an opportunity to complete a specified number of hours of community and/or College service.
- g. **Educational Requirements:** A provision to complete a specific educational requirement directly related to the violation committed. The provision will be clearly defined. Such educational requirements may include, but are not limited to, completion of an alcohol education workshop, a diversity awareness workshop, essays, reports, etc.
- h. **Remedial Action:** An agreement between the student and the Office of the Dean of Student Affairs that the student shall pursue specific remedial action.
- i. **Probation and/or Restrictions:** The withdrawal of specified privileges or restrictions on action for a definite period of time (i.e., restriction from entering specific College areas and/or all forms of contact with certain person(s)).
- j. **Restitution:** A payment to compensate an injured party for financial harm, in cases involving misconduct such as theft, destruction of property or deception.
- k. **Reprimand:** A formal letter of warning or final warning shall be placed in the student's file.

III. Procedures for Resolving Alleged Violations of the Student Code of Conduct

The College encourages students, faculty and staff to resolve disputes informally in appropriate cases. A variety of means to resolve informal disputes is available. Contact the Office of the Dean of Student Affairs for consultation.

A. Filing of Complaint

Any person may allege a violation of the Student Code of Conduct by completing a "Student Code of Conduct Referral Form" and submitting it to the Office of the Dean of Student Affairs. The complaint shall describe the conduct in question and, if known, the name of the person or persons alleged to have engaged in that conduct. The filing of a complaint assumes that the complainant desires to initiate the inquiry that may result in official disciplinary action against the alleged violator.

B. Notification of Charges and Preliminary Investigation

Upon receiving a complaint, the Dean of Student Affairs will designate a Resolution Coordinator who will conduct a preliminary investigation of the complaint. The Resolution Coordinator will inform the student in writing of the charge(s) against him or her, including the specific provision(s) of the Student Code of Conduct alleged to have been violated, and will request the student to attend a mandatory meeting with the Resolution Coordinator. The purposes of the mandatory meeting are to review the charge(s) and possible sanctions in the event that the student is found to have committed the violation(s) in question; to provide the student with an opportunity to

respond to the charge(s); and to review discipline and dispute resolution procedures and the student's rights in connection with those procedures.

C. Possible Outcomes of the Preliminary Investigation

1. Insufficient Cause

If the Resolution Coordinator finds insufficient cause to charge a student with violating the Student Code of Conduct, the record regarding the complaint will be purged from the student's education record.

2. Mediation

In appropriate cases, the Resolution Coordinator may encourage the complainant to pursue mediation. Mediation is a voluntary process in which the parties involved meet with a trained, neutral third party to discuss and design a resolution of the issues in concern. Mediation often results in a written agreement that is drafted and signed by both parties.

3. Student Waiver of Right to a Formal Hearing

If the violation(s) charged would not warrant immediate suspension or expulsion, the student and the Resolution Coordinator may agree to resolve the matter. In that event, the student and the Resolution Coordinator shall review the charges and the student shall accept responsibility for the charged violations of the Student Code of Conduct. The student and the Resolution Coordinator may then discuss a plan for resolving the issues involved in the misconduct, which may include agreed-upon sanctions. A student who elects to resolve the charge(s) with the Resolution Coordinator shall, after being informed of his/her rights, sign a written waiver of a formal Resolution Board Hearing and a written acceptance of the specified sanction(s) imposed.

4. Resolution Board Hearing

The student may elect to proceed to a formal hearing before a five-person Resolution Board, to be held in accordance with the procedures described in Part III.D. 2 below.

D. Hearing Procedures

1. Discipline Prior to Hearing in Certain Cases

If in the opinion of the Resolution Coordinator a student who has been charged with violating the Student Code of Conduct poses a danger to self or others, or a threat to or disruption of the educational process, or if the student cannot be located or refuses to attend the mandatory preliminary investigation meeting, the Resolution Coordinator may impose disciplinary measures without first providing a hearing.

In that event, the Resolution Coordinator shall send written notice of such measures to the student at his or her last known address by certified mail, return receipt requested. The notice shall state the specific discipline imposed and the reason for the discipline, and shall request that the student attend a hearing within five (5) school days after the notice is received. If the student does not attend the scheduled hearing, he or she will be deemed to have waived the right to the hearing.

2. Resolution Board Hearing Procedures

- a. Composition of Board;
Votes Required for Action

The Resolution Board will consist of three faculty members and two students designated by the Student Life Committee; provided, however, that in the event that the Student Life Committee is unable to convene because the

hearing will occur during summer or due to other circumstances beyond its control, the Chair of the Student Life Committee or the Resolution Coordinator will designate three faculty or staff members and two students to constitute the Resolution Board for the case. An alternate faculty member and an alternate student member will be designated for and shall attend each hearing.

The affirmative vote of four members of the Resolution Board shall be required to take action.

b. Notice of Hearing

The Resolution Coordinator will inform the student of the hearing date and time by certified mail, return receipt requested, sent at least five (5) school days prior to the hearing date. The notice will enclose a description of the procedures to be followed at the hearing.

c. Conduct of Hearing

All Resolution Board hearings shall be held in closed session.

Prior to the hearing, members of the Resolution Board shall agree to and sign the "Resolution Board Member Responsibilities" form, and shall designate one member as Chair to facilitate the proceedings.

The hearing may be recorded. If either party causes a recording to be made, the other party shall be offered an opportunity to purchase a copy of the recording or transcript of the tape.

The student may at his or her expense have an attorney or other representative present to advise the student, but the representative may not otherwise participate in the hearing. If the student does not attend, but the Office of the Dean of Student Affairs has proof of notice to the student of the hearing, the Resolution Board may choose either to proceed with the hearing, or to reschedule the hearing to another date.

No later than the commencement of the hearing, the charged student shall be provided with a copy of any document which the complainant intends to present as evidence during the complainant's case in chief.

At the commencement of the hearing, either party may request exclusion of witnesses other than the student who has been charged and the representative of each party. The Resolution Board will make the final determination on any exclusion of witness.

The complainant(s) and the charged student may make brief opening statements to the Resolution Board.

The complainant(s) shall first present evidence.

The charged student may cross-examine any of the complainant's witnesses in attendance and may review any written evidence presented by the complainant(s).

The charged student may then present evidence to refute or otherwise to defend against the charges. The complainant(s) may cross-examine any of the student's witnesses in attendance and may review any written evidence presented by the student.

At the close of the charged student's case, the complainant shall have an opportunity to present evidence in rebuttal of the student's presentation.

The Resolution Board may, at any time, direct questions to the parties or their witnesses.

The Resolution Board may receive all relevant oral or written evidence without regard to the legal rules of evidence, provided such evidence is relevant to a

determination of whether the student committed the violation(s) of the Student Code of Conduct with which he or she has been charged, and would be relied upon by reasonably prudent persons in the conduct of their affairs.

If during its preliminary investigation of the complaint, the Office of the Dean of Student Affairs has reasonably determined that a witness to or having knowledge of the alleged violation would be subject to physical or mental harassment or reprisal if requested to testify in person or be identified by name at a hearing before the Resolution Board, the witness may be asked to prepare a written summary of his or her testimony, including a statement of the reason for the witness' absence from the hearing and a statement verifying that the contents of the summary are true. If an imminent fear of the reprisal exists, the Resolution Coordinator may also present a written statement in which the witness' identity has been concealed.

The complainant(s) and the student may make closing statements at the conclusion of the hearing concerning the issues of whether the student has committed the charged violation(s) of the Student Code of Conduct, and if so, what sanctions should be imposed for the misconduct involved.

At the conclusion of the parties' presentations, the Resolution Board shall declare the hearing closed, shall excuse the parties and their representatives, and shall then deliberate and determine

1. whether or not it has been shown, by a preponderance of the evidence, that the student committed the charged violation(s) of the Student Code of Conduct, and
2. if so, what sanctions are appropriate.

After the Resolution Board determines whether the student has committed the violation(s) charged, it may review the student's academic and disciplinary records only for the limited purpose of determining the appropriate sanction(s).

The Resolution Board shall render and forward its written findings and decision to the Resolution Coordinator within ten (10) school days after the end of the hearing.

E. Notice of Decision

The Resolution Coordinator shall provide to the student written notice of the final resolution of charged violation(s). The written notice shall be sent to the student by certified mail, return receipt requested, or by receipted-for personal delivery, within ten (10) school days of the student's signature of a written waiver of formal hearing and a meeting with the Resolution Coordinator pursuant to Part III.C.3 above, or within ten (10) school days of the Resolution Coordinator's receipt of the written findings and decision of the Resolution Board pursuant to Part III.D.2, as the case may be.

The written notice to the student shall include:

1. The specific provision of the Student Code of Conduct that was violated;
2. The sanction(s) imposed and the date(s) on or periods for which they are in effect;
3. A statement of the student's right to appeal in writing to the Dean of Student Affairs; and

4. A statement that failure to file a request for such an appeal within the time provided in Part III.F below shall be deemed a waiver of the right to an appeal.

F. Appeal to Dean of Student Affairs

An appeal of the result of the Resolution Process may be filed based on the following grounds:

1. Proper procedures were not followed.
2. There is new relevant evidence not reasonably available at the time of the hearing or the imposition of the sanction(s).
3. The evidence does not clearly support the finding(s).
4. The sanctions are excessive relative to the violation.

An appeal must be submitted in writing to the Dean of Student Affairs within ten (10) school days of the student's receipt of notice of the decision from the Resolution Coordinator. The Dean of Student Affairs will render and cause a decision to be sent to the student within ten (10) school days after receipt of the appeal. If the results of the review by the Dean of Student Affairs (if applicable) are unsatisfactory to the student, the student may appeal in writing to the Provost within ten (10) school days after receipt of the Dean of Student Affairs' response. The Provost or designee will cause a written response to be sent to the student within ten (10) school days after the receipt of the appeal. The decision of the Provost or designee is final.

IV. Disciplinary Records

The college will maintain disciplinary records as part of the student's education record in accordance with the Family Educational Rights and Privacy Act, 20 U.S.C.S. §1232g ("FERPA").

If a student is found not to have committed a violation to the Student Code of Conduct, the record regarding the complaint will be purged from the student's education record.

If a student accepts responsibility for or is determined to have violated the Student Code of Conduct, the record regarding the complaint may be maintained in the student's education record for up to four (4) years from the date the resolution process of the charged violation concludes, except in cases where the sanction includes permanent disciplinary probation or expulsion. In such cases, the record may be maintained permanently.

Separate files may be maintained by the Office of the Dean of Student Affairs, apart from the student's education record, in cases where there is credible evidence of a danger or threat of violence.

A student's education record, including disciplinary records, will be disclosed only with written consent of the student's parents or the eligible student (in the case of a student 18 years of age or older), except as otherwise allowed pursuant to FERPA and its implementing regulations. Appropriate disclosure of disciplinary records without consent includes disclosure of information:

- concerning disciplinary action taken against the student for conduct that poses a significant risk to the safety or well-being of that student, other students, or other members of the school community to teachers and school officials, including teachers and school officials in other schools, who have legitimate educational interests in the behavior of the student;

- regarding any violation of any Federal, State, or local law, or of any rule or policy of the institution governing the use or possession of alcohol or controlled substance to a parent or legal guardian of a student if the student is under the age of 21 and the institution determines that the student has committed a disciplinary violation with respect to such use or possession; and
- to any alleged victim of any crime of violence as defined in 18 U.S.C.S §16 or of a non-forcible sex offense, the final results of any disciplinary proceeding conducted by such institution against the alleged perpetrator of the crime or offense and shall include disclosure of the final results of any disciplinary proceedings conducted by the College against the student who is the alleged perpetrator of any crime of violence (as defined in 18 U.S.C. §16) or non-forcible sex offense if the institution determines as a result of the disciplinary proceeding that the student committed a violation of the College's rules and policies.

Final results of any disciplinary proceeding include only the name of the student, the violation committed, and any sanction imposed by the College on that student and may include the name of any other student, such as a victim or witness, only with the consent of that other student. The sanction imposed means a description of the disciplinary action, the date of its imposition, and its duration. The violation committed means the institutional rules or codes of conduct sections that were violated and any essential findings supporting the institution's conclusion that the violation was committed.

V. Student Academic Complaints

As members of the educational community, students have the right to express their concerns regarding the assessment of their academic progress through the grading process. Students shall express these concerns initially by contacting the appropriate faculty/staff member within ten (10) school days of the occurrence giving rise to the concerns, and requesting a conference to informally discuss the concerns.

If the concerns are not resolved to the student's satisfaction after the informal discussion, the student may submit a complaint in writing to the department chair, coordinator or director of the faculty/staff member involved within ten (10) school days after the informal discussion, or within ten (10) school days after the initial contact, whichever is later. In filing the written complaint, the student may request to meet with the department chair, coordinator or director. The written complaint must specify the specific complaint(s) together with the desired resolution(s).

The department chair, coordinator, or director who receives the complaint shall review it and respond in writing to the student within ten (10) school days after receiving the complaint or after holding the (optional) requested meeting, whichever is later.

If the student is not satisfied with the results of the departmental review, he or she may then appeal in writing to the dean of the appropriate division (if applicable) within ten (10) school days after receipt of the written departmental response. The dean shall review and respond in writing to the student's appeal within ten (10) school days of the date on which the appeal is received.

If the results of the review by the dean (if applicable) are unsatisfactory to the student, the student may appeal in

writing to the Provost or designee within ten (10) school days after receipt of the dean's written response. The student may request a meeting with the Provost or designee. The Provost or designee shall issue a written response to the student within ten (10) school days after receipt of the appeal or after holding the (optional) requested meeting, whichever is later. The decision of the Provost or designee shall be final.

VI. Student Non-academic Complaints

The Dean of Student Affairs or designee shall be responsible for responding to complaints from students on non-academic issues. These issues include, but are not limited to, refunds, admissions, withdrawals, transcripts, and use of facilities.

Students shall express their concerns initially by contacting the faculty/staff member within ten (10) school days of the occurrence giving rise to the concerns, and requesting a conference to informally discuss the concerns. It is also recommended, but not required, that the student contact the College Ombudsperson to facilitate an informal resolution of the complaint.

If the concerns are not resolved to the student's satisfaction after the informal discussion, the student may submit a complaint in writing to the department chair, coordinator or director of the faculty/staff member involved within ten (10) school days after the informal discussion, or within ten (10) school days after the request to meet with the department chair, coordinator or director. The written complaint must specify the specific complaint(s) together with the desired resolution(s).

The department chair, coordinator, or director who receives the complaint shall review it and respond in writing to the student within ten (10) school days after receiving the complaint or after holding the (optional) requested meeting, whichever is later.

If the student is not satisfied with the results of the departmental review, he or she may then appeal in writing to the dean of the appropriate division (if applicable) within ten (10) school days after receipt of the written departmental response. The dean shall review and respond in writing to the student's appeal within ten (10) school days of the date on which the appeal is received.

If the results of the review by the dean (if applicable) are unsatisfactory to the student, the student may appeal in writing to the Provost within ten (10) school days after receipt of the dean's written response. The student may request a meeting with the Provost or designee. The Provost or designee shall issue a written response to the student within ten (10) school days after receipt of the appeal or after holding the (optional) requested meeting, whichever is later. The decision of the Provost or designee shall be final.

Student Dress

There is no formal dress code. However, shirts and shoes must be worn in the buildings. Any student whose dress disrupts the educational process may be asked to leave campus.

Technology and Information Resources Acceptable Use of Harper College Communications Network (HCCN)

I. Philosophy:

Harper College provides for the use of technology and information equipment, software, networks and facilities

to further the College's mission of instruction, communication, research, and public service. Access and use of facilities is a privilege and must be treated as such by all users. Acceptable use is based on common sense, common decency, and civility, and users are subject to such procedures and processes, which operate in the College. Responsibility for the provision and support of the resources resides with Information Technology organization.

II. Risk and Responsibility: E-Mail, Internet Resources, and Electronic Files:

A. Security

Harper College utilizes industry standard tools, processes, and equipment to protect electronic files stored on its computer systems and to filter materials that are transmitted or received via the College computer resources. Harper College assumes no liability for offensive material that any user may encounter, such as material that is illegal, defamatory, obscene, inaccurate or controversial.

B. Privacy

Users are strictly prohibited from accessing files and information other than their own, those which were intended for the user, and those for which the user has permission from authorized College personnel to access.

The College reserves the right, to access its computer and network systems, including current and archival files of users' accounts; if that access would be imperative to conducting College business; if there is strong evidence of improper usage; or if there is strong evidence of impropriety. Under the Illinois Freedom of Information Act ("IFOIA"), electronic files are treated in the same way as paper files. Any inspection of electronic files, and any action based upon such inspection, will be governed by all applicable federal and state laws and by College policies.

C. Education and Training

All users have the responsibility to use the facilities and all forms of technology resources in an efficient, ethical, and legal manner. Users are expected to follow equipment and lab usage guidelines and, when necessary, receive training in the use of these resources. They should accept responsibility for their own work by learning appropriate uses of software to maintain the integrity of work created. Users should keep archives and backup copies of important work. They are responsible for learning and properly using the features of securing and/or sharing access to files.

III. Unacceptable Uses:

It is the joint responsibility of all users to help avoid unacceptable uses such as but not limited to:

- Using the resources for any purpose, which violates federal laws, state laws or College policies.
- Using the resources for commercial purposes.
- Misrepresenting the user's identity or affiliation in the use of information technology resources.
- Creating, sending, storing or soliciting patently harassing, intimidating, abusive, or offensive material to or about others.

- Intercepting, disrupting, or altering electronic communications.
- Using another person's account, user ID, name, or password.
- Sharing of individual user accounts and resources with another person or another organization.
- Attempting to exceed, evade or change assigned specifications or limitation of an account without the approval of appropriate College personnel. Impeding the use of systems by others.
- Attempting to corrupt the system.
- Reproducing, copying, downloading or distributing copyrighted materials without authorization.

Use of networks, technology, and information resources accessed from the College, such as Internet, satellite teleconferencing and distance learning facilities, is subject to the same principles and guidelines that are present within the College. Networks, technology, or information resource providers outside the College may, in turn, impose additional conditions of appropriate use, which the user is responsible to observe when using those resources.

IV. Consequences:

Abuse of these guidelines will result in possible legal action and/or official campus disciplinary procedures. Incidents involving unacceptable uses will be handled through existing processes.

Workplace Violence Policy

Harper College is committed to maintaining an environment for its students and employees which is free from violence, threats of violence, aggression, intimidation, harassment and sexual harassment of any sort from other students and employees, as well as outside parties, including visitors to the College, vendors and those having no legitimate purpose to be on the College's campus.

To ensure a safe environment for employees and students, Harper College prohibits the wearing, transporting, storage or presence of firearms or other dangerous weapons in its facilities or on its property. Any employee or student in possession of a firearm or other weapon within Harper facilities/ property or while otherwise fulfilling job responsibilities may face disciplinary action, including termination.

To the extent allowed by law, Harper College prohibits persons from carrying weapons in any of its facilities or on its property. This policy does not apply to any law enforcement personnel engaged in official duties.

Any acts of workplace violence will not be tolerated, and all reports of such incidents will be taken seriously and dealt with appropriately. Individuals who commit such acts may be removed from the premises and subject to disciplinary action, criminal penalties or both.

All members of the campus community are encouraged to report conflicts that compromise the health and effectiveness of individual employees and their worksites before they become major problems.

Procedures to implement this policy and the process for determining violations to this policy will be published in the Administrative Services Procedure Manual, in the Student Handbook and other appropriate publications.

Emergency Procedures

- Call Harper College Police at 911 or extension 6330.

Immediate Physical Danger

- Get out of the area and away from the immediate threat.
- Call Harper College Police immediately after you are in a safe place.

Violence Committed

- Call Harper College Police immediately if a person commits an act of violence against you or another person.

Intimidating Situation

- Call Harper College Police if a person has communicated a direct or indirect threat of physical or mental harm against you in any form (i.e., oral or written statements, gestures, expressions). Call Harper College Police immediately from a location away from the person who is causing the intimidation. Be prepared to give the dispatcher all the facts, and remain on the line until the officers arrive.

Non-Emergency Procedures

If you are not in immediate physical danger, but you have experienced or witnessed harassment (also see separate Sexual Harassment policy and procedures) or intimidation:

1. Report instances of intimidation or concerns about workplace violence to your direct supervisor.* Determine with your supervisor if the issue can be resolved at this level.

*If your direct supervisor is the person with whom you are experiencing the conflict, report the incident to that person's direct supervisor. If that person is also involved in the conflict, you may report the concern to the Workplace Violence Investigation Officer (WVIO) who is the Chief Human Resource Officer.
2. If the conflict cannot be resolved with your direct supervisor, file a formal written complaint with the WVIO (appointed by the President). The complaint should describe the alleged violation, the person(s) against whom the complaint is being filed and dates of the action(s) as well as the remedy or relief sought (use Workplace Violence Incident Report Form).
3. Upon receipt of the written complaint, the WVIO will review and discuss the complaint with all parties directly involved. On the basis of the written complaint and discussion(s) the WVIO will determine what further investigative action is required.
4. After the initial discussion(s) with the complainant, the WVIO will conduct further investigation as deemed appropriate. Such investigation may include, but is not limited to:
 - a. Interviewing the party(ies) alleged to have committed the act;
 - b. Interviewing witnesses identified by the complaining or accused party; and
 - c. Reviewing documents relevant to the complaint.
5. As a result of the above initial steps, resolution with the parties will be explored. If resolution is not achieved, the WVIO will determine the appropriate actions to be taken.
6. The WVIO shall prepare a confidential report with regard to the investigation. The report shall state whether or not the WVIO believes a violation of the

College's Workplace Violence policy has occurred and whether or not resolution has been achieved. The WVIO's report shall be completed within 30 days of receipt of any complaint(s); however, such time may be extended for an additional 30 days if necessary.

7. If resolution is not achieved, the person accused of workplace violence may be subject to disciplinary action up to and including termination of employment.
8. A copy of the confidential report will be sent to and maintained by the Chief Human Resource Officer of the College. The WVIO's findings shall be sent to the complaining and accused parties.
9. Either party may appeal, in writing, the decision of the WVIO by filing an appeal with the President within five calendar days of receipt of the decision. The President shall respond within 30 calendar days of receipt of the appeal.
10. All reports of concerns made under this policy are confidential. The confidential records will be kept in the office of the WVIO. Supervisors, the WVIO and other necessary administrators are directed to limit disclosure of information to only those persons who, in their discretion, are required to be made aware of a complaint made under this policy. Investigations under this policy are to be made with the least amount of disclosure needed to effectively carry out the investigation. Further, the final report of the WVIO and all discussions concerning a resolution of a complaint will be kept confidential and released to only those persons who are required to have knowledge. Those making a report of misconduct under this Policy, those interviewed in an investigation under this Policy and those who are the subject of a report under this Policy are requested to limit their disclosure of information to their supervisor, the WVIO, and/or other necessary persons.

The Workplace Violence Complaint Procedure will be evaluated each year by the Chief Human Resource Officer. Recommendations for changes in this procedure will be brought to the Human Resources Committee.