

Student Code of Conduct and Student Conduct Process

I. Preamble

Suffolk County Community College is primarily concerned with academic achievement, the growth and development of its students, and the wellness and safety of the members of its community. In addition, the College is committed to preserving peace, supporting a moral and just climate, meeting its contractual obligations, and protecting its property and that of its community members. It is important to treat all students with equal care, concern, honor, fairness and dignity. The College, therefore, has established this Student Code of Conduct to communicate its expectations of students as positive members of the College community.

II. Rationale

The primary purpose of the Student Code of Conduct and Student Conduct Process is to protect the campus community and foster a safe, non-threatening environment that advances the academic mission of the College. Accordingly, students and student organizations will be held accountable for violations of College regulations and policies, although within this context, reasonable efforts will also be made to foster the personal and social development of all parties involved.

III. Definitions

When used in the Code of Conduct:

1. The term "College" means Suffolk County Community College including its Ammerman, Eastern, and Grant campuses, extension centers, the Suffolk Community College Association, Inc. and any other premises utilized by the College or the Association.
2. The term "College premises" means all buildings or grounds owned, leased, operated, controlled or supervised by the College or Association.
3. The term "College-sponsored activity" means any activity on or off campus which is initiated, aided, authorized or supervised by the College or Association.
4. The term "College official" means any person employed by the College or Association performing assigned administrative or professional responsibilities.
5. The term "faculty member" means any full-time or part-time faculty member employed by the College.
6. The term "student" means a person either enrolled in or auditing credit or non-credit courses at the College, on either a full-time or part-time basis. Persons who have been notified of their acceptance for admission and have confirmed their future attendance at the College shall also be responsible for abiding by the Code of Conduct.
7. The term "organization" means any number of persons who have complied with the College requirements for registration/recognition as an organization.
8. The term "group" means a number of persons who are associated with each other and who have not complied with College requirements for registration/recognition as an organization.
9. The term "distribution" means the sale or exchange with or without personal profit.
10. The term "knowing" means conduct one undertakes with reasonable awareness.
11. The term "reckless" means conduct one should reasonably be expected to know would create a substantial risk of harm to person or property, or which would otherwise be likely to result in interference with normal College or College-sponsored activities.
12. The terms "will" and "shall" are used in the imperative sense.
13. The term "respondent" includes students, non-students, groups, or student organizations accused of alleged violations of the Student Code of Conduct.
14. The term "Complainant" means any student, non-student, group, or student organization who submits a charge alleging that a student violated the Code of Conduct.
15. The term "conduct body" shall refer to the Senior College Student Affairs Administrator or his/her designee, the Senior Campus Student Affairs Administrator or his/her designee, the campus Student Conduct Board, or the Senior Campus Administrator or his/her designee (for appeal purposes only).

16. The term “Student Conduct Board” means any person or persons authorized by the Senior College Student Affairs Administrator or the Senior Campus Student Affairs Administrator or his/her designee to determine whether a student has violated the Student Code and to recommend sanctions that may be imposed when a rules violation has been committed.

IV. Authority for Administration of the Student Code of Conduct

The College President has designated the Senior College Student Affairs Administrator and the Senior Campus Student Affairs Administrator on each campus as the persons responsible for the implementation of the Student Code of Conduct and the Student Conduct Process at the College. The Senior College Student Affairs Administrator or the Senior Campus Student Affairs Administrator will coordinate the Student Conduct Process to include the composition of the Student Conduct Boards and the imposition of sanctions upon any student(s) found to have violated the Student Code of Conduct. The Senior College Student Affairs Administrator or the Senior Campus Student Affairs Administrator may serve simultaneously as a member of the Student Conduct Board. Decisions made by a Student Conduct Board or the Senior College Student Affairs Administrator or the Senior Campus Student Affairs Administrator shall be final, pending the outlined appeal process.

V. Interpretation of Regulations

Student conduct regulations at the College are set forth in writing in order to give students general notice of prohibited conduct. The regulations should be read broadly and include, but are not limited to, items contained under Section VI below.

VI. Jurisdiction and College Regulations

The College reserves the right to take any necessary and/or appropriate steps to protect the safety and well-being of the College community. While the jurisdiction of the College shall generally be limited to conduct which occurs on College premises or at College-sponsored events, a student who is charged with a felony as a result of off-campus behavior, and who represents a risk to the health or safety of the College community, may also be subject to student conduct action. In addition, the jurisdiction may be extended when a student, or a student organization, commits a prohibited act off campus against a student or employee of the College, or against the College itself, when such act is related to the student’s or victim’s status at the College. Although not all inclusive, the following actions, activities or behaviors are expressly prohibited:

1. Engaging in any form of academic dishonesty as follows:

The term “academic dishonesty” includes, but is not limited to, cheating on an examination; plagiarizing, that is, the taking and passing off as one’s own work the ideas, writings, or work of another, without citing the source; submitting work from another course unless receiving advance approval to do so by the instructor; stealing or possessing stolen examinations or course materials; posing as another person or allowing another person to pose as oneself; falsifying academic records; receiving help from others in work to be submitted, if contrary to stated course rules.

2. Engaging in any behavior that is discriminatory or harassing of any individual as follows:

The term “discriminatory or harassing behavior” is any unwelcome conduct directed at a person because of his/her gender, race, color, creed, ethnicity, religion, age, marital status, veteran status, national origin, sexual orientation, or disability that creates a hostile, offensive or intimidating learning or working environment.

3. Intentionally, knowingly or recklessly causing physical harm to any person, or engaging in conduct that threatens, intimidates, harasses or endangers the health or safety of any person, or causing reasonable apprehension of such harm or threat.

4. Intentionally, knowingly or recklessly engaging in disruptive behavior, as follows:

The term “disruptive behavior” shall include, but not be limited to the following:

- a. behavior that causes a disruption to either academic endeavors or the administrative operation of the College;
- b. conduct that disrupts any authorized or sponsored College event;
- c. the blocking of an entrance, exit, or access to any College facility, area, road, stairway and/or walkway;
- d. behavior that could endanger life or property;
- e. behavior that infringes on the rights of other members of the College community; and
- f. leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area.

5. Conduct which is lewd or indecent.
6. The use of electronic or other devices to make an audio, video or photographic record of any person or thing while in the classroom without the prior permission of the instructor and/or the use, in any locker room, changing room or restroom, of electronic or other devices, such as cameras or camera phones, to make a video or photographic record.
7. Abusing, harassing, or coercing any person in a threatening or intimidating manner, either verbally, in writing, or through electronic or other means (when judged from the perspective of a reasonable person in the position of the complaining individual).
8. Failing to comply with the lawful direction of a faculty member, College official or law enforcement officer acting in performance of his/her duties, and/or failing to identify oneself to these persons when requested to do so.
9. Consuming, possessing or distributing alcoholic beverages on College premises or at College-sponsored activities, except as authorized in accordance with official College policies.
10. Unlawfully possessing, distributing, or using any drug, narcotic, hallucinogen or similar chemical agent that is controlled or prohibited by law.
11. Engaging in any intentional, unintentional, knowing or reckless act which results in damage or destruction of College property, equipment, facilities, systems, intellectual property, vehicles, vessels or the vehicles or property of another, or causes the obstruction of the free flow of pedestrian or vehicular traffic on College premises or at College-sponsored or supervised events.
12. Stealing College property or services, or stealing property of any person, or distributing stolen property on College premises.
13. Gambling on College property or at College-sponsored activities, except as authorized by the President or his/her designee.
14. Possessing or using fireworks on College property or at College-sponsored activities, except as authorized by the President or his/her designee after receipt of any necessary permits.
15. Possessing, using, or threatening others with firearms, explosives, hazardous materials, or weapons on College property or at College-sponsored activities, except by certified law enforcement officers either on duty or otherwise acting in accordance with the requirements of their position. Note that the term "weapon" shall include any object or substance that is designed to, or used to, or reasonably can be used to, inflict physical harm, cause injury, or incapacitate.
16. Tampering with any College-sponsored student election.
17. Tampering with, or the unauthorized use of, fire safety equipment such as extinguishers, smoke detectors, alarm pull stations or emergency exits, including activating a false fire alarm, failing to evacuate a facility during the sounding of a fire alarm or upon the direction of a staff member, or attempting to re-enter the building without permission of the proper authorities.
18. Violation of traffic safety and parking regulations.
19. Forging, altering or misusing any College document, record, or instrument of identification (including student identification cards, passwords, PIN numbers) to seek or obtain privileges not ordinarily provided, or permitting someone else to make such use.
20. Failing to obtain a student identification card, to carry the card whenever on College premises, or to present it when requested by any College official or faculty member.
21. Engaging in any act of hazing, or any other method of initiation into a student, school, athletic, fraternal or College organization, or any pastime or amusement with respect to such organization that either endangers or inflicts physical or psychological harm, or creates substantial risk of physical or psychological harm to oneself or another person, whether entered into on a voluntary or involuntary basis, to include, but not be limited to, the forced consumption of alcohol.
22. Intentionally furnishing false information to any College official, faculty member or College office.

23. Abusing the College student conduct process, including but not limited to falsifying, distorting or misrepresenting information before a conduct officer or body; instituting a student conduct code proceeding in bad faith; attempting to influence or discourage an individual's proper participation in, or use of, the student conduct system; harassing verbally or physically and/or intimidating a member of a student conduct body; or failing to comply with the terms of any disciplinary sanction imposed.
24. Possessing, duplicating, distributing or using keys to any College premises without authorization.
25. Being present in or using College premises, facilities or property without authorization.
26. Displaying or distributing advertisements at a time, place or manner in violation of College policy or County law.
27. Smoking or the use of smokeless/chewing tobacco in College buildings or in College owned/operated vehicles, or within 50 feet of any College building.
28. Using skates or skateboards on College property; using bicycles on College property in an unsafe manner.
29. Permitting privately owned animals on College premises or to enter into any College facility, except as may be authorized for individuals with documented disabilities who may need such assistance, or as authorized to fulfill a class assignment, or as necessary to participate in a College-sponsored program or activity.
30. Misusing, or using without authority or in violation of law, the College's information technology or telecommunications systems, including but not limited to the unauthorized or illegal use or misuse of College phone/Audix, computer, and/or network systems; the violation of the College's Information Technology Policies and Guidelines; the unauthorized entry or dissemination of electronic information; prank, threatening or harassing calls or e-mail messages; the hacking, duplication or unauthorized use of copyrighted software; destruction, unauthorized transfer or alteration of electronic files; and unauthorized use of another individual's electronic identification number, such as password, user name, ID number, Social Security number, PIN, etc.
31. Violating any local, state or federal law on College premises or at College events.
32. Failure to comply with other College policies as outlined in the Student Handbook, College Catalog, College Web site, or other official College publications.

Students may be held accountable to both civil authorities and to the College for acts which constitute violations of the law and this Code of Conduct. The College may proceed with the student conduct process while the criminal proceedings are in progress, and will not be subject to a challenge based upon the grounds that criminal charges connected with the same incident are pending, have been dismissed, reduced, resolved in favor of or against the criminal law defendant, or withdrawn.

VII. Interim Suspension

When there is evidence that the continued presence of a person on the College premises may pose a threat to herself/himself or to others, or may substantially impede the lawful functions of the College, the Senior College Student Affairs Administrator and/or the Senior Campus Student Affairs Administrator may suspend the student from the College or a specified class or classes, restrict the student's access to College programs or services, or bar the student from the campus, for an interim period of time pending action taken under this Code of Conduct.

Faculty members/College officials may direct that a student whom they believe to be engaging in disruptive behavior in their class, office, College sponsored activity or service area to leave for the remainder of the period or day. Faculty members/College officials are encouraged to notify the Senior College Student Affairs Administrator and the Senior Campus Student Affairs Administrator of the incident within one business day of the action. If the issue cannot be resolved informally, the faculty member/College official may file formal conduct charges against the student, and request in writing that the Senior College Student Affairs Administrator and/or the Senior Campus Student Affairs Administrator impose an interim suspension pending action on the allegation. The Senior College Student Affairs Administrator or the Senior Campus Student Affairs Administrator shall respond to the request, if possible, before the next class session or work day stating the reasons for the imposition or non-imposition of the requested interim suspension. Should an interim suspension be imposed, every effort should be made to schedule the conduct hearing as soon as possible. In the absence of additional action taken by the Senior College Student Affairs Administrator and/or the Senior campus Student Affairs Administrator, the student will be allowed to return to the class, office, or service area during the next period or day.

VIII. The Student Conduct Board

The Student Conduct Board is the College body designated by the Senior College Student Affairs Administrator or the Senior Campus Student Affairs Administrator to hear, when appropriate, student conduct cases. The Conduct Board shall consist of four individuals, including the Senior College Student Affairs Administrator or his/her designee, and three other individuals selected by the Senior Campus Student Affairs Administrator. These three individuals must include a minimum of one student and one faculty member. The Senior College Student Affairs Administrator or his/her designee shall be the non-voting Chair of the Board. Persons who are to be participants in the hearing process, or have been involved in the alleged incident, or have a unique relationship with a student participant in the particular incident, shall be disqualified from serving on the Board.

There shall be a single verbatim record, such as a tape recording, of all hearings before the Student Conduct Board. The record shall be the property of the College. A respondent student appearing before the Board may request access to the record via the Office of the Senior College Student Affairs Administrator. Any financial costs associated with obtaining a copy of this record will be the responsibility of the requesting student.

IX. Student Conduct Process

Any member of the College community may file a charge against any student for an alleged violation of the Student Code of Conduct. The Senior Campus Student Affairs Administrator, either as the complainant or recipient of a written complaint, shall review the facts and documentation to determine whether sufficient conditions exist to support the initiation of the student conduct process. If so, the Senior Campus Student Affairs Administrator shall, without determining whether a violation of the Code of Conduct has occurred, notify the student in writing of the alleged incident, any charges that may have been filed, as well as the date, time, and location for any hearing or meeting that may have been scheduled. This letter will be personally delivered or sent via certified or registered mail (US Postal Service) to the address which the student has provided the College as his/her official address. Included with the letter will be a copy of the Student Code of Conduct and Student Conduct Process. A student will be given a minimum of three business days to prepare for a hearing and shall have the right to meet with the Senior Campus Student Affairs Administrator prior to the hearing to review the case file, clarify the process, ask questions, etc. The student may waive, in writing, the requirement of either the written notice, or the three business days to prepare for the hearing.

The Senior Campus Student Affairs Administrator may adjudicate any matter when in his/her determination the level of sanction for the violation of alleged regulations, if so determined, would result in a sanction no more severe than probation without the loss of privileges. Should the Senior Campus Student Affairs Administrator or his/her designee determine that the incident could result in a sanction greater than probation without the loss of privileges; the case would then be decided by the Student Conduct Board unless both the student and the Senior Campus Student Affairs Administrator or his/her designee agree to have the case decided solely by the Senior Campus Student Affairs Administrator.

A student with a physical, emotional or psychological condition who is accused of an alleged violation of the Code of Conduct should not be diverted from the student conduct process unless the Senior Campus Student Affairs Administrator or his/her designee determines that the medical suspension procedure would be more appropriate. The decision to implement the student conduct process or medical suspension process is the responsibility of the Senior Campus Student Affairs Administrator or his/her designee, in consultation with the Senior College Student Affairs Administrator.

The following procedures shall apply to all student conduct proceedings unless otherwise specified:

1. The student shall be granted access to the case file to assist with the preparation for the hearing. The student must take the initiative to obtain this information.
2. Only the Senior Campus Student Affairs Administrator may grant a postponement of a hearing to allow additional time for preparation or for other valid reasons.
3. All student conduct hearings shall be of a nature as to provide all parties with the full opportunity to present all sides of an issue in detail. The ability to question witnesses shall be accorded all parties as determined by the Senior Campus Student Affairs Administrator or his/her designee or the Chair of the Student Conduct Board. Pertinent records, exhibits and written statements, as determined by the Senior Campus Student Affairs Administrator or Chair of the Student Conduct Board, may be accepted as evidence.
4. All parties have the right to be assisted by an advisor they choose, at their own expense. An advisor's role is limited to that of a personal consultant. Advisors are permitted to attend the hearing, but are not permitted to participate in any portion of the hearing or to speak on behalf of any party. As such, all parties are responsible for presenting their own case. Should an individual choose to have an advisor present at the hearing, s/he must notify the Senior Campus Student Affairs Administrator of this decision at least two business days in advance of the

scheduled hearing if the advisor is an attorney and at least one business day in advance of the scheduled hearing in all other cases.

5. All parties shall be provided the opportunity to present their rationale either in support of or against the alleged charges and to produce oral testimony and/or written statements of any witness, and/or documentary evidence.
6. Should a student elect not to appear at a scheduled hearing, the hearing will proceed in his/her absence.
7. All student conduct proceedings are closed to the public. Hearing participants are limited to the student(s) charged, the complainant(s), their advisor(s), witness(es), and members of the conduct body. The student(s) charged, the complainant(s), their advisors, and members of the conduct body should be present throughout the hearing. However, should the hearing involve a minor student; the student will have the option of having the parent(s) or guardian(s) present also. If this occurs, the parent(s) or guardian(s) are not permitted to address the Conduct Board or to speak on behalf of the student. In the event that any party selects an attorney as an advisor, a representative from the College's Office of Legal Affairs may also attend the hearing.
8. The Senior Campus Student Affairs Administrator or Chair of the Student Conduct Board shall exercise control over the hearing at all times.
9. The presence of witnesses in the hearing shall be limited to the presentation of their relevant information, and their questioning by either the student(s), complainant(s), or members of the conduct body. Witnesses shall be required to present only relevant, truthful information. Student witnesses who knowingly provide false information to a conduct body may be subject to student conduct action.
10. All students are considered not in violation of the Code of Conduct unless determined otherwise by a conduct body.
11. Prior student disciplinary history is not permitted to be included in the conduct body's determination of the violation of the Code of Conduct. Should a student be found responsible for violating the Code of Conduct, any previous violations of the Code on any of the College's three campuses will be considered during the sanctioning phase of the process.
12. All deliberations of the conduct body will be made in closed session, without the presence of the respondent student(s) or complainant(s) or their advisor(s). The role of the Chair during these deliberations shall be limited to serving as a general resource for the Student Conduct Board and providing structure, direction, and clarification as needed (i.e., the Chair shall not attempt to influence the determination of whether or not the student has violated the Code of Conduct). When a determination is made by the Student Conduct Board, it shall be determined by majority vote. A determination of the violation will be based solely upon the evidence presented.
13. A violation of the Student Code of Conduct must be established by a preponderance of the evidence presented for sanctions to be imposed.
14. Should the student(s) be found in violation of the Code of Conduct, the conduct body will, in closed session, determine any sanction(s). Factors to be used in determining sanctions include, but are not limited to, the severity of the violation, any previous student disciplinary history, the demeanor of the student, and the general welfare of members of the College community.
15. Members of the conduct body shall act objectively and free of personal bias.
16. In cases where the Senior Campus Student Affairs Administrator did not either hear the case or serve as Chair of the Student Conduct Board, the conduct findings shall be submitted to the Senior Campus Student Affairs Administrator along with a record of the hearing. A copy of the findings shall be sent by the Senior Campus Student Affairs Administrator to the student by either personal delivery or via certified or registered mail (US Postal Service) to the student's official home address within three business days of the decision.
17. Students shall have the right to appeal a decision for appropriate cause. (Please refer to the Appeal Process section below.)
18. Student disciplinary information and files are confidential as per the federal Family Educational Rights and Privacy Act (FERPA). Therefore, all participants in a conduct proceeding are required to consider all information and decisions related to the proceedings to be confidential. Any student who fails to adhere to this expectation may be subject to disciplinary action. The College will only disclose the final outcome of a student conduct hearing to the respondent, the victim of an act of violence or a non-forcible sex offense, as defined by the FBI Uniformed Crime Code (as per the Higher Education Reauthorization Act), and to College officials and faculty members who have a legitimate educational interest in the outcome.

19. Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in Student Conduct proceedings.

In the event that a complaint is filed against a student and either the Senior Campus Student Affairs Administrator subsequently determines that sufficient conditions do not exist to support the initiation of the student conduct process, the complainant shall have five business days from receipt of such notice to file a written appeal to the Senior College Student Affairs Administrator or his/her designee, who shall review the file and within five business days, determine whether to uphold the decision of the Senior Campus Student Affairs Administrator. If the Senior College Student Affairs Administrator affirms the decision of the Senior Campus Student Affairs Administrator, the complaint is dismissed. If the Senior College Student Affairs Administrator upholds the complainant's appeal, the Senior Campus Student Affairs Administrator shall be directed to initiate the student conduct process.

X. Special Procedures for Academic Dishonesty

If a faculty member concludes that a student has committed an act of academic dishonesty, the faculty member may initiate student conduct action through the Senior Campus Student Affairs Administrator and/or may notify the student that s/he has imposed any of the following penalties:

1. require that the student repeat the assignment or the examination; or
2. give the student a failing grade for the assignment or examination; or
3. give the student a failing grade in the course and deny the student continued access to the class.

Should the student believe that s/he has been wrongly or unfairly accused of academic dishonesty, the student shall have the right to pursue the matter through the Grade Grievance Process.

The Office of the Senior College Student Affairs Administrator and/or the Senior Campus Student Affairs Administrator shall maintain all records of documented acts of academic dishonesty. Should a faculty member or academic administrator conclude that a student has committed an act of academic dishonesty, s/he is encouraged to report the matter to the Senior Campus Student Affairs Administrator in order to determine whether the accused student has a previous record of academic dishonesty at any of the College's three campuses. If so, the matter should then be referred to the Student Conduct Process in addition to any penalty that may have been imposed by the faculty member.

The foregoing procedure shall also apply in those cases when a final grade has already been entered on the student's academic record. In this event, should a finding of academic dishonesty result in a grade change for a course, any determinations made by the College which in part were based on the grade in question, such as the awarding of a degree or admission into a restricted program, shall be subject to review and revocation.

XI. Special Procedure for Discrimination or Harassment Complaints

Complaints of discrimination or harassment based on gender, race, color, creed, ethnicity, religion, age, marital status, veteran status, national origin, sexual orientation, or disability shall be handled pursuant to the College's Anti-Discrimination Policy or Sexual Harassment Policy, as appropriate.

In the event that a sexual harassment complaint is filed against a student and the Senior Campus Student Affairs Administrator subsequently determines that sufficient conditions do not exist to support the initiation of the student conduct process, the complainant shall have five business days from receipt of such notice to file a written appeal to the Senior College Student Affairs Administrator or his/her designee. The Senior College Student Affairs Administrator shall review the file and, within five business days, determine whether or not to uphold the decision of the Senior Campus Student Affairs Administrator. If the Senior College Student Affairs Administrator affirms the decision of the Senior Campus Student Affairs Administrator, the complaint is dismissed. If the Senior College Student Affairs Administrator upholds the complainant's appeal, the Senior Campus Student Affairs Administrator shall be directed to initiate the student conduct process.

XII. Sanctions

One or more of the following sanctions may be imposed for violation(s) of the Code of Conduct:

1. Expulsion: permanent separation of the respondent from the College. Permanent notification will appear on the respondent's College transcript. The respondent will also be barred from all College facilities, property and events, and will have his/her ID card confiscated and invalidated. There shall be no reimbursement of any tuition and fees.
2. Suspension: separation of the respondent from the College for a specified period of time. Notification will appear on the respondent's transcript until the respondent is eligible for readmission to the College. The respondent shall not participate in any College-sponsored activity, will be barred from College facilities and properties unless

specific permission is granted by the Senior Campus Student Affairs Administrator, and will have his/her ID card confiscated and/or invalidated for the period of the suspension. There shall be no reimbursement of any tuition and fees.

3. Probation with Loss of Privileges: the respondent is reprimanded in writing and warned that a more severe disciplinary sanction may result in the event of further violations of any College regulation within a designated period of time. In addition, the respondent shall not serve on College committees, nor represent the College in athletics or any co-curricular activity, or run for or hold office in any student group or organization. Additional restrictions or conditions may also be imposed, such as removal from a course when appropriate. Notification may be sent to appropriate College offices, including the Offices of Campus Activities, Athletics and Theatre.
4. Probation without Loss of Privileges: the respondent is reprimanded in writing and warned that a more severe disciplinary sanction may result in the event of further violations of any College regulation within a designated period of time.
5. Warning: the respondent is warned in writing that he or she has violated the Code of Conduct.
6. Restitution: the respondent is required to make payment to the College or to other person(s), group(s), or organization(s) for damages incurred as a result of the violation of this Code.
7. Community Service: the respondent is required to engage in a campus or community service project, and is required to submit written proof of attendance to include, but not be limited to, the submission of a written report pertaining to the service performed, and the impact that it had upon the respondent.
8. Other Sanctions: other sanctions such as an oral or written apology, and/or additional educational/behavioral sanctions may be imposed instead of or in addition to those specified in sanctions (1) through (7) listed above.
9. Sanctions for group or organization violations may include revocation or denial of registration, funding, as well as other appropriate sanctions.

XIII. Appeals Process

Student disciplinary actions may be appealed by the respondent to the Senior Campus Administrator or his/her designee. As a general rule, the sanctions resulting from a disciplinary decision will be considered to be in place and enforced until such time as determined otherwise by the Senior Campus Administrator. The appeal must be made by the student in writing, and delivered to the Office of the Senior College Student Affairs Administrator or the Senior Campus Student Affairs Administrator within five business days of the delivery of the written statement of the disposition of the case. The written appeal will then be forwarded to the Senior Campus Administrator. In appealing a judicial decision, except as noted below, the appeal must fall into one of the following categories:

1. the student has new evidence available that was not available prior to the original hearing;
2. the conduct process, as outlined in the Student Code of Conduct and Student Conduct Process, was not adhered to during the student's original hearing, resulting in a significant impact on the final outcome of the hearing; or
3. the sanctions do not relate appropriately to the violation.

In addition, in cases in which the student conduct body has imposed either suspension or expulsion as a sanction, the respondent shall have the added right to appeal if s/he believes that the facts in the case were not sufficient to establish that a violation of the Code had occurred.

The Senior Campus Administrator, or his/her designee, will review the file, including the reasons for the appeal, and will then:

1. determine if a meeting with the student is appropriate; or
2. make a determination of the appeal based upon the information contained in the written request and the file.

The Senior Campus Administrator will retain the option of meeting with the student to obtain any additional information that s/he determines may be necessary to make a decision. The appeal may result in one of the following actions:

1. affirmation of the original decision and sanction(s);
2. reversal of the original decision and sanction(s);
3. affirmation or reversal of the original decision, and the alteration of the sanction(s) to include modification that could cause either an increase or decrease in the level of the sanction(s); or

4. direction of the case back to the conduct body should it be determined that the conduct process, as outlined in published procedures, was not adhered to, or should the Senior Campus Administrator determine that there is new substantial evidence that was not available to the conduct body during the original hearing.

Students will be notified of the appeal decision either in person, or the notification will be sent via certified or registered mail (US Postal Service) within ten (10) business days of receipt of the written appeal. The decision of the Campus Dean, or his/her designee, shall be the final appeal authority for the College for all cases.

XIV. Disciplinary Records

The Senior College Student Affairs Administrator and/or the Senior Campus Student Affairs Administrator Office shall maintain all student disciplinary records. Such records are confidential and will be kept separately from the student's academic records. In the event that a student is not found in violation of the Code of Conduct, the case file shall be maintained for a period of one calendar year and subsequently destroyed. Student conduct files of all respondents found in violation of the Code of Conduct shall be retained by the Office of the Senior College Student Affairs Administrator and/or the Senior Campus Student Affairs Administrator. Sanctions (3) through (9) shall not be reported to outside agencies after three years from the date that the case was decided, except as may be required by a court order or when the student provides the College with written permission to release the records. Records for students who have been expelled or suspended shall be permanently retained by the Office of the Senior College Student Affairs Administrator and/or the Senior Campus Student Affairs Administrator, and will be reported to outside agencies, with appropriate authorization, indefinitely.

Approved, Board of Directors

August 21, 2008