

## Student Discipline Process



Students who violate College policy or the Student Code of Conduct may be sanctioned by the College. The College Catalog, Student Handbook, Residence Hall Handbook, and College website set forth the guidelines, rules, and regulations of the College.

The Vice President for Student Affairs oversees the disciplinary process and disciplinary meetings may be conducted by the Vice President or designee. Sanctions may include, but are not limited to, monetary fines, restitution, community service, suspension of privileges, probation, suspension, or dismissal. In addition to sanctions by the College, a student may be referred to appropriate authorities for prosecution.

### Discipline Appeal Process

#### The Student

If a violation of College policy occurs that results in disciplinary action by a College official, the student may appeal the College official's decision regarding the sanction to the Vice President for Student Affairs.

Upon receipt of the statement of disciplinary action from a College official, if the student does not concur he/she shall appeal in writing to the Vice President for Student Affairs within 24 hours. This appeal shall set forth the alleged violation and the student's account of it. It shall include the student's interpretation of the College official's decision. And specifically state why the student feels the action taken by the College official was incorrect or inappropriate. This appeal shall be delivered to the Vice President for Student Affairs.

#### The Vice President for Student Affairs

Upon receipt of the appeal by the student, the Vice President for Student Affairs shall confer with the student, the College official, and others who may act as witnesses or provide pertinent information regarding the incident. The Vice President for Student Affairs shall assess the violation and make a decision regarding disciplinary action, if any. Since it is impossible to develop guidelines to fit all conceivable situations, the Vice President for Student Affairs is given broad authority to use subjective evaluation of disciplinary action necessary when no clearly defined guidelines are available or if the Vice President for Student Affairs feels minor deviations from written guidelines are in the best interest of the student, the College, and others who may be concerned. The Vice President for Student Affairs shall advise the student in writing of the student's appellant rights and procedures.

If the student feels that he/she has been treated unfairly by the Vice President for Student Affairs, the student may appeal to the Student Appeals Committee. Upon receipt of the statement of disciplinary action from the Vice President for Student Affairs, the student shall appeal in writing to the Student Appeals Committee within 24 hours. This appeal shall set forth the alleged violation and the student's account of it. It shall include the student's interpretation of the College official's decision, and

specifically state why the student feels the action taken by the College official was incorrect or too harsh. This appeal shall be delivered to the Vice President for Student Affairs. Upon receipt of written appeal, the Vice President for Student Affairs shall immediately notify the Student Appeals Committee and the President of the college. The Vice President for Student Affairs shall provide sufficient copies of all statements, letters, and the appeal of the student to all members of the Student Appeals Committee.

### **The Student Appeals Committee**

The committee is a standing committee and consists of three members of the faculty and the President of the Student Senate. This committee shall be appointed annually by the President and sit for hearings for the academic year. When the written appeal and accompanying papers are received from the Vice President for Student Affairs, the student shall be notified within 24 hours as to the time and place of the hearing.

The committee shall ask the Vice President for Student Affairs for a written account of the alleged offense and the action taken. The committee may call upon the student, the Vice President for Student Affairs, and others for information to assist the committee in its deliberations. The student shall be able to be present throughout the hearing and question any and all witnesses brought before the committee. The student shall not be present after the committee begins executive session to consider the evidence. The student may bring counsel or any advisor he/she wishes to the hearing, but at the student's expense. Student's counsel/advisor may only confer with the student and may not question the witness or the committee.

The committee's function is to determine if:

- (a) The allegation is correct.
- (b) The student is responsible.
- (c) The student had an adequate opportunity to present his/her position to the Vice President for Student Affairs.
- (d) The Vice President for Student Affairs was fair, equitable, and just in his/her decision.
- (e) The student's rights were protected.

If the committee discovers new information during the course of the hearing that was not available to the Vice President for Student Affairs, the information shall be made available to the Vice President for Student Affairs to give an opportunity to re-evaluate his/her position.

If the committee does not agree with the findings or disciplinary action, and the Vice President for Student Affairs and the committee cannot mutually agree upon the action to be taken, then the matter shall be referred to the President of the College for review and assistance in a resolution.

A written response of the findings shall be delivered to the student from the chairperson of the committee within 24 hours after the deliberations have been completed by the committee. If the student genuinely feels that he/she has been unfairly treated by the committee, then the student may appeal in writing directly to the President within 24 hours upon receipt of the committee's ruling.

### **The President**

The President shall review all unresolved issues between the committee and the Vice President for Student Affairs and render a decision. The President shall also receive any written appeal by a student in response to committee action. Within a reasonable period of time, not greater than 72 hours, the President shall:

- (a) Review all information relevant to the appeal;
- (b) Interview any individuals necessary to assist in resolving the appeal; and
- (c) Issue a written decision to the student, the committee chairperson and the Vice President for Student Affairs.

The student shall be advised that he/she may also appeal to the Board of Trustees.

### **The Board of Trustees**

A student who genuinely feels he/she has received unfair treatment may appeal in writing to the Board of Trustees in the same manner as to the Student Appeals Committee. The Board shall respond within 72 hours if at all possible.

The Vice President for Student Affairs and committee shall make their findings and decisions available to the Board in writing upon the Board's request. The Board may call upon the student, Vice President for Student Affairs, Committee Chairperson, or others when the Board feels they may provide insight to the matter.

The function of the Board in this capacity shall be to determine whether or not the committee's decision and action was fair and just. The Board shall advise the student and his/her parent(s) or guardian(s) of its decision in writing within 24 hours if possible. A copy shall be sent to the Vice President for Student Affairs and committee. If a decision cannot be made within 24 hours the Board shall advise the student of a time when a decision will be given. In all cases it shall act quickly as is administratively efficient and effective.

When the Board's decision is made it shall be final and the student who finds it necessary to pursue the matter must do so outside the realm of the college administrative structure.