



BOARD POLICIES

DIVISION III. Student Services	REFERENCE NO. 3.11 (1)
CATEGORY 3.11 Policy on Freedom of Expression and Campus Demonstrations	DATE Revised 1972,5/88 11/93,11/99,1/07, 1/08

3.11 POLICY ON FREEDOM OF EXPRESSION AND CAMPUS DEMONSTRATIONS

The Main Campus Free Speech Area for students will be located at the middle of the concourse located in the “D” Building at 1215 Houbolt Road, Joliet, Illinois. Location of the Free Speech Areas for other Joliet Junior College owned properties will be determined by the administrator in charge of that location. Requests for extended campuses will be submitted to the main office at each location.

TIME: Hours of use for the Free Speech Area are the normal hours of operation at the Main Campus.

PLACE: The Free Speech Area will be located at the middle of the concourse area located in the Main Campus “D” Building in front of the Student Center. If necessary, an alternate location will be designated.

REGISTRATION AND USE OF FREE SPEECH AREA

Students wishing to use the Free Speech Area must request use of the space through the Office of Student Activities. Reservations must be made five business days in advance of any use of the facility. Contact the Office of Student Activities for a reservation form. Usually, use of the space will be assigned to the person or group that requests the area first. College sponsored events have first priority for the use of campus facilities. The College reserves the right to locate any assembly so as to ensure that the activity does not interfere with the normal operation of the College or with the rights of others.

No more than two individuals shall be allowed in the Free Speech Area, and they must remain behind the table and/or divider provided for this space while utilizing such Free Speech Area. Any student and/or student group requesting use of the Free Speech Area must follow all rules of the Student Code of Conduct during their Free Speech time and/or demonstration. All persons using such space shall comply with all rules and regulations governing the use of College facilities.

At the time of the request to use the Free Speech Area, the following information will be required:

- Name of the person or organization sponsoring the event.
- Location, date and time requested for event.
- General purpose of the event.
- The Distribution of Printed Material Request Form and an exact copy of all materials.
- List of planned activities (i.e. speech or rally, march with signs, distribution of literature, sit-in).
- Special equipment requested.





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- Anticipated attendance.

The Office of Student Activities will forward a copy of all Free Speech Area requests to the Physical Plant to assist with coordination of use of the Free Speech Area.

MANNER: GUIDELINES FOR APPROPRIATE EXPRESSIONS OF DISSENT

1. Disruptive Activity – Obstruction, disruption, or interference with classes, research, administrative functions, or other College activities is not permitted. Likewise, infringement on the rights of others is prohibited.
2. Reasonable Access – It is important to provide reasonable access to enter and exit from any office, classroom, laboratory, or building. Likewise, vehicular and pedestrian traffic should not be obstructed.
3. Distribution of Literature – Distributing literature is acceptable only in the Free Speech Area by the group or organization requesting Freedom of Expression.* Distribution of commercial literature is not permitted.
 - = Note – Literature/material for display purposes must have the approval of the Office of Student Services and Activities prior to posting. The area must be clean of all materials/symbols at the conclusion of the event or end of the time allotted.
4. Noise – Making sustained or repeated noise in a manner which substantially interferes with a speaker’s ability to communicate his/her message is not permitted. Noise levels should not interfere with classes, meetings, or activities in progress.
5. Force or Violence – Any attempt to prevent a College activity or other lawful assembly by the threat or use of force or violence is not permissible.
6. Presenting Identification – In accordance with the Joliet Junior College Student Code it is unlawful for any person on any property either owned or controlled by the College to refuse to identify himself/herself to a College official in response to a request. For the purpose of this policy a person identifies himself/herself by presenting a student ID card or driver’s license.
7. Damage to Property – Care should be taken to ensure that College and personal property is not damaged or destroyed. This includes the campus lawns, shrubs, and trees. Individuals or groups bringing onto College property any personal property shall be responsible for removing of such property each day after the hours of use of the free speech area.
8. Other Colleges Regulations – All applicable College Regulations should be followed whenever engaging in activities on campus. Consult the Joliet Junior College Student Handbook for further information.



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All individuals participating in scheduled events are expected to comply with state and federal law, municipal ordinances, Joliet Junior College Student Code, and the above guidelines. Failure to do so may result in immediate removal from the campus and any other appropriate action by College officials and/or Campus Police.

This Policy 3.11 shall be administered by being cognizant that one of the purposes of any college, including Joliet Junior College, is to foster and encourage the free expression and exchange of ideas within the context of the total educational environment provided by this institution.



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DIVISION	POLICY NO.
XI. Campus Police	11.01.00 [1]
CATEGORY	DATE
11.01.00 College Regulations	Adopted 10/13 Revised 12/13 Edited 3/15

11.01.00 COLLEGE REGULATIONS POLICY & INDEX

CHAPTER I

General

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- 1-100 Purpose
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- 2-101 Institutional Regulation
- 2-102 Regulation Violation Notice
- 2-103 Regulations and Fines
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COLLEGE REGULATIONS

Chapter I
General

1-100 PURPOSE:

This policy establishes regulations for all College and Foundation Housing, LLC property (so long as such property is exclusive for full-time JJC students)

1-101 APPLICABILITY:

The provisions of this code apply to all persons within the limits of College property or Foundation Housing, LLC property, whether faculty, staff, student or visitor.

Reviewed by legal counsel on XX.XX.XXXX





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1-102 GENERAL POLICY:

It is essential to the operation of College that there be recognized standards of conduct for persons present on College and Foundation Housing, LLC property and that those standards be enforced to allow the College to achieve its goal of providing a safe and productive learning environment. The College Police Department is tasked with the enforcement of College, local, state and federal laws, ordinances and regulations. The enforcement of the regulations enumerated in this policy, will contribute to maintaining a safe learning and working environment for all members of the College community.

1-103 SEVERABILITY:

The invalidity of any provisions of this code shall not affect the validity of the remainder of this code.

Chapter II
Article I
Regulations

2-100 SCOPE:

This policy is established and adopted based on the authority provided in the Illinois Public Community College Act Ch. 110 ILCS 805 / 3 – 42.2 (b), which empowers the Board of trustees to “establish such other regulations as are determined to be necessary for the protection of community college students, staff, visitors, properties and interests or for the proper maintenance, operation or development of any community college or colleges under the jurisdiction of the Board, and to prescribe fines and penalties for the violation for these regulations.”

2-101 INSTITUTIONAL REGULATION:

The enforcement of these regulations is the responsibility of the Chief of Campus Police and the members of the Campus Police Department.

2-102 REGULATION VIOLATION NOTICE:

A College regulation violation notice may be issued to persons found to be in violation of these regulations. The notice shall contain the name and address of the violator, the title and section number of the violation committed, the date, time and location of the violation, a brief summary of the allegations, and the signature and identification number of the issuing officer. A copy of the notice will be given to the violator at the time the notice is issued. In addition to the information listed above, this copy will contain the fine amount, payment due date and appeal process information.

2-103 REGULATIONS AND FINES: It shall be a violation of these regulations of the College to:



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A (1) Alcohol - Possession or Consumption

- a) Knowingly possess or consume any alcoholic liquor on any College or Foundation Housing, LLC property other than at an event where such possession has been specifically authorized by the College or Foundation, or; FINE: \$50
- b) Knowingly be in possession of or under the influence of alcoholic liquor when under 21 years of age. FINE: \$50

A (2) Alcohol Parties – Attendance - Knowingly attend a gathering of more than two people where alcohol is present illegally or in violation of these regulations. FINE: \$50

A (3) Alcohol Parties – Hosting - Knowingly host a gathering of more than two people where alcohol is present illegally or in violation of these regulations. FINE: \$100

A (4) Alcohol, Under the Influence- Knowingly appear in a public place while under the influence of intoxicating liquor. FINE: \$50

A (5) Assault- Knowingly and without authority engage in activity that reasonably places another in fear of receiving a battery. FINE: \$100

A (6) Battery-

- a) Knowingly and without justification cause bodily harm to another. FINE: \$200
- b) Knowingly make contact of a sexual, insulting or provoking nature with another. FINE: \$200

A (7) Cannabis Possession / Possession With Intent to Deliver (10 Grams or Less)

- a) Knowingly and illegally possess 10 or less grams of a substance containing cannabis. FINE: \$50
- b) Knowingly and illegally possess with intent to deliver, 10 or less grams of a substance containing cannabis. FINE: \$150



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A (8) Cannabis/ Controlled Substance Parties – Attendance / Hosting- Knowingly host or attend a gathering of more than two people where cannabis or controlled substances are present illegally or in violation of these regulations. FINE: Attending \$50 – Hosting \$100

A (9) Controlled Substances / Look Alike Drugs

- a) Knowingly and unlawfully be in possession of any item that is purported to be or is made to appear significantly similar to cannabis or any controlled substance. FINE: \$50
- b) Knowingly and unlawfully be in possession of any substance which is prohibited or Controlled by the Illinois Controlled Substance Act. FINE: \$250
- c) Knowingly and unlawfully be in possession of, with the intent to deliver, any substance which is prohibited or controlled by the Illinois Controlled Substance Act. FINE: \$500

A (10) Drugs, Under the Influence- Knowingly appear in a public place while under the influence of cannabis or a controlled substance. FINE: \$50

A (11) Drug Paraphernalia Possession- Knowingly possess items commonly used for the consumption, distribution or ingestion of cannabis or controlled substances, with the intent to use them for preparation, delivery, or ingestion into the human body of illegally possessed cannabis or controlled substances or for the ingestion of illegally possessed cannabis or controlled substances, into the human body. Items include but are not limited to, pipes, syringes, packaging material, scales etc. FINE: \$50

A (12) Disruption- Knowingly disrupt the operation of the College and/or prevent members of the College community from participating in College programs or activities. Examples include, but are not limited to, disruption of classes, sporting events, meetings, speeches/presentations or other authorized college activities occurring on or off campus. FINE: \$50

A (13) Damage to Property- To damage or deface without authority, any property belonging to the College, JJC Foundation or another. FINE: \$100

A (14) Disorderly Conduct- Knowingly commit any act in such an unreasonable manner as to alarm or disturb another, or to provoke a breach of the peace. FINE: \$50



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A (14) False Reporting: Crime or Emergency - Knowingly transmit or cause to be transmitted to any College employee a report of a crime or emergency, knowing it to be untrue. FINE: \$150

A (15) Failure to Comply- FINE: \$50

a) Knowingly fail to comply with any lawful direction of any College official, police officer or employee acting in their official capacity.

b) Knowingly fail to comply with computer lab or College Use of Technology policies.

A (16) Fighting- Knowingly be involved in a physical altercation with another, other than for the limited purpose of self defense. Self-defense is defined as action taken to eliminate an immediate threat of receiving bodily harm. Such action must cease as soon as the threat of harm is eliminated. A person cannot claim self defense if they have failed to remove themselves from a confrontation when such removal would have eliminated the need for physical force. FINE: \$200

A (17) Fireworks- Knowingly possess, offer for sale or explode any fireworks except for any College- authorized display. FINE: \$25

A (18) Forgery- Knowingly present to another or possess with intent to present to another any false, altered or fraudulent document, record, electronic file or instrument of identification. FINE: \$100

A (19) Gambling- Knowingly and illegally engage in a game of chance for cash or any other item of value, unless the game is officially authorized by the College or Foundation. FINE: \$25

A (20) Gang Representation / Recruitment- Knowingly use gang representation, signing or attempt to recruit others into gang membership. FINE: Representation or signing - \$50
Recruitment - \$500

A (21) Hazing – Knowingly require the performance of any act by any College student for the purpose of induction to any group associated with or connected to the College, if that act is not sanctioned by Joliet Junior College or it results in bodily harm to any person. FINE: \$300

A (22) Littering- Knowingly deposit any litter, garbage or offensive material in any place other than an approved and designated garbage receptacle. FINE: \$25



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A (23) Loitering – Knowingly remain in a location on College or Foundation Housing, LLC property after being advised by a College official/employee to move from that location.
 FINE: \$50

A (24) Noise Disturbance – Knowingly create noise that is disruptive to the normal operations of the College.
 FINE: \$25

A (25) Obstruction, Resistance or Interference with a Member of the College Police Department- Knowingly obstruct, resist or interfere with the performance of an authorized act within the official capacity of one known to the person to be a member of the College Police Department, including providing false information.
 FINE: \$150

A (26) Personal Misrepresentation/ Failure to Identify- FINE: \$50

a) Knowingly fail to identify him/herself to any College official or to identify him/herself as another.

b) Knowingly provide false information to any College official.

A (27) Posting /Distribution of Flyers- Knowingly post or deliver any advertisement or notice on any College property or any vehicle parked on college property without express written permission from the College.
 FINE: \$25

A (28) Public Indecency- FINE: \$200

- a) Knowingly engage in an act of sexual conduct in any public place.
- b) Knowingly fondle his or her genitals or breasts, or the genitals or breasts of another, whether directly or through clothing.
- c) Knowingly expose ones genitals, buttocks or female breasts unless as an authorized part of a College art class.
- d) Knowingly urinate or defecate in any public place other than a bathroom.



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A (29) Smoking / Tobacco Usage- Knowingly use any tobacco product in any area other than a parking or other area specifically designated by the College or Foundation as a smoking area. FINE: \$100

A (30) Soliciting- Knowingly peddle or offer for sale or solicit the purchase or sale of any item or service, without prior express written permission from the College. FINE: \$25

A (31) Theft

- a) **Less Than \$50** – Knowingly exert unauthorized control over property valued by the owner at less than \$50, including lost or mislaid property, with the intent to permanently deprive the owner of the use of said property. FINE: \$50
- b) **\$50 but less than \$150** – Knowingly exert unauthorized control over property valued by the owner at, at least between \$50 but less than \$150, including lost or mislaid property, with the intent to permanently deprive the owner of the use of said property. FINE: \$150
- c) **\$150 but less than \$500** – Knowingly exert unauthorized control over property valued by the owner at, at least \$150, but less than \$500, including lost or mislaid property, with the intent to permanently deprive the owner of the use of said property. FINE: \$300

A (32) Trespassing / Unauthorized Occupancy- Knowingly be present on or in any College or Foundation Housing, LLC property, or building, when such property or building is closed, or after having been given verbal or written notice that such presence is forbidden. FINE: \$50

A (33) Unlawful Access – Knowingly and without authority enter any secured area of the College or Foundation Housing, LLC property or possess without authority any access device which would permit unlawful entry into such areas. FINE: \$150

B. Recidivist Provision: The fine for a second or subsequent violation of a specific provision of this policy will be set at twice the established fine for that violation up to a maximum of \$750.

2-104 REGULATION VIOLATION - FINE COLLECTION PROCESS:

- A. It is the responsibility of the cited individual to resolve the Regulation Violation Notice in one of the following manners:



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- 1) make payment of the designated fine amount at the Student Accounts Center in Room A 1020 by the end of the 15 day “payment due” date listed on the notice, or;
 - 2) file a written appeal of the notice with the Campus Police Department prior to the end of the 15-day “payment due” date listed on the notice. **Note:** An appeal form will be provided with the Regulation Violation Notice.
- B. Failure to resolve the notice in one of the above-listed manners will result in the doubling of the fine amount up to a maximum of \$750 and a hold being placed on the violator’s ability to conduct any College business until the fine has been paid.
- C. Once the “payment due” date has passed, the Campus Police Records Division shall forward a letter to the last known address of the violator, notifying them of the placement of the hold and the new fine amount. The College reserves the right to take any additional legal steps within its authority to collect any unpaid fines.
- D. Fines collected shall be deposited into the “Student Fines Account” to be utilized for the purchase, repair and maintenance of Law Enforcement related equipment.

2-105 REGULATION VIOLATION APPEALS PROCESS

- A. If an appeal is filed in regards to a violation notice, the payment due date will be stayed until the outcome of the appeal before the Appeals Committee.
- B. The Appeals Committee shall be appointed by the Chief of Police and shall be composed of one student, one staff member, one faculty member, one administrator and the Student Trustee. The Chief of Police or his/her designee will also have a seat on the Committee as a non-voting member.
- C. If the Appeals Committee rules in favor of the appeal, the violation notice will be rescinded and a notification letter will be sent to the appellant advising that the case has been resolved.
- D. If the Appeals Committee rules against the appeal, a letter will be sent to the appellant advising of the rejection of the appeal. The letter will indicate a 20 day due date, by which the outstanding fine must be paid or a hold will be placed on the violator’s ability to conduct any



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College business until the fine has been paid. The College reserves the right to take any additional legal steps within its authority to collect any unpaid fines.

Reviewed by legal counsel on XX.XX.XXXX



STUDENT CODE OF CONDUCT

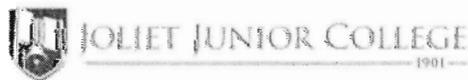


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STUDENT CODE OF CONDUCT

PREAMBLE

All students at Joliet Junior College (JJC) are expected to demonstrate qualities of integrity, fair-mindedness, honesty, civility, tolerance and respect. These values are important to the learning environment and are expected to be exhibited in the conduct of the entire College community, both in and out of the classroom setting. JJC recognizes the rights of its students guaranteed by the Constitutions of the United States and the State of Illinois, which include a student's rights within the institution to freedom of speech, inquiry, assembly, peaceful pursuit of an education, and reasonable use of services and facilities of the College.

In the interest of maintaining civility on campus and guaranteeing the broadest range of freedom, students must comply with the College's Student Code of Conduct, which reasonably limits some activities and reasonably prohibits certain behavior which could interfere with the classroom setting, the orderly operation of the College, and the pursuit of the College's goals and core values of Respect, Integrity, Collaboration, Humor and Well-Being, Innovation, and Quality. In addition to the Code, students must also recognize and comply with the standards of classroom behavior as stated in their individual course syllabi. Further, students must understand that threats of violence are considered a serious infringement upon the learning environment and will be acted upon accordingly.

Each student is responsible for reading and complying with the Student Code of Conduct and the Academic Honor Code, which is made available on the JJC Web site and as a separate publication through the offices of the Vice President for Student Development (J-2053), the Dean of Students (D-1010) and Campus Police (G-1013).

The College further recognizes each student's procedural right to due process, which includes providing notice setting forth the alleged violation(s), and a speedy and fair hearing and appeal process. Any member of the College community can initiate an accusation of an alleged violation. If a student is accused and cited for an alleged violation, he or she will receive notice of the alleged violation. The notice will include a request for a review meeting that will include:

1. The specific code violations; and
2. Reference to the Student Code of Conduct process and rights of students as indicated in the Code.

Upon completion of the review meeting, the student, if necessary, shall have the right to exercise the following procedures in the sequential order as set forth below:

- A. Have a hearing conducted by the Student Conduct Board or a Student Conduct Administrator.
- B. Be provided a list of findings by the Student Conduct Board or a Student Conduct Administrator.
- C. Have sanctions imposed, if found in violation of the Student Code of Conduct.
- D. Request an appeal hearing of the decision or sanctions as provided for under Section III D 1 below.
- E. Make final appeal to the Vice President for Student Development. (Requests for final appeal will only be granted based on procedural error or availability of new evidence that was not available at the time of the last hearing.)

(Cases of academic dishonesty are also under the jurisdiction of the Dean of Students. See Judicial Authority, Section I).

I. JUDICIAL AUTHORITY

The Vice President for Student Development or designee is named in JJC Board Policy as the person responsible for maintaining and implementing the Student Code of Conduct procedure. The Dean of Students is the primary person designated by the Vice President for Student Development as responsible for the administration and interpretation of the Student Code procedure. The JJC Police Department is named as the party responsible for enforcement action against criminal behavior. Criminal behavior is subject to Code referral.

JJC acknowledges the importance of honest academic behavior. The objective of the Academic Honor Code is to sustain a learning-centered environment in which all students are expected to demonstrate integrity, honor, and responsibility, and recognize the importance of being accountable for one's academic behavior. Beyond the actions imposed by the instructor within the course where academic dishonesty has occurred, a student referred to the Dean of Students and found to be in violation of the Academic Honor Code will have his/her name entered into a database and held for five years time. Upon receipt of a referral, full conduct violation proceedings will be employed. All sanctions imposed will be determined by a Student Conduct Board or a Student Conduct Administrator and will be developmental in nature.

1. The Dean of Students will determine the composition of a Student Conduct Board or designate a Student Conduct Administrator and determine which will be authorized to hear each case. Student composition, if any, on the Student Conduct Board will be dependent upon availability of trained students and staff.
2. The Dean of Students will develop procedures for the administration of the judicial program and procedural rules for the conduct of hearings, which are not inconsistent with provisions of the Student Code.
3. Decisions made by a Student Conduct Board or Student Conduct Administrator will be final, subject to the appeal process.
4. A Student Conduct Administrator may be designated as arbiter of disputes within the student community in cases that do not involve a violation of the Student Code. All parties must agree to arbitration, and to be bound by the decision with no right of appeal.
5. Student conduct discipline records are confidential, as provided by FERPA (Family Educational Rights and Privacy Act of 1974).

II. PROSCRIBED CONDUCT

A. Jurisdiction of the College

Discipline may be imposed for conduct which occurs on College premises, or Foundation Housing, LLC in or out of the classroom setting, while using College technology, at off-campus instructional sites, during off-campus College-sponsored events and for off-campus conduct which materially and substantially interferes with the College's operational and educational programs.

B. Conduct – Academic Dishonesty Rules and Regulations

Students at JJC are expected to demonstrate qualities of fair-mindedness, honesty, civility, tolerance, honor and respect.

Conduct for which discipline may be imposed includes, but is not limited to, the following:

1. Acts of academic dishonesty:
 - a. **Cheating**—intentionally using or attempting to use unauthorized materials, information or study aids; use, or attempting to use, any unauthorized assistance, resources, materials or electronic/cellular devices with or without photographic capability in taking quizzes, tests or examinations and the acquisition, without permission, of a test or other academic material belonging to Joliet Junior College, to any department, to any staff, or use of online resource designated for faculty use exclusively.
 - b. **Plagiarism**—the reproduction of ideas, words or statements of another person as ones' own without acknowledgement or use of an agency, commercial service or any other third party engaged in providing or the selling of term papers or other academic materials.
 - c. **Unauthorized Collaboration** - intentionally sharing or working together in an academic exercise when such actions are not approved by the course instructor.
 - d. **Falsification and Fabrication**—intentional and unauthorized falsification or invention of any information or citation furnished to any college official, faculty member or office.

- e. **Facilitation of Academic Dishonesty** - permitting or assisting, attempting to permit or assist, another to violate the academic honor code; alteration or sabotage of another student's work, such as by way of illustration, but not by limitation, tampering with laboratory experiments.

C. Conduct – General Rules and Regulations

1. Personal Misrepresentation: Representing oneself as another, or giving false information to any College official, faculty member or office, with intent to obtain a benefit, or to injure or defraud the college or any agency or person.
2. Forgery, alteration or misuse of any document, record, electronic file, form, or instrument of identification.
3. Disruption or obstruction of any operation of the college, including but not limited to teaching, research, administration, technological proceedings, disciplinary proceedings, other College activities, including infringing upon or interfering with the civil rights of members of the College community, its public-service functions on or off campus, or other authorized non-College activities, when the act occurs on the College premises.
4. Physical abuse, includes physical contact, or which by its nature, is provoking or endangers the health or safety of any person. This contact can be either through direct physical contact or through the use of any object.
5. Verbal abuse and/or abusive behavior, includes threats of harm, intimidation, harassment, hazing, coercion, and/or other conduct which threatens or endangers the health or safety of any person or which places them in fear of being physically harmed.
6. Conduct performed in such an unreasonable manner as to alarm or disturb another, and to provoke a breach of the peace.
 - a. Conduct that is disorderly, lewd, or indecent;
 - b. Aiding or abetting, or procuring another person to breach the peace on College premises or any members of the college community.
7. Deliberate attempts to use gang representation, signing, and recruitment.
8. Conduct which would constitute a violation or that which is determined to be an actual violation of federal, state or local law, or while at College-sponsored or supervised activities, if proven based on a preponderance of the evidence not beyond a reasonable doubt.
9. Sexual harassment or misconduct which includes any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature including:
 - a. Deliberate touching of another's sexual parts without consent;
 - b. Deliberate sexual contact of another without consent;
 - c. Deliberate constraint or incapacitation of another, without that person's knowledge or consent, so as to put another at substantially increased risk of sexual injury;
 - d. Any sexual act that occurs without the consent of the victim, or that occurs when the victim is unable to give knowing consent due to drug or alcohol intoxication or mental incapacity;
 - e. Obscene or indecent behavior, which includes, but is not limited to, exposure of one's sexual organs or the display of sexual behavior that would be reasonably offensive to others;
 - f. Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature that expressly or implicitly imposes conditions upon, threatens, interferes with, or creates an intimidating, hostile, or demeaning environment for an individual's (I) academic pursuits, (II) College employment; (III) participation in activities sponsored by the College or organizations or groups related to the College, or (IV) opportunities to benefit from other aspects of College life.
10. Theft or attempted theft, possession of stolen items or the sale of stolen items from any source whatsoever.
11. Damages, defaces, or deforms the property of the College or property of a member of the College community without his or her consent, on or off campus.
12. Failure to comply with directions of College officials, faculty members, College staff, and law enforcement officers acting in performance of their duties, and/or failure to identify oneself to these persons when requested to do so by presenting a valid I.D.
13. Unauthorized possession, duplication or use of keys or other access device to any College premises, or unauthorized entry to, or use of, secured College premises.

14. Violation of published College policies, or procedures as stated in the JJC Board Policy, JJC procedures, departmental policies and procedures, and Campus Police procedures.
15. Gambling in any form (does not apply to authorized campus organization activities).
16. Use of tobacco and smokeless tobacco products (smoking) in unauthorized areas.
17. Use, possession, manufacturing, or distribution of narcotics or other controlled substances (as defined by state statute) or drug paraphernalia, except as may be expressly permitted by law.
18. Use, possession, or distribution of alcoholic beverages except as expressly permitted by the law during designated times and pursuant to College regulations, or being in a condition of public intoxication. No alcoholic beverages may be possessed, used by or distributed in any building owned by JJC. This shall not apply to a person who is acting as a waitstaff person at an event authorized by JJC in which alcoholic beverages are authorized to be served and such person otherwise complies with all statutory requirements in this regard. Alcoholic beverages may not, in any circumstance, be used by, possessed by or distributed to any person under twenty-one (21) years of age on College premises.
19. Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on College premises or use of any such item, even if legally possessed, in a manner that harms, threatens or causes fear to others.
20. Participating in an on-campus or off-campus demonstration, riot or activity that disrupts the normal operations of the College and/or infringes on the rights of other members of the College community; leading or inciting others to disrupt scheduled and/or normal activities.
21. Obstruction of the free flow of vehicular traffic on College premises or at College supervised functions.
22. Obstruction or lack of regard for safe passage of pedestrian flow on College premises or at College supervised functions.
23. Parking in unauthorized areas and/or failure to respond to a parking citation or unauthorized use of staff or handicap parking permits.
24. Unauthorized occupancy of the College facilities or building other than during hours of operation.
25. For the safety of children on campus, children may not accompany students to class without prior instructor consent. Also, children may not be left unattended on the campus grounds, whether in college buildings, extension centers or at any college event.
26. Tampering with or engaging in voter fraud in the election of any College recognized student organization or the election of the Student Trustee.
27. Abuse of computer facilities, resources, technology policy including but not limited to:
 - a. Failure to comply with individual computer lab rules;
 - b. Acts of unauthorized computer usage;
 - c. Theft or other abuse of computer time;
 - d. Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose;
 - e. Unauthorized transfer of a file;
 - f. The installation or use of a program whose effect is to damage the media or files;
 - g. Use of another individual's identification and/or password;
 - h. Use of computing facilities and resources to interfere with the work of another student, faculty member, College official, or member of the College community;
 - i. Use of computing facilities and resources to send or receive obscene or abusive material;
 - j. Unauthorized use of computer time for personal or business purposes;
 - k. Unethical/unlawful or irresponsible use of the Internet;
 - l. Use of computing facilities and resources to interfere with normal operation of the College computing system;
 - m. Use of computing facilities and resources in violation of copyright laws;
 - n. Any violation of the College Computer Technology policy.
28. Unauthorized or inappropriate use of college telephones, facsimile (fax) machines, copier machines, computers, printers or any other office communication devices.
29. Unauthorized use of electronic devices:
 - a. Any unauthorized use of electronic or other devices to make an audio or video record of any person while on College premises without his/her prior knowledge, or without his/her effective consent when such a recording is likely to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another person in the gym, locker room, or restroom.

- Taking photographs by students of individuals against their will or knowledge is strictly prohibited.
- b. Cellular phones and other electronic devices shall not be used in a manner that causes disruption in the classroom, library or any other posted or deemed areas on College-owned or College operated facilities.
30. Abuse of the judicial system, including, but not limited to:
- a. Failure to obey the summons of a Student Conduct Board or College official;
 - b. Disruption or interference with the orderly conduct of a judicial proceeding;
 - c. Attempting to discourage an individual's proper participation in, or use of the judicial system, or engaging in the act of threatening or intimidating witnesses.
 - d. Attempting to influence the impartiality of a member of a Student Conduct Board prior to, and/or during the course of the judicial proceeding;
 - e. Harassment (verbal or physical) and/or intimidation of a member of a Student Conduct Board prior to, during, and/or after a judicial proceeding;
 - f. Failure to comply with the sanction(s) imposed under the Student Code;
 - g. Influencing or attempting to influence another person to commit an abuse of the judicial system.
 - h. Instituting a student conduct code proceeding in bad faith.
 - i. Making false allegations, falsification, distortion, or misrepresentation of information before or during a judicial hearing, bringing about charges without cause or with intent to harm another.
31. Initiation of, or participation in hate crime or incidence of bias.

D. Relationship between College Discipline and the Violation of Federal, State or Local Laws

In keeping with JJC's commitment to educate our students in becoming responsible community citizens, the college routinely addresses off-campus student misconduct. This includes any arrests or citations made by non-college law enforcement agencies. The following represents the college's general response to alleged off-campus misconduct. The college may elect to respond differently dependent upon the circumstances and the gravity of the alleged reported misconduct.

The Dean of Students reviews each case and determines if a college judicial referral will be issued. In most cases students are also charged through the judicial process. A letter is sent from the College judiciaries to the students informing them to schedule the date and time of an administrative hearing to resolve the matter of the Code of Conduct violation.

1. College discipline may be imposed on students charged with an off-campus violation of federal, state or local laws - but not with any other violation of the Code. This action is necessary to provide for the safety and welfare of the College community. Disciplinary action may be taken and sanctions imposed only for serious misconduct, which demonstrates flagrant disregard for the College community. Any charges on Foundation Housing, LLC property shall not be deemed to be off-campus.
2. College disciplinary proceedings may be instituted against a student charged with violation of a federal, state or local law which is also a violation of this Student Code, that is, if both violations result from the same factual situation, without regard to pending civil litigation in court or criminal arrest and prosecution. Proceedings under this Student Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus.
3. Student conduct proceedings and actions are not subject to challenge or postponement on the grounds that criminal or civil charges involving the same incident have been dismissed, reduced, or are pending in court. No individual can force charges to be dropped.
4. When a student is charged by federal, state or local authorities with a violation of law, the College will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also the subject of a proceeding before a Student Conduct Board under the Student Code, however, the College may advise off-campus authorities of the existence of the Student Code and of how such matters will be handled internally within the College community. The College will cooperate fully with law enforcement and other agencies in the enforcement of law on campus, and in the conditions imposed by criminal courts for the rehabilitation of violators who are also students. Individual students and faculty members, acting in their personal capacities, remain free to interact with governmental representatives as they consider appropriate.

- a. Students arrested or cited for an alcohol or drug violation off-campus may be referred for a judicial review. This includes, but is not limited to, underage possession, underage consumption, intoxication, and possession/use of illegal drugs or paraphernalia.
- b. Students arrested or cited for serious acts of off-campus misconduct are routinely charged with an offense under the college's code of conduct. Examples of such behavior include, but are not limited to, violence, drugs, sexual assault, and civil disturbance. In such cases, the college judicial referral can be issued prior to the resolution of the criminal case.

III. JUDICIAL PROCEDURES

STUDENT CONDUCT HEARINGS ARE BASED ON FUNDAMENTAL FAIRNESS PRACTICES AND PREPONDERANCE OF EVIDENCE. THEY ARE NOT FORMAL LEGAL PROCEEDINGS AND ARE NOT SUBJECT TO THE RULES THAT GOVERN CIVIL OR CRIMINAL HEARINGS INCLUDING BUT NOT LIMITED TO, THE RULES OF EVIDENCE.

A. Allegations of Code Violations, Charges and Hearings

1. Any member of the College community may file charges against any student for misconduct. Charges of academic dishonesty are also under the jurisdiction of the Dean of Students. (See the full Academic Honor Code and Procedures at the end of the Code of Conduct.) Allegations of code violations can be presented in writing or in person to the Vice President for Student Development or designee, the Dean of Students, or any member of the Campus Police department.
2. A Student Conduct Administrator will be appointed and may conduct a review meeting and investigation to determine if the charges have merit, and/or if they can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the Student Conduct Administrator. Such disposition will be final and there will be no subsequent proceedings.
3. If the charges cannot be disposed of by mutual consent, a Student Conduct Board will be formed to hear the charges. A Student Conduct Administrator may be authorized to serve simultaneously as a Student Conduct Administrator and the sole member or one of the members of a Student Conduct Board. All charges will be presented to the accused student in written form by the Student Conduct Administrator. The hearing date will be set not less than three, nor more than 15 college class days (excluding Saturday and Sunday) after the date of notice to the student. Maximum time limits for scheduling of hearings may be extended at the discretion of the Student Conduct Administrator with the consent of the Dean of Students.
4. Hearings will be conducted by a Student Conduct Board according to the following guidelines:
 - a. Hearings normally will be conducted in private.
 - b. A chairperson, who may also be the Student Conduct Administrator, shall be identified.
 - c. Admission of any person to the hearing with the exception of those named in sections (d) and (e) below, will be at the discretion of the chairperson. Hearings are not considered open to the public.
 - d. In hearings involving more than one accused student, the chairperson of the Student Conduct Board may permit the hearings concerning each student to be conducted separately.
 - e. The complainant and the accused have the right to be assisted by any one advisor they choose at their own expense. The advisor may be an attorney. The complainant and/or the accused are responsible for presenting his or her own case and, therefore, advisors are not permitted to speak or to participate directly in any hearing before a Student Conduct Board.
 - f. The complainant, the accused, and the Student Conduct Board may present witnesses. All witnesses are subject to cross-examination.
 - g. Pertinent records, exhibits and written statements may be accepted as evidence by a Student Conduct Board at the discretion of the chairperson.
 - h. All procedural questions are subject to the final decision of the person designated by the Student Conduct Administrator as chair of the Student Conduct Board.
 - i. After the hearing, the Student Conduct Board will determine (by majority vote if the Student Conduct Board consists of more than one person) whether the student has violated each section of the Student Code, which the student is charged with violating.
 - j. The Student Conduct Board's determination will be made on the basis of the preponderance of evidence.

5. In each case in which a Student Conduct Board determines that a student has violated the Student Code, the sanction(s) will be determined and imposed by the Student Conduct Administrator. In cases in which persons other than or in addition to the Student Conduct Administrator have been authorized to serve as the Student Conduct Board, the recommendation of all members of the Student Conduct Board will be considered by the Student Conduct Administrator in determining and imposing sanctions. The Student Conduct Administrator is not limited to sanctions recommended by members of the Student Conduct Board. Following the hearing, the Student Conduct Board and the Student Conduct Administrator will advise the accused in writing and/or orally of its determination and of the sanction(s) imposed, if any.
6. There may be a single verbatim record, such as a tape recording of all hearings before a Student Conduct Board. Access is limited to reviewing the verbatim record only on the College premises. The verbatim record will be the property of the College.
7. No student may be found to have violated the Student Code solely because the student failed to appear before a Student Conduct Board. In all cases, the evidence in support of the charges will be presented and considered.
8. Students who fail to obey a summons of a Student Conduct Board or College official, will be additionally charged, found in violation and sanctioned accordingly.

B. Sanctions

More than one of the sanctions listed may be imposed for any single violation.

1. The following sanctions may be imposed upon any student found to have violated the Student Code. Classification of sanctions from minor to intermediate or severe may be imposed. All sanctions will be issued in writing. Sanctions in the intermediate to severe classifications will be placed in the student's confidential discipline file as an official part of a student's educational record for seven years beyond the student's departure from the college. Severe sanction classifications will become part of the student's permanent discipline record. Acts of academic dishonesty will be made part of the permanent discipline record as determined by the faculty member, Department Chair and/or Vice President of Academic Affairs:

a. Minor Sanctions

- (1). Warning - A notice in writing to the student that the student is violating or has violated institutional regulations.
- (2). Probation - A reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any institutional regulation(s) during the probationary period.
- (3). Discretionary Sanctions - Work assignments, service to the College or neighboring communities or other related discretionary assignments (such assignments must have the prior approval of the Student Conduct Administrator).

b. Intermediate Sanctions

- (1). Loss of Privileges - Denial of specified privileges for a designated period of time.
- (2). Fines - Previously established and published fines from Campus Police may be imposed. Citations and fines may also be issued for violations of certain College policies.
- (3). Restitution - Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
- (4) Discretionary Sanctions - Work assignments, service to the College or neighboring communities, or other related discretionary assignments (such assignments must have the prior approval of the Student Conduct Administrator).
- (5). Withdrawal from class.
- (6). Limited Access - Administrative restriction to various parts/locations of campus sites.
- (7). Alcohol/Drug Sanctions - any of the following *may* be applied:
 - Online education program at own expense.
 - Community service hours.
 - Notification of parents of students under the age of 21.
 - Additional discretionary sanctions up to suspension from classes.
 - Attend a Student Assistance Program workshop.
 - Fines for possession and use of drug paraphernalia from \$50-\$500 and may include criminal action.

c. Severe Sanctions

- (1). College Suspension - Separation of the student from the College for a definite period of time, after which the student may be eligible to return. Conditions for readmission may be specified. Students will be withdrawn from their classes of record for the semester. Faculty will be notified of the suspension. When applicable, the official start date of a suspension will be the date of the interim suspension, if one was imposed prior to the resolution of a hearing.
 - (2). College Expulsion - Permanent separation of the student from the college.
2. Disciplinary sanctions will not be made part of the student's permanent academic record, but will become part of the student's confidential discipline record maintained by the Office of the Vice President for Student Development or designee, usually maintained in the Office of the Dean of Students. These records are confidential and protected under the Family Rights and Privacy Act (FERPA). See the most recently published College catalog for complete details.
 3. Suspension and expulsion findings are maintained as a permanent part of a student's confidential discipline record at JJC. Other behavior found to be in violation of the Code may become part of the student's academic record as determined by the Vice President for Student Development or designee for a period up to seven years from the time of sanctioning.
 4. The following sanctions may be imposed upon groups or organizations:
 - a. Those sanctions listed above in Section III, B. 1, a, (1) through (3).
 - b. Deactivation - loss of all privileges, including College recognition, for a specified period of time.

C. Interim Suspension

In certain circumstances, the Vice President for Student Development, or a designee, may impose a College suspension prior to the hearing before a Student Conduct Board.

1. Interim suspension may be imposed only:
 - a. To ensure the safety and well-being of members of the College community or preservation of College property;
 - b. To ensure the student's own physical or emotional safety and well-being; or
 - c. If the student poses a threat of disruption of or interference with the normal operations of the College.
2. During the interim suspension, students will be denied access to the campus (including classes) and/or all other College activities or privileges for which the student might otherwise be eligible, as the Dean of Students or the Student Conduct Administrator may determine to be appropriate.

D. Appeals

1. A decision reached or a sanction imposed by the Student Conduct Board or the Student Conduct Administrator may be appealed by accused students or complainants to a hearing board, or any person or persons authorized by the Vice President for Student Development or the Dean of Students within five college class days of the receipt of the decision (excluding Saturday and Sunday). Such appeals will be submitted in writing to the Dean of Students.
2. Except when explaining the basis of new evidence, an appeal will be limited to review of the record of the initial hearing and supporting documents for one or more of the following purposes:
 - a. To determine whether the original hearing:
 - (1). was conducted fairly in light of the charges and evidence presented;
 - (2). conformed with prescribed procedures giving the complaining party a reasonable opportunity to prepare and present evidence that the Student Code was violated;
 - (3). gave the accused student a reasonable opportunity to prepare and to present a rebuttal of those allegations.
 - b. To determine whether the decision reached regarding the accused student was based on the preponderance of the evidence, that is, whether the facts in the case were sufficient to establish that a violation of the Student Code occurred.
 - c. To determine whether the sanction(s) imposed were appropriate for the violation of the Student Code, which the student was found to have committed.
 - d. To consider new evidence, sufficient to alter a decision, or other relevant facts not brought out in the original hearing, because the person appealing did not know such evidence and/or facts at the time of the original hearing.
3. In cases involving appeals by students accused of violating the Student Code, review of the sanctions by a hearing board may result in more severe sanctions for the accused students. A final

appeal to the Vice-President of Student Development may not result in more severe sanctions for the accused students.

4. A decision reached by a hearing board may be appealed by accused students or complainants to the Vice President for Student Development within five college class days (excluding Saturday and Sunday) of the decision. Such appeals will be submitted in writing to the Vice President for Student Development, or designee. Conditions to D. 2. "a" through "d" apply.

The Vice President for Student Development may, upon review of the case, reduce, but not increase, the sanctions imposed by either the Student Conduct Administrator and/or a hearing board.

5. The decision of the Vice President for Student Development shall be final.

E. Disclosure to complainants

FERPA regulations prohibit the release of names and of information regarding conduct proceedings without the written permission of the student(s) involved.

IV. INTERPRETATION AND REVISION

- A. Any question of interpretation regarding the Student Code of Conduct will be referred to the Vice President for Student Development or Dean of Students for final determination.

- B. The Code may be periodically reviewed and amended as necessary under the direction of the Vice President for Student Development, or Dean of Students.

V. DEFINITIONS

1. The term "College" means Joliet Junior College.
2. The term "Foundation Housing, LLC" means the residential premises which are commonly referred to as "Centennial Commons" owned by Foundation Housing, LLC, or its successor, located at 1524 Centennial Drive, Joliet, Illinois 60431.
3. The term "student," for the purposes of the Code, includes all persons applying for admission or taking courses provided by the College both full-time and part-time.
4. The term "faculty member" means any person hired by the College to conduct classroom/laboratory practicum activities.
5. The term "official" includes any person employed by the College performing assigned administrative or professional staff duties.
6. The term "member of the College community" includes any person who is a student, faculty member, College official, or any other person employed by or visiting the College. The Vice President for Student Development or the Dean of Students will determine a person's status in a particular situation.
7. The term "College premises" includes all land, buildings, facilities, and other property in the possession of or owned, used or controlled by the College.
8. The term "organization" means any collective group that has complied with the formal requirements for College recognition.
9. The term "Student Conduct Administrator" means a College official authorized on a case-by-case basis by the Vice President for Student Development or the Dean of Students to impose sanctions upon students found to have violated the Student Code. A Student Conduct Administrator may be authorized to serve simultaneously as a Student Conduct Administrator and the sole member or one of the members of a Student Conduct Board.
10. The term "Student Conduct Board" means any person or persons authorized by the Vice President for Student Development or the Dean of Students to determine whether a student has violated the Student Code and to recommend imposition of sanctions.
11. The term "hearing board" may consist of two faculty members, two students, and two college staff members. The hearing board will consider an appeal from the Student Conduct Board's determination that a student has violated the Student Code or from sanctions imposed by the Student Conduct Administrator.
12. Academic year is defined as fall, spring and summer terms.
13. The term "will" is used in the imperative sense.
14. The term "may" is used in the permissive sense.

15. "Trained advisors or hearing board" refer to those who participate in the judicial process upon completion of a group or one-on-one judicial affairs orientation.
16. "Preponderance of evidence" refers to, when considering all the evidence in the case, the proposition on which such party has the burden of proof is more probably true than not true.
17. The phrase "authorized campus organization" refers to events sponsored by officially recognized student groups.
18. The term "bias incident" refers to behavior/actions discriminating against another based on race, religion, sexual orientation, ethnicity, national origin, gender, age, disability, or veteran status.
19. The term "hate crime" refers to a bias incident that has risen to the level of a criminal statute, which includes but is not limited to assault, property damage, or other illegal conduct.
20. The term "obscene matter" means any matter which an average person, applying contemporary community standards would find it to be, taken as a whole, appealing to the prurient interest in the way in which the works depicts or describes sexual conduct in a patently offensive way, and whether the matter, taken as a whole, lacks serious literary, artistic, political or scientific value.
21. The term "matter" means any book, magazine, newspaper or other printed or written material or any picture, drawing, photograph, motion picture or other pictorial representation or any recording or transcription thereof delivered by electronic communication by the transfer of signs, signals, writings, images, sounds, data or intelligence of any nature transmitted in whole, or in part by wire, radio, electromagnetic, photoelectric, or photo optical system through a device known as a computer.

In adopting its Student Code of Conduct, Joliet Junior College is intellectually indebted to Edward N. Stoner II, Model Code of Conduct, as well as Moraine Valley Community College and Oakton Community College. (2002)

ACADEMIC HONOR CODE

Joliet Junior College acknowledges the importance of honest academic behavior. The objective of the Academic Honor Code is to sustain a learning-centered environment in which all students are expected to demonstrate integrity, honor, and responsibility, and recognize the importance of being accountable for one's academic behavior.

Classroom Behaviors Covered by Honor Code

Acts of academic dishonesty include:

- **Cheating**—intentionally using or attempting to use unauthorized materials, information or study aids; use of any unauthorized assistance, resources, materials or electronic/cellular devices with or without photographic capability in taking quizzes, tests or examinations and the acquisition, without permission, of a test or other academic material belonging to Joliet Junior College, to any department, or to any staff.
- **Plagiarism**—the reproduction of ideas, words or statements of another person as one's own without acknowledgement, or use of an agency engaged in the selling of term papers or other academic materials.
- **Unauthorized Collaboration**—intentionally sharing or working together in an academic exercise when such actions are not approved by the course instructor.
- **Falsification and Fabrication**—intentional and unauthorized falsification or invention of any information or citation furnished to any college official, faculty member or office.
- **Facilitation of Academic Dishonesty**—permitting or attempting to help another to violate the academic honor code; alteration or sabotage of another student's work, such as tampering with laboratory experiments.

Responsibilities

An academic environment has expectations of both students and faculty. Academic honesty requires a shared commitment to the highest standards for learning.

Students have the responsibility to:

1. Be fully knowledgeable of the Academic Honor Code
2. Produce their own work
3. Encourage honesty among their fellow students

Faculty has the responsibility to:

1. Review classroom expectations with respect to all aspects of academic honesty
2. Inform the student directly about any charges of academic dishonesty
3. Refer students to the Dean of Student's Office in a consistently applied manner

Procedures

1. Student notified by instructor of academic honor code violation
2. Instructor notifies the Dean of Students
3. Due Notice is sent from Office of the Dean of Students to student and Code of Conduct proceedings are initiated (see Student Code of Conduct)
 - First Offense – if found in violation student's name is added to the database of violators and student is referred to an ethics/academic integrity workshop.
 - Subsequent Offense(s) – Code of Conduct proceedings are initiated.
4. Upon outcome of proceedings, student will have a right to appeal.

Sanctions

All sanctions imposed will be determined by judicial hearing and will be developmental in nature.

We are intellectually indebted to Oakton, Pueblo Community College and Truman College in the creation of this academic honor code.

BIT – Behavior Intervention Team

The Behavior Intervention Team is an interdisciplinary alliance that flags and reviews students deemed to be at risk to themselves or others, socially, mentally, and/or physically. The primary role of the team is to make recommendations for intervention or action for the referred student. The team members are the Vice President of Student Development, JJC Chief of Police, Chair of the Team / Dean of Students, Dean of Career and Tech Education, Chairperson of Counseling or designee, Coordinator of STAR, Director of Student Activities, and Coordinator of Judicial Affairs and Residence Life.

Any member of the campus community can refer a student to the BIT team by completing a referral form available from the Dean of Students' Office. Once a completed referral is received, the team reviews the referral and determines if the referral is warranted. If so, the appropriate team member will contact the student for an in-person meeting to discuss the concern. If warranted, the student will receive recommendations for intervention. In an incident in which immediate action is required, you should contact JJC Campus Police.

Complaint Process

Students are obligated to respect the rights of others and to refrain from any actions endangering the health, safety, welfare, or property of others. Students are expected to comply with the policies, procedures, and regulations. All employees and students have the right to a working and educational environment free from harassment. If any member of the campus community feels their rights are being violated they are welcome to file a formal complaint with the Dean of Students' office.

Conduct system complaints may be generated by:

- students
- staff and faculty
- landlords
- campus security reports
- law enforcement reports
- individuals and entities not affiliated with the college community.

An individual who wishes to make a complaint should speak to the administrative staff of the Office of the Dean of Students or the JJC Police Department.

The Dean of Students manages complaints of major conduct code violations, regardless of where they occur. As a preliminary step, the conduct process is explained to the complainant, options are discussed, and the complainant decides whether to pursue the complaint. If the complainant decides to do so, and in instances in which the college is the complainant, the process continues through the following steps:

- The investigating administrator or JJC Police Department meets with the complainant, the accused student, and other individuals involved in the case as warranted.
- The investigating administrator or JJC Police Department determines whether there is sufficient cause for charges to be initiated against the accused student.
- If the accused student is charged, the Office of the Dean of Students evaluates whether the case should be handled administratively, or referred to the Student Conduct Board.

- When warranted, the investigating officer works with the complainant and respondent to identify witnesses and to assemble information relevant to the case.

An administrative hearing is with an individual judicial advisor serving as the sole person responsible for determining the outcome of the complaint.

A student conduct board is a hearing panel that consists of faculty, staff, and students. It hears the case directly from the complainant, respondent, and witnesses, all on the same day through a formal hearing presentation.

Cases of high sensitivity and complexity may be referred to an administrative hearing with the Dean of Students or designee, including cases alleging sexual assault or sexual harassment.

This code document is published by the office of the Dean of Students and is subject to change in accordance with College procedure regulations.

For more information on the Student Code of Conduct, contact the office of the Dean of Students, D-1010 at Main Campus:

- Online at www.jjc.edu/info/students
- E-mail studentcode @jjc.edu
- Call 815-280-2761

Rev. 12/08, effective 5/16/09

Revised 03/20/2012

JJC OFFICE OF STUDENT ACTIVITIES POSTING GUIDELINES:

- **In the interest of facility maintenance and the effectiveness of display and aesthetics, the following guidelines for display materials have been established:**
 1. Flyers should look nice and be true to purpose intended.
 2. We prefer flyers to be limited to 8 1/2" x 11". (8 1/2 X 11 flyers will be hung on pillar boards and poster sized materials will be placed on the bulletin boards as space permits).
 3. Necessary information (contact name & phone number) must be provided.
 4. Messages should not violate the college's policies on EEO Non Discrimination (Board Policy, 8.4.2).
 5. Appropriate language is to be used.
 6. Only JJC sponsored events are put on the bulletin boards and pillar boards. The Free Speech Boards will include outside events if space allows.
 7. Postings should not contain profanity, lewd pictures (photo or illustrations) and should not include solicitation.
 8. Club events should not conflict with campus activities.
 9. Preference will be given to internal fundraising (clubs, etc.).

Banned Posting Areas:

- These are the areas and conditions under which material will **NOT** be displayed:
 - On the exterior of any permanent or temporary building
 - On the exterior/interior of any window or glass wall, **including entrance doors**
 - Affixed with any adhesive, masking tape, or scotch tape to a **printed surface** on any building or furniture surface
 - Suspended in any way so as to hamper or impede the proper flow of traffic, to any facility either pedestrian or vehicular.
 - On any vehicle parked on JJC grounds

REMINDER: ALL CLUB PROMOTIONS MUST COME THROUGH OSA.



Revised 03/20/2012

Posting Process:

When you have 15 copies made, please bring them to the Office of Student Activities, D-1010 at Main Campus where the posting will be reviewed and stamped if approved. If your posting does not meet approval for general posting, we will post them on the three free speech boards in J, D and S/T Buildings only.

We ask that you submit the materials no later than 1 week prior to the date you wish them to be posted. If the posting is approved, you will be asked to submit a contact name, a phone number, the name of the organization, and purpose of your posting. Your materials will then be posted on the appropriate boards where they will remain for two weeks unless space is available in which case, the flyer will remain until the space is needed OR the event date has passed.

Main Campus Posting Locations (including Pillar Boards):

PLEASE NOTE: ALL ITEMS FOR POSTING SHOULD BE BROUGHT TO D-1010 (OFFICE OF STUDENT ACTIVITIES) FOR APPROVAL AND PLACEMENT ON THE APPROPRIATE BOARDS

- **J Building**
 - **Lower Level (J-0037, former Cafeteria):** Bulletin board for JJC Related Information, Items For Sale and Free Speech (non-JJC related information)
 - **1st Floor by stairs:** 2 pillar boards for 8 ½ X 11 flyers ONLY
 - **2nd Floor by stairs:** 2 pillar boards for 8 ½ X 11 flyers ONLY
 - **2nd, 3rd and 4th Floors:** Bulletin boards for JJC Related Information

- **H Building (Bridge)**
 - Club Promotional Bulletin Boards
 - 6 pillar boards for 8 ½ X 11 flyers ONLY

- **D Building**
 - Bulletin board for JJC related information and Volunteer Board
 - Free speech board (non-JJC related information)

- **A Building** (Criminal Justice/Law Enforcement area)

Revised 03/20/2012

- **2nd floor:** Bulletin board for JJC related information

- **B Building** (Vet Tech area)
 - Bulletin board for JJC related information

- **S/T Buildings:**
 - 2 Bulletin boards for JJC related information (entrance to T and concourse)
 - Free speech board
 - 5 pillar boards for 8 ½ X 11 flyers ONLY

- **C-F Concourse:**
 - 6 pillar boards for 8 ½ X 11 flyers ONLY

- **Campus Center (near Cafeteria):**
 - 1 pillar board for 8 ½ X 11 flyers ONLY



December 4, 2017

Dr. Judy Mitchell
President's Office
Joliet Junior College
1215 Houbolt Road
Joliet, Illinois 60431

URGENT

Sent via Certified Mail and Electronic Mail (president@jjc.edu)

Dear President Mitchell:

The Foundation for Individual Rights in Education (FIRE) is a nonpartisan, nonprofit organization dedicated to defending liberty, freedom of speech, due process, academic freedom, legal equality, and freedom of conscience on America's college campuses.

FIRE represents Joliet Junior College (JJC) student Ivette Salazar with respect to her detention by the JJC Police Department on November 28, 2017 following her distribution of political flyers on campus. Both Salazar's detention and JJC's policies restricting her ability to speak freely and distribute literature on campus violate the First Amendment.

I. FACTS

Ivette Salazar is a member of the Chicago chapter of the Party for Socialism and Liberation. At a recent meeting, Salazar obtained flyers reading "Shut Down Capitalism" and advertising a "workshop and discussion-based day of Marxism classes on December 16 in Chicago."¹ After witnessing members of conservative student group Turning Point USA distributing and posting anti-socialism materials on campus, she decided to distribute the Party for Socialism and Liberation flyers at JJC to provide an alternative viewpoint.

On November 28, 2017, Salazar distributed the flyers, placing them on several empty tables in publicly accessible areas throughout the JJC premises. A JJC police officer searching for

¹ Party for Socialism and Liberation Chicago, *Day of Marxism Classes: Shut Down Capitalism!*, FACEBOOK, <https://www.facebook.com/events/1686465828051305>. A photograph of the flyers is attached to this letter as Attachment A.



the source of the flyers approached and informed her that she could not distribute the flyers on campus. During the conversation, Salazar was told that she could not distribute the flyers on campus because of the “political climate of the country.” The officer then instructed Salazar to accompany her to the JJC Police Department office, where Salazar was placed in an interrogation room. When Salazar asked why she was being detained, the officer informed her that they wanted to question her about the flyers she was distributing.

The officer left the interrogation room and discussed the matter with three additional police officers, in Salazar’s line of sight. One officer returned to the room and again asked Salazar if she was the person responsible for distributing the “Shut Down Capitalism” flyers. When Salazar replied affirmatively, the officer informed her that she could not distribute the flyers because they had not been approved by JJC. The officer asked Salazar for her identification card and telephone number. When Salazar asked why the officer needed her identification and telephone number, the officer replied that they were needed to file a report. Salazar produced the requested information, and the officer left the room. When the officer returned, Salazar asked how long she would be detained. The officer replied that the interrogation would take “as long as it needs to,” and again left the room.

The officer re-entered the interrogation room with another officer, returned Salazar’s identification, and informed her that the JJC Police Department would be keeping the remainder of the flyers to ensure that she did not distribute them on campus. Salazar explained that she did not understand why the police were seizing her belongings, and that she thought she had freedom of speech. One of the officers replied, “To put it bluntly, you have freedom of speech but only if we approve it.” Salazar rebutted, “What is the point of freedom of speech if I don’t have it?” The officer replied, “If you want to go ahead and post your flyers and burn your crosses, you have to get it approved by [the Director of Student Activities and Student Life].”

After being held for approximately 30 minutes, Salazar was released from custody.

II. ANALYSIS

Contrary to the assertions of the JJC Police Department, Salazar’s First Amendment rights on campus are not contingent on the approval of any campus administrator or law enforcement officer. It is well-settled law that the First Amendment applies with full force on public college campuses. *See, e.g., Widmar v. Vincent*, 454 U.S. 263, 268–69 (1981) (“With respect to persons entitled to be there, our cases leave no doubt that the First Amendment rights of speech and association extend to the campuses of state universities.”); *Papish v. Bd. of Curators of the Univ. of Mo.*, 410 U.S. 667, 670 (1973) (“[T]he mere dissemination of ideas—no matter how offensive to good taste—on a state university campus may not be shut off in the name alone of ‘conventions of decency.’”); *Healy v. James*, 408 U.S. 169, 180 (1972) (“[T]he precedents of this Court leave no room for the view that, because of the acknowledged need for order, First Amendment protections should apply with less force on college campuses than in the community at large. Quite to the contrary, the vigilant

protection of constitutional freedoms is nowhere more vital than in the community of American schools.”) (internal citation and quotation marks omitted).

A. Expression does not lose constitutional protection due to “political climate”

The JJC police officer’s explanation to Salazar that she could not distribute her flyers because of the current “political climate” betrays a profound misunderstanding of the First Amendment and raises the specter of unconstitutional viewpoint discrimination.

A primary purpose of the First Amendment is “to protect the free discussion of governmental affairs . . . [including] discussions of candidates, structures and forms of government, the manner in which government is operated or should be operated, and all such matters relating to political processes.” *Mills v. Alabama*, 384 U.S. 214, 218–19 (1966). *See also N.Y. Times Co. v. Sullivan*, 376 U.S. 254, 296–97 (1964) (Black, J., concurring) (“[F]reedom to discuss public affairs and public officials is unquestionably, as the Court today holds, the kind of speech the First Amendment was primarily designed to keep within the area of free discussion.”). Such core political speech is at the very heart of the First Amendment, where its protection is “at its zenith.” *Buckley v. Am. Constitutional Law Found.*, 525 U.S. 182, 186–87 (1999) (quoting *Meyer v. Grant*, 486 U.S. 414 (1988)).

Debating the merits of economic and governmental systems is core political speech. The current “political climate” is not only an invalid justification for suppressing such expression, it is indeed precisely the reason such expression *must* be protected. Were tense political times a sufficient basis on which to restrict political speech, a core purpose of the First Amendment would be reduced to a nullity.

Both the officer’s explanation that the “political climate” justified Salazar’s detention and the confiscation of her flyers and another officer’s later statement that administrative permission would be required “if you want to go ahead and post your flyers and burn your crosses” strongly indicate that the JJC Police Department’s actions were motivated by disagreement with the flyer’s message. Such targeted censorship is flatly unacceptable at a public institution legally bound by the First Amendment. “Viewpoint discrimination is censorship in its purest form and requires particular scrutiny, in part because such regulation often indicates . . . [an] effort to skew public debate on an issue.” *R.A.V. v. St. Paul*, 505 U.S. 377, 430 (1992) (internal citations and quotation marks omitted).

Salazar’s expression is undoubtedly protected by the First Amendment, no matter the political climate, and in fact is entitled to such heightened protection *because* of the importance of public discussion and debate of contemporary political issues. That JJC police officers would attempt to stifle such expression—and worse yet, because of specific disagreement with the views expressed—is an affront to all JJC students’ First Amendment rights and must be immediately remedied.

Be advised that any law enforcement officer or public college administrator who violates clearly established law will not be afforded the defense of qualified immunity and, for

violating First Amendment rights, may be held personally liable for monetary damages and attorneys fees under 42 U.S.C. § 1983 and 42 U.S.C. § 1988. *See Harlow v. Fitzgerald*, 457 U.S. 800, 815 (1982) (holding that qualified immunity is “defeated if an official ‘knew or reasonably should have known that the action he took within his sphere of official responsibility would violate the constitutional rights of the [plaintiff]’”) (quoting *Wood v. Strickland*, 420 U.S. 308, 322 (1975)). Any reasonable law enforcement officer or public college administrator must know that censoring a student’s expression on the basis of her viewpoint is impermissible and violates a clearly established constitutional right. Indeed, earlier this year, the United States Court of Appeals for the Eighth Circuit denied qualified immunity to Iowa State University officials who had censored the university’s chapter of the National Organization to Reform Marijuana Laws. *Gerlich v. Leath*, 861 F.3d 697 (8th Cir. 2017). The Eighth Circuit held that the “plaintiffs’ right not to be subjected to viewpoint discrimination while speaking in a university’s limited public forum” was “clearly established” and had “long been recognized” by courts. *Id.* at 709. Given the unmistakable clarity of this and similar rulings dating back decades, JJC administrators and officers plainly risk personal liability for censoring students like Salazar in contravention of the First Amendment.

B. JJC’s “Free Speech Area” policy violates students’ First Amendment rights

JJC Board Policy 3.11 provides that student expression on JJC’s main campus is limited to a “Free Speech Area” (FSA) located “at the middle of the concourse area located in the Main Campus ‘D’ Building in front of the Student Center.”² Use of the FSA is limited in several ways: A request to use the FSA must be made five business days in advance, only two individuals may be in the FSA at one time, and anyone utilizing the FSA must remain behind a table.

A government entity like JJC may establish “reasonable time, place and manner” restrictions on speech and expressive activity on its property, but any such restrictions must be viewpoint- and content-neutral, must be narrowly tailored to serve a significant government interest, and must leave open ample alternative channels for communication. *See Ward v. Rock Against Racism*, 491 U.S. 781, 791 (1989); *OSU Student All. v. Ray*, 699 F.3d 1053, 1062–63 (9th Cir. 2012) (applying forum analysis to public college campus). JJC’s policy fails to meet these standards.

i. JJC may not restrict student expression to a small area of campus to the exclusion of all other places

Put simply, there is nothing reasonable or narrowly tailored about quarantining student expression to a small area in a concourse inside one campus building. Rather, students must be able to engage their peers in public, generally accessible spaces on campus.

² Policy on Freedom of Expression and Campus Demonstrations, JOLIET JUNIOR COLLEGE, <http://www.jjc.edu/board-of-trustees/Documents/division-iii/board-policy-3-11.pdf>.

Protected expressive activity, such as Salazar’s literature distribution, poses no risk to JJC’s functions and operations.

Indeed, courts have repeatedly held that similar restrictions on student expression cannot withstand constitutional scrutiny. In *University of Cincinnati Chapter of Young Americans for Liberty v. Williams*, No. 1:12-cv-155, 2012 U.S. Dist. LEXIS 80967, at *29–30 (S.D. Ohio June 12, 2012), a federal district court enjoined the University of Cincinnati from, *inter alia*, limiting all “demonstrations, picketing, or rallies” to a small “free speech area.” The court rejected the university’s argument that all areas outside the free speech area were limited public forums, noting that the university “has simply offered no explanation of its compelling interest in restricting all demonstrations, rallies, and protests from all but one designated public forum on campus.” *Id.* at *19–25. Moreover, in asserting a government interest, the court reasoned that “[m]ere speculation that speech would disrupt campus activities is insufficient because ‘undifferentiated fear or apprehension of a disturbance is not enough to overcome the right to freedom of expression on a college campus.’” *Id.* (quoting *Healy*, 408 U.S. at 191). *See also Roberts v. Haragan*, 346 F. Supp. 2d 853, 861 (N.D. Tex. 2004) (finding that “park areas, sidewalks, streets, or other similar common areas” are public forums for students, and that Texas Tech University’s requirement that students obtain permission before conducting expressive activities outside designated free speech areas was not narrowly tailored to serve the university’s interests).

Be advised that FIRE’s Stand Up For Speech Litigation Project has coordinated a number of successful First Amendment lawsuits nationwide challenging similar “free speech zone” policies limiting demonstration and expressive activity to small areas of campus. The majority of these cases settled quickly and the defendant institutions revised their policies and paid substantial sums in damages and attorney’s fees, as described below.³

- At Modesto Junior College in California, a student was prevented from distributing copies of the U.S. Constitution on September 17, 2013—Constitution Day. FIRE coordinated a lawsuit to vindicate the student’s First Amendment rights, resulting in a settlement in which the college agreed to pay \$50,000 and dismantle its unconstitutional free speech zone policy.
- FIRE coordinated a lawsuit against the University of Hawaii at Hilo on behalf of two students prevented from handing out copies of the Constitution and told to confine their protest against National Security Agency spying to the university’s small, isolated free speech zone. The case settled in December 2014, resulting in policy reform throughout the entire University of Hawaii system and a payment of \$50,000.
- At Citrus College in California in 2013, FIRE helped a student challenge three unconstitutional speech codes, including a free speech zone policy and a burdensome

³ For more information on these and other Stand Up For Speech cases, please visit <http://www.standupforspeech.com>.

approval process for expressive activity. Citrus College ultimately agreed to revise all three policies and paid \$110,000 in damages and attorney's fees.

- In March 2015, a California State Polytechnic University, Pomona student was stopped from handing out flyers advocating for animal rights. With FIRE's help, he filed a lawsuit challenging the school's policies limiting speech and material distribution to a free speech zone and requiring advance registration and approval. The case was settled four months after filing with revision of the challenged policies and an agreement to pay \$35,000 in damages and fees.
- In March 2015, FIRE coordinated a First Amendment lawsuit against Dixie State University in Utah after a student organization was told that its request to stage a "free speech wall" event could be accommodated only in the school's free speech zone. That case also settled within months, in September 2015, with revision of the challenged policies and the payment of \$50,000 in damages and fees.
- FIRE assisted a student in challenging several unconstitutional restrictions on free speech at Blinn College in Texas including its policy restricting speech to a tiny free speech zone. The Board of Trustees agreed to settle the case in May 2016, revise its policies to comply with the First Amendment, and pay \$50,000 in damages and fees.

Additionally, FIRE is currently representing a student in connection with a lawsuit against Los Angeles Pierce College and the Los Angeles Community College District for its similarly restrictive free speech zone policy.⁴

The United States Attorney General and the Department of Justice have condemned and taken action against campus free speech zones in recent months. In a September speech, Attorney General Jeff Sessions stated that he considers the creation of free speech zones to be "eerily similar to what the Supreme Court warned against in the seminal 1969 *Tinker v. Des Moines* case about student speech: 'Freedom of expression would not truly exist if the right could be exercised only in an area that a benevolent government has provided as a safe haven.'"⁵ Later that day, the Department of Justice filed a Statement of Interest in *Uzuegbunam v. Preczewski*, 1:16-cv-4658 (N.D. Ga. Sept. 26, 2017), a student First Amendment challenge, and Attorney General Sessions announced that the Department of Justice would "be filing more [Statements of Interest] in the weeks and months to come."⁶ On October 24, the Department of Justice filed a Statement of Interest in the above-

⁴ See The Times Editorial Board, *Editorial: Don't squeeze free speech on college campuses*, L.A. TIMES (Apr. 5, 2017) <http://www.latimes.com/opinion/editorials/la-ed-college-freespeech-20170405-story.html>.

⁵ Jeff Sessions, Attorney General of the United States, Address on the Importance of Free Speech on College Campuses (Sept. 26, 2017), available at <https://www.justice.gov/opa/speech/attorney-general-sessions-gives-address-importance-free-speech-college-campuses> (remarks as prepared for delivery).

⁶ *Id.*

mentioned FIRE lawsuit against Los Angeles Pierce College, arguing that the student plaintiff pled violations of his First Amendment rights on campus.⁷

- ii. **JJC’s requirements that students register use of the FSA in advance and obtain pre-approval of all distributed materials similarly fails constitutional scrutiny**

In addition to requiring that students request use of the FSA at least five business days in advance, Policy 3.11 notes that upon requesting to use the FSA, any student wishing to distribute literature must submit a “Distribution of Printed Materials Request Form” and an exact copy of all materials. The policy further notes: “Literature/material for display purposes must have the approval of the Office of Student Services and Activities prior to posting.”

Administrative procedures requiring a speaker to obtain a license, permit, or to register before engaging in expression are highly disfavored under long-established law and difficult to justify. *See N.Y. Times v. United States*, 403 U.S. 713, 714 (1971) (“Any system of prior restraints of expression comes to this Court bearing a heavy presumption against its constitutional validity.”) (internal quotation marks omitted). The First Amendment does not allow—and courts will not uphold—broad permitting schemes that place a significant burden on speech and are not sufficiently tailored to serve an important government interest. In *Watchtower Bible and Tract Society of New York, Inc. v. Village of Stratton*, 536 U.S. 150 (2002), the Court struck down a village ordinance prohibiting all door-to-door canvassing without a permit, reasoning that the ordinance was not sufficiently tailored to meet the government’s interests in preventing fraud and crime and protecting privacy. *Id.* at 168–69. *See also Weinberg v. City of Chi.*, 310 F.3d 1029, 1039–40 (7th Cir. 2002) (citing *Watchtower* and finding that permit requirement for peddling on public sidewalk did not further significant government interest). At the same time, the village’s permitting scheme placed a substantial burden on citizens’ First Amendment rights by entirely preventing anonymous and spontaneous speech and by deterring speakers who do not wish to seek a license. *Watchtower*, 536 U.S. at 166–68. The *Watchtower* Court observed:

It is offensive—not only to the values protected by the First Amendment, but to the very notion of a free society—that in the context of everyday public discourse a citizen must first inform the government of her desire to speak to her neighbors and then obtain a permit to do so.

Id. at 165–66.

Moreover, courts will strike down permitting systems “without narrow, objective, and definite standards to guide the licensing authority.” *Shuttlesworth v. Birmingham*, 394 U.S. 147, 151 (1969). *See also City of Lakewood v. Plain Dealer Publ’g Co.*, 486 U.S. 750, 770 (1988) (permit requirements must have clearly delineated standards). The *Shuttlesworth* Court

⁷ U.S. Statement of Interest, *Shaw v. Burke*, No. 17-cv-02386 (C.D. Cal. Oct. 24, 2017), ECF No. 39.

struck down an ordinance requiring a permit for parades and demonstrations where it vested “virtually unbridled” authority on government actors to decide what permits to grant or deny. 394 U.S. at 150. *See also Weinberg*, 310 F.3d at 1045–46 (peddling permit requirement granting unbridled discretions held to be unconstitutional prior restraint).

Under these and other rulings, Policy 3.11 is an unconstitutional prior restraint on speech. Like the *Watchtower* ordinance, this policy prevents JJC students from engaging in spontaneous speech on campus, and as the *Watchtower* court noted, “The mere fact that the [government rule] covers so much speech raises constitutional concerns.” 536 U.S. at 165. *See also Williams*, 2012 U.S. Dist. LEXIS 80967, at *20 (S.D. Ohio June 12, 2012) (declaring that similar policy “violates the First Amendment and cannot stand” and noting that “the mere fact that the notice requirement applies to all student speech raises constitutional concerns.”). Moreover, Policy 3.11 contains no “narrow, objective, and definite standards” to guide the Office of Student Services and Activities in its decision-making authority. *See Shuttlesworth*, 394 U.S. at 150. Instead, JJC’s policy permits students to exercise their First Amendment rights only at the discretion of an administrator possessing broad, subjective power to censor. This is unacceptable and violates the rights of Salazar and her fellow JJC students.

III. CONCLUSION

The Joliet Junior College Police Department’s harsh and punitive treatment of Salazar for engaging in core political speech on campus is a shocking affront to the First Amendment rights that the college is legally bound to uphold. Joliet Junior College’s unconstitutional speech codes present an equally clear threat to student expressive rights and are impermissible under the First Amendment.

In order to remedy this wrong and comply with its legal obligations as a public institution bound by the Constitution, Joliet Junior College must immediately:

- Apologize to Ivette Salazar;
- Provide appropriate compensation;
- Confirm that she will face no disciplinary or criminal charges for distributing flyers on November 28;
- Revise its unconstitutional policies;
- Conduct First Amendment training for its staff and police department; and
- Make clear to the campus community that students will never again face detention for exercising their constitutional rights.

FIRE is committed to using all the resources at its disposal to see this matter through to a just conclusion.

The demands made herein shall not prejudice or waive any rights or remedies that Salazar may have with respect to this matter, all of which are expressly reserved. We have enclosed

with this letter a signed FERPA waiver from Ivette Salazar as Attachment B, permitting you to fully discuss this case with FIRE.

Due to the urgency of this matter, we request a response to this letter by no later than 5:00 p.m. Eastern Time on December 11, 2017.

Sincerely,



Ari Z. Cohn, Esq.
Director, Individual Rights Defense Program



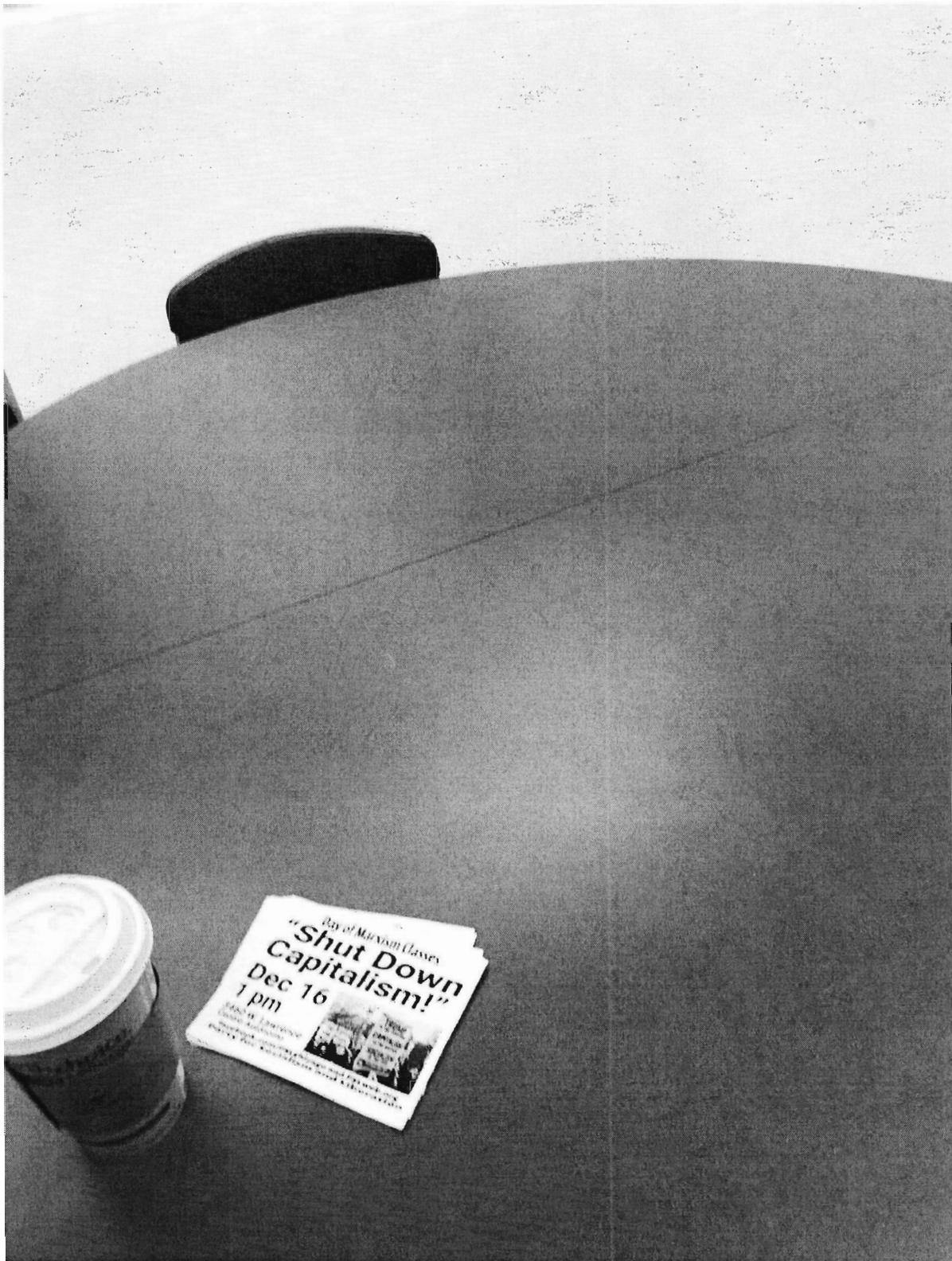
Marieke Tuthill Beck-Coon, Esq.
Director of Litigation

Encls.

cc:

Dr. Yolanda Isaacs, Vice President of Student Development
Pam Dilday, Director, Student Activities and Student Life
Robert J. Wunderlich, Chairman, Board of Trustees

Attachment A



Attachment B

I, Ivette Salazar, hereby waive any privacy rights or protections with regard to conversations about my current status and/or dispute (see the attached letter) with Joliet Junior College and authorize a full discussion and disclosure of all matters pertaining to this situation to any staff member of the Foundation for Individual Rights in Education, Inc. (FIRE).

In waiving such protections, I am complying with the instruction to "Identify the party or class of parties to whom the disclosure may be made" as stated at http://www.ed.gov/policy/gen/reg/ferpa/rights_pg18.html under the authority of *20 U.S.C. 1232g(b)(2)(A)*.

This specific waiver does not extend beyond the Foundation for Individual Rights in Education, Inc.

I also consent that FIRE may disclose information obtained with regard to this dispute, but only the information that I authorize.



12/01/2017

Student's Signature

Date



Ari Cohn <ari@thefire.org>

Joliet Junior College

Carl Buck <cbuck@rcklawfirm.com>

Fri, Dec 15, 2017 at 10:29 AM

To: "ari@thefire.org" <ari@thefire.org>

Cc: "Lorien E. Schoensted" <lschoensted@rcklawfirm.com>, Deborah Hoekstra <dhoekstra@rcklawfirm.com>

Mr. Cohn:

In reference to your email provided below, please be advised that Joliet Junior College has communicated with Ms. Salazar pursuant to the policies established by the Board of Trustees for resolving disputes within the campus. Please direct any future correspondence from yourself to my office.

Thank you for your assistance.

Happy Holidays.

Carl Buck

Carl R. Buck

Rathbun, Cservenyak & Kozol, LLC

3260 Executive Drive

Joliet, IL 60431

(815) 730 – 1977

cbuck@rcklawfirm.com

From: Isaacs, Yolanda [mailto:yisaacs@jjc.edu]

Sent: Friday, December 08, 2017 2:26 PM

To: Salazar, Ivette, 0096 <isalaz30@stu.jjc.edu>

Cc: Theard, Tracy <ttheard@jjc.edu>

Subject: Follow up Correspondence From Joliet Junior College

Importance: High

Sensitivity: Confidential





December 8, 2017

Ivette Salazar
15780 Rolland Drive
Manhattan, IL 60442

Dear Ivette Salazar:

Joliet Junior College (JJC) is in receipt of a letter from The Foundation for Individual Rights in Education (FIRE) that was sent on your behalf dated December 4, 2017. The letter discusses an incident that occurred at JJC on November 28, 2017.

I would like to schedule a meeting with you to discuss your concerns related to the incident. Please contact my senior administrative assistant, Tracy Theard, at

(815) 280-6690 to schedule a convenient time to meet.

Sincerely,

Dr. Yolanda Farmer

Dr. Yolanda Farmer
Vice President of Student Development

From: Ari Cohn [mailto:ari@thefire.org]
Sent: Tuesday, December 12, 2017 9:22 AM
To: Tierney, Joan <jtierney@jjc.edu>; President <President@jjc.edu>
Cc: Marieke Tuthill Beck-Coon <marieke@thefire.org>
Subject: FIRE's correspondence on behalf of Ivette Salazar

Dear President Mitchell and Chairman Wunderlich:

We write this morning regarding our letter of December 4, 2017. That correspondence requested a reply by December 11. Pursuant to President Mitchell's December 6 confirmation, we anticipated receiving a response by that date. Unfortunately, we received neither a reply nor a request for additional time to respond.

The infringement of Ivette Salazar's constitutional rights is an urgent matter of the utmost importance. Accordingly, please inform us by no later than 4:00 p.m. CST today, December 12, whether Joliet Junior College intends to reply to our December 4 letter, and, if so, when we will receive such a response. In the absence of a reply, FIRE remains prepared to take any action necessary to vindicate Ms. Salazar's rights.

Regards,

Ari Cohn, Esq.

Marieke Tuthill Beck-Coon, Esq.

Ari Z. Cohn

, Esq.

Director, Individual Rights Defense Program
Foundation for Individual Rights in Education

510 Walnut Street

Suite 1250

Philadelphia, PA 19106
(215) 717-3473

ari@thefire.org



December 8, 2017

Ivette Salazar
15780 Rolland Drive
Manhattan, IL 60442

Dear Ivette Salazar:

Joliet Junior College (JJC) is in receipt of a letter from The Foundation for Individual Rights in Education (FIRE) that was sent on your behalf dated December 4. The letter discusses an incident that occurred at JJC on November 28, 2017.

I would like to schedule a meeting with you to discuss your concerns related to the incident. Please contact my senior administrative assistant, Tracy Theard, at 815-280-6690 to schedule a convenient time to meet.

Sincerely,

A handwritten signature in cursive script that reads "Dr. Yolanda Farmer".

Dr. Yolanda Farmer
Vice President of Student Development



1/10/2018

Foundation for Individual Rights in Education Mail - Joliet Junior College



Marieke Tuthill Beck-Coon <marieke@thefire.org>

Joliet Junior College

Carl Buck <cbuck@rcklawfirm.com>
To: Marieke Tuthill Beck-Coon <marieke@thefire.org>

Tue, Dec 19, 2017 at 10:19 AM

As a student at an institution of higher education in the State of Illinois, Ms. Salazar is aware of her obligations. Thank you for your correspondence.

Carl Buck

Carl Buck

Rathbun, Cservenyak & Kozol

(815) 730 – 1977

cbuck@rcklawfirm.com

From: Marieke Tuthill Beck-Coon [mailto:marieke@thefire.org]
Sent: Friday, December 15, 2017 11:28 AM
To: Carl Buck <cbuck@rcklawfirm.com>
Cc: Ari Cohn <ari@thefire.org>
Subject: Joliet Junior College

Mr. Buck,

With regard to the email you sent my colleague Ari Cohn today on Joliet Junior College, your client has been made aware that we represent Ms. Salazar. All communications regarding the incident on campus on November 28 should be directed to me and Mr. Cohn. If your client would like to meet with Ms. Salazar, please ask them to contact us.

Regards,

--

Marieke Tuthill Beck-Coon

Director of Litigation

Foundation for Individual Rights in Education (FIRE)

510 Walnut Street. Suite 1250

<https://mail.google.com/mail/u/0/?ui=2&ik=58b359b39b&jsver=pkG7biCEwPU.en.&view=pt&msg=1606f5b721a9f786&q=label%3Acases-joliet-junior-college-sala...> 1/2



1/10/2018

Foundation for Individual Rights in Education Mail - Joliet Junior College

Philadelphia, PA 19106

tel: 215-717-3473

fax: 215-717-3440

thefire.org

This communication may contain information that is confidential or privileged. Unless you are the addressee (or authorized to receive this message by the addressee), you may not use, copy, or disclose the contents of this message or information contained in this message to anyone. If you believe that you have received this message in error, please advise the sender and delete this message.

<https://mail.google.com/mail/u/0/?ui=2&ik=58b359b39b&jsver=pkG7biCEWPU.en.&view=pt&msg=1606f5b721a9f786&q=label%3Acases-joliet-junior-college-sala...> 2/2