

The Office for Student Conflict Resolution

Office: 300 Turner Student Services Building, 8:30 a.m. to 5 p.m., Monday through Friday, (217) 333-3680

Website: www.conflictresolution.illinois.edu Email: conflictresolution@illinois.edu

Student Code: studentcode.illinois.edu

Student Conduct Protocol for Allegations of Sexual Misconduct: [Student Discipline Procedures Appendix D](#)

We Care (Sexual Misconduct Support, Response, and Prevention): wecare.illinois.edu

Illinois Student Discipline System

The University of Illinois at Urbana-Champaign expects that all of its students will act as responsible citizens whether on campus property or in the community. When a student violates the community standards outlined in the Student Code, the Office for Student Conflict Resolution has the responsibility of administering the [Student Disciplinary Procedures](#) as authored and authorized by the Senate Committee on Student Discipline. The office addresses:

- All behavioral violations of the Student Code committed by individuals or student groups.
- Violations of the Academic Integrity policy as referred by individual instructors or departments and colleges.

This sheet contains information that will answer questions about the disciplinary process. Other sources include the [Student Code](#) and the [Office for Student Conflict Resolution](#).

Complainant and Respondent Rights in Sexual Misconduct Investigations

Complainant. A person who claims to have been or is perceived to have been a victim of sexual misconduct, including sexual harassment, sexual assault, sexual exploitation, stalking, dating violence, and domestic violence.

Respondent. A person who is alleged to have violated the Student Code.

In any student discipline proceeding involving allegations of sexual misconduct, the respondent has the right to:

1. Receive official email notification of charges (respondent may waive his/her right to a charge letter)
2. Respond to those charges
3. Refrain from making any statement or answering any questions
4. Identify and present witnesses and information
5. Timely and equal access to the investigative report
6. Receive a timely written decision
7. [Appeal](#) the decision (respondent may waive his/her right to appeal)

In any student discipline proceeding involving allegations of sexual misconduct, the complainant has the right to:

1. Report or not report an incident to the university, law enforcement, or both
2. Respond to respondent's charges
3. Refrain from making any statement or answering any questions
4. Identify and present witnesses and information
5. Timely and equal access to the investigative report
6. Receive a timely written decision
7. [Appeal](#) the decision (complainant may waive his/her right to appeal)

Advisor

Students participating in the student disciplinary process have a right to an advisor of their choice. An advisor provides the advisee with support and guidance throughout the student disciplinary process and may accompany the advisee to any meetings with OSCR staff. However, advisors may not directly participate in the dialogue between the advisees and OSCR staff, they may not speak on behalf of the advisee, and they may not serve as witnesses. Examples of who may serve as an advisor include, but are not limited to: a parent, legal counselor, faculty member, staff member, or friend. An advisor is not required. The University will, upon request by a complainant or a respondent in a sexual misconduct case, provide an advocate (see [Section One of our procedures](#) for more information). To make such a request, please email the lead investigator assigned to the case or call the Office for Student Conflict Resolution at (217) 333-3680.

Confidentiality & FERPA: The Family Educational Rights and Privacy Act

Student disciplinary records are treated as confidential with limited exceptions. The University of Illinois FERPA Confidentiality Policy is available at the [Office of the Registrar](#).

The Office for Student Conflict Resolution, with permission of the Dean of Students, reserves the right to contact parents or legal guardians of students who are under 21 years of age and found responsible for an alcohol or drug violation. More information regarding FERPA, access to student educational records, and exceptions can be found at the [Office of the Registrar](#) and in §3-602 and §3-603 of the [Student Code](#).

Investigations of Sexual Misconduct: Frequently Asked Questions

More information about procedures can be found online at: [Student Disciplinary Procedures](#)
FAQs are available at: [FAQs about the Student Disciplinary Process](#)

Are resources available if I have been a victim of sexual misconduct?

If you have been a victim of sexual misconduct or are unsure of what to do or whom to talk with, you can find resources through the We Care website: <http://wecare.illinois.edu/>

Are resources available if I have been accused of sexual misconduct?

If you have been accused of sexual misconduct and are unsure of what to do or whom to talk with, the following information may be helpful: <http://wecare.illinois.edu/help/accused/>

How long will the meeting take?

Most meetings with investigators for allegations involving sexual misconduct last anywhere from one to two hours.

What is the purpose of this meeting?

Information regarding the steps of the investigation are available in Section 2 of Appendix D of the Student Disciplinary Procedures, available at: [Student Disciplinary Procedures](#)

As a respondent, do I have to meet with the investigators after they contact me?

Without attending the meeting, the investigators will place a registration hold on your account, which prevents adding or removing classes, seeing grades, or graduating. The investigation will continue, and investigators may complete the investigative report in your absence and submit the report to the [Subcommittee on Sexual Misconduct](#) for review and a decision based on a preponderance of the information (or more likely than not) standard.

Is there a way to protect myself from retaliation while participating in the Student Disciplinary Process?

The campus [Sexual Misconduct Policy](#) expressly prohibits retaliation (see §1-111(d) of the Student Code). You can raise any concerns you have about retaliation with OSCR staff. You are encouraged to report any retaliation you experience during or after the investigation. The University takes reports of retaliation very seriously and investigates them as violations of the Sexual Misconduct Policy.



What should I bring to the meeting?

In this meeting, you will be asked for an account of the events leading to these allegations. During this meeting, you will be permitted to ask questions of the investigators and should be prepared for them to ask many questions of you. Your honesty is expected. You may bring materials into the meeting that are relevant to the investigation, including all information, documents, and items that you believe will be helpful to the investigators. All materials should be in unaltered form. You may also bring an advisor (see first page).

Can I record the hearing?

You may not record any meetings pursuant to this process. We will be taking notes during the meeting; you are allowed to take notes as well. You will be asked after the interview to verify the accuracy of our transcript of your account in writing.

Who will be in the meeting?

At the meeting, two investigators will be in attendance on behalf of the Office for Student Conflict Resolution. We are neutral fact-finders whose role is to collect information regarding whether the Student Code has been violated. You may have an advisor with you in any meeting with us (see page one).

What is the standard of proof?

In order to determine that a student has violated the Student Code, the standard of proof required is a preponderance of the information, i.e., the information demonstrates that it is more likely than not that the conduct occurred.

What happens if a respondent is found in violation of the Student Code?

Any student found in violation of the Sexual Misconduct Policy will be assigned a formal sanction. Formal sanctions range from a University reprimand to dismissal from the University. Furthermore, most respondents will also be assigned one or more educational sanctions. Finally, the University may restrict a respondent's behavior in other ways. For instance, the University can issue a no contact directive prohibiting a respondent from having contact with a specific individual or from going to a particular location. Please review [Actions Possible in Individual Student Disciplinary Cases](#) for more information.