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## CAMPUS CODE OF CONDUCT

### PURPOSE

The purpose of this procedure is to articulate the expected conduct of individuals at Rowan-Cabarrus Community College. This procedure includes jurisdiction, standards, sanctions, and appeals related to violations of the Campus Code of Conduct.

### DEFINITIONS

College Community: Students, College Officials, and Community Patrons of Rowan-Cabarrus Community College

Community Patron: Any person who is visiting campus, using the College facilities (such as a common area, library, classroom), or conducting business on campus or with a College Official, but is not actively enrolled in the College as a student.

College Official: Anyone employed either full-time or part-time by Rowan-Cabarrus whose primary status is that of employee, or a member of the Board of Trustees.

Student: Any individual who has completed an application or registration form for the current academic year and is enrolled in one or more courses.

Student Conduct Administrator: The person designated by the Vice President of Student Success Services to be responsible for administering the Campus Code of Conduct.

Student Conduct Officers: College employees who are assigned responsibilities by the Student Conduct Administrator for executing the Campus Code of Conduct. The responsibilities are carried out under the direction and authority of the Student Conduct Administrator.

### INTRODUCTION

Rowan-Cabarrus Community College is committed to act upon its authority and exercise its responsibility for providing a safe and welcoming climate where student growth occurs. Action will be taken, consistent with the College's Campus Code of Conduct, when a student's or patron's behavior disrupts, interferes with, or threatens the teaching, learning, student support, safety, or inclusive goals of the College.

All students are expected to familiarize themselves with the provisions of the Campus Code of Conduct. Students are encouraged to take responsibility for their actions to repair the harm they have done, if possible. When students are unable to conform their behavior to community expectations or take responsibility for their actions, it may be determined that students who violate the Campus Code of Conduct should no longer share in the privilege of participating in the College Community.

Students should be aware that the student conduct process is significantly different from criminal and civil court proceedings. The preponderance of evidence is the standard by which student conduct officers determine if a student is responsible for violating the Campus Code of Conduct. That is, "Is it more likely than not that the student committed the violation as alleged?"

## RESPONSIBILITIES

1. Students and Community Patrons are responsible for abiding by the Campus Code of Conduct as outlined and published by the College.
2. All employees are responsible for taking appropriate action when observing violations committed by students and community patrons. This includes reporting observed violations which do not cease upon request or which could be disruptive or detrimental to the reputation of the College.
3. The Executive Director of Student Success and College Civility is responsible for investigating reported violations of the Campus Code of Conduct.
4. Academic Deans (or designees) are responsible for investigating faculty reports of academic dishonesty and imposing appropriate academic sanctions based on the procedure below.
5. The Executive Director of Student Success and College Civility is responsible for determining and imposing appropriate sanctions for student violations of the Campus Code of Conduct. These duties will be performed in accordance with the procedure outlined below. In cases involving Career and College Promise (CCP) students enrolled in College courses, the College liaison, principal, and guardians will be informed of sanctions imposed.

6. Students are responsible for all communication delivered by the College to their Rowan-Cabarrus email account, which is the College's primary means of communication with students.
7. The Director of Campus Safety and Security (or designee) and/or the Executive Director of Student Success and College Civility are responsible for coordinating interventions with community patrons who violate the Campus Code of Conduct.

### DUE PROCESS

Students subject to the administrative decision affecting their right to attend classes are entitled to due process. Due process includes, but is not limited to, the following considerations:

1. The student must be notified in writing of any charges made against him/her that may result in administrative actions.
2. The student must be advised in writing of the administrative action(s) taken.
3. The student must be advised of corrective action(s) required to retain student status.
4. The student is entitled to an appeal of the administrative actions taken which negatively impact either their official status with the College or their official College records.
5. The student is entitled to appear and present testimony to the designated party scheduled to hear the appeal.

### JURISDICTION OF THE CAMPUS CODE OF CONDUCT

The Campus Code of Conduct and the student conduct process apply to all students, including individuals participating in CCP programs and Corporate and Continuing Education courses. The Campus Code of Conduct also applies to Community Patrons.

For the purposes of student conduct, Rowan-Cabarrus retains conduct jurisdiction over students who leave or withdraw following a report of alleged misconduct. In the event of serious misconduct alleged to have been committed while still enrolled but reported after the accused student has completed coursework or graduated, the College may invoke student conduct procedures. In such instances, a hold may be placed on the student's College account that prevents the student from re-enrolling, obtaining official transcripts, and/or receiving academic credentials (as appropriate to the alleged violation). These provisions will remain in place until the conduct process is completed.

The Campus Code of Conduct applies to behaviors that take place on the campus, within classes (regardless of location), and at College sponsored events. The Campus Code of Conduct may also apply to a student's off-campus behavior when the College President or designee determines that the off-campus conduct affects a substantial interest of the College.

This may include alleged violations of federal, state, and local laws. A substantial Rowan-Cabarrus interest is defined to include:

1. Any situation where it appears that the student's conduct may present a danger or threat to the health or safety of the student or others.
2. Any situation that significantly impinges upon the rights, property or achievements of others or significantly breaches the peace and/or causes social disorder, and/or
3. Any situation that is detrimental to the educational mission and/or interests of the College.

The Campus Code of Conduct may be applied to behavior conducted online, via email or another electronic medium. Online postings such as blogs, web postings, chats, other social media, and social networking sites may also subject a student to allegations of conduct violations. Rowan-Cabarrus does not regularly search for this information but may act if and when such information is brought to the attention of the Student Conduct Administrator.

There should be no expectation of privacy in regard to College administration's access to student Rowan-Cabarrus email accounts or other official College systems.

Although anonymous complaints are permitted, such complaints by their nature may limit the College's ability to investigate and respond to the allegations. Those who are aware of misconduct are encouraged to report it as quickly as possible to the Conduct Officer and/or to Campus Security.

Regarding CCP students and alleged violations of conduct:

1. Early College (EC) students are also subject to policy of the public school system in which they are enrolled. The EC principals will lead in addressing misconduct reported that meet each point of the following criteria:
  - a. The alleged violation was committed on high school property or in a space designated as EC space,
  - b. The alleged violation was not committed against a College student, College employee, College guest, or the College as an institution, and
  - c. The alleged violation was committed on both a day, and during the time designated for EC students to be on campus.
2. All other reports of misconduct allegedly committed by CCP students will be handled through the Rowan-Cabarrus Campus Code of Conduct procedures. The person designated as the high school liaison will be present in any student conduct issue that includes more College personnel than just the Rowan-Cabarrus instructor.

3. As appropriate, the high school principal reserves the right to remove a student from a CCP program, including EC programs. If a student is removed from a CCP program for a violation of public school system policy, the College will impose sanctions concurrently with the respective school system.
  - a. Any student who attempts to re-enroll at the College after their high school graduation (or dropping out of school) must fully cooperate with the campus conduct process and must comply with any sanctions that are imposed.
  - b. Former CCP students who are subject to College sanctions must meet with the College's Executive Director of Student Success and College Civility (or designee) prior to re-enrollment.

## RULES OF CONDUCT

Students are expected to conduct themselves in accordance with generally accepted standards of scholarship and civility. Community patrons are expected to conduct themselves in accordance with the accepted standards of good citizenship in the state of North Carolina. The purpose of this Code is not to restrict students' or patrons' rights, but to protect the rights of individuals in their academic pursuits.

The following activities/behaviors are addressed by the Campus Code of Conduct. The College does reserve the right to address other activities/behaviors that are inconsistent with a civil context.

### **1. Academic Integrity**

- a. Academic Dishonesty: The College prohibits taking or acquiring possession of any academic material or content (test information, research papers, notes, etc.) from an employee of the College or another student without permission; receiving or giving help during tests or other academic examinations; submitting papers or reports presented as the student's original work that are not entirely the student's own; not giving credit for others' work.
- b. Plagiarism: A student presenting work as original that is not entirely the student's own work; not giving credit for others' work; self-plagiarizing by use of one's own previous work in another context without indicating that it was previously used.

### **2. Behavior**

- a. Indecent Conduct: The College prohibits disorderly, lewd, or indecent conduct, including public physical action or verbal expressions; language commonly considered

offensive (not limited to, but including profanity); or distribution of obscene or libelous written or electronic material. Indecent conduct includes the display of pornographic materials or navigation to pornographic or other inappropriate websites.

- b. Violence: The College prohibits mental, psychological, or physical abuse of any person on College premises or at College sponsored/supervised functions. This includes but is not limited to verbal or physical actions that threaten or endanger the health or safety of any such persons, or which promote hatred or discrimination. The College does not permit fighting and or other disruptive behaviors (i.e., any action or threat of action which endangers the peace, safety or orderly function of the College, its facilities or persons engaged in the business of the College).
- c. Harassment: The College prohibits any act, comment, behavior, clothing, or accessories of a harassing, offensive, or intimidating nature. The College prohibits stalking, or behaviors that interfere with another student's rights or an employee's performance. This includes the display or utilization of pornographic or other inappropriate websites and materials.
- d. Disruption: The College prohibits obstruction or interruption of teaching, learning, research, administration, disciplinary proceedings, or other College activities. This includes public service functions, and other duly authorized activities on College Premises or at College-sponsored activity sites.
- e. Failure to Comply: Refusal to adapt one's behavior to instructions of College Officials is prohibited.
- f. Title IX Violations: Title IX is a comprehensive federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity. Title IX includes quid pro quo harassment, sexual harassment, and sexual assault, stalking, dating or domestic violence (collectively referred to as "sexual harassment"). The College's Title IX Coordinator has oversight responsibility for handling Sexual Harassment complaints and for identifying and addressing any patterns and/or systemic problems involving sexual discrimination or harassment. All allegations involving sexual harassment will be directed to the College's Title IX Coordinator and addressed under College Procedure B600.00.50.01.UU Title IX - Sexual Harassment Investigation, Resolution and Sanction.

### **3. Use of College Property**

- a. Use by Unattended Minors: The College prohibits minors under the age of sixteen (16) from being on the campus unattended. Minors are not allowed in classrooms, labs, shops, libraries, tutoring centers, or other instructional areas without College authorization. Parents and guardians (whether enrolled at Rowan-Cabarrus or as a community patron) must always remain with the minor child. Violators will be asked to leave the premises. Exceptions:

- Career and College Promise students who are on the campus during the academic year are exempt from this provision provided they display the Rowan-Cabarrus Student ID badge.
  - Minors registered in College-sponsored activities who are under the supervision of designated College staff may be present on campus without a parent/guardian.
- b. Theft and Damage: The College prohibits theft of misuse of or damage to College Property, or theft of or damage to property of a member of the College Community or a campus visitor or at a College function.
  - c. Occupation or Seizure: The College prohibits occupation or seizure in any manner of College Property, a College facility, or any portion thereof for a use inconsistent with prescribed, customary, or authorized use.
  - d. Presence on College Premises: The College prohibits unauthorized entry upon the College Premises, unauthorized entry into a College facility or a portion thereof which has been restricted in use, unauthorized presence in a College facility after closing hours, or furnishing false information to gain entry on the College Premises or into a College facility.
  - e. Assembly: The College prohibits participation in or conducting an informal or formal unauthorized gathering that threatens or causes injury to persons or property or that interferes with free access to, ingress or egress of College facilities, or that harms, disrupts, or obstructs the educational process or institutional functions of the College. The College prohibits remaining at the scene of such an assembly after being asked to leave by a College Official.
  - f. Emergency Notification Equipment: The College prohibits the misuse or tampering with emergency notification equipment on College premises or at College-sponsored activity sites. Such equipment includes, but is not limited to, fire alarms, emergency phones, and lockdown buttons. Misuse includes, but is not limited to, utilizing the equipment to make false reports of emergencies, disturbances, physical injury, or illness requiring attention of campus security or off-campus emergency personnel. Emergency notification equipment should only be engaged when reasonable belief exists in the need for utilizing such equipment.

#### **4. Drugs, Alcohol and Other Substances**

- a. Drugs and Alcohol: Substances referred to under this policy include all illegal drugs, alcoholic beverages, and misused legal drugs (both prescription and over-the-counter). The College prohibits the possession, use, sale, or distribution of any controlled substance, illegal drugs, or drug paraphernalia, except as expressly permitted by law. The College prohibits possession, use, sale, or distribution of alcoholic beverages on College Premises or at College-sponsored/ supervised functions

(including off-campus functions) unless otherwise permitted by the College President. The College prohibits being on College Premises or at College-sponsored or supervised functions (including off-campus functions) or in a College-owned vehicle in a state of intoxication or under the influence of any controlled substance, illegal drug, or by misuse of any legally prescribed medication. The College prohibits possession, use, sale or distribution of any controlled substance, illegal drugs, or drug paraphernalia except as expressly permitted by law. Any behaviors which may be attributed to the use of drugs or of alcohol shall not in any way limit the responsibility of the individual for their conduct or consequences of his/her actions.

- b. Tobacco use: The College prohibits the use of tobacco products or paraphernalia on campus, in College owned vehicles, or in properties rented for the purpose of College use.
- c. Food and Drink: The College prohibits eating and/or drinking in classrooms, shops, and labs or other unauthorized areas, unless otherwise permitted by a College official.

## 5. Weapons

Pursuant to North Carolina General Statute 14-269.2, the College prohibits possession, storage, use or threat of use of firearms, weapons, ammunition, incendiary devices, or explosives on College Premises, including property leased or contracted by the College, or at College-sponsored activity sites. Weapons include but are not limited to firearms, knives, taser, pepper spray (or other chemical agents used to incapacitate), batons, and martial arts weapons. This also includes unauthorized use of any instrument capable of inflicting serious bodily injury to any person or significant damage to property. College Procedure B600.00.25.01.T (Weapons on Campus) details the restrictions, expectations, and exceptions regarding the use and misuse of weapons.

## 6. Use of Technology

Student and patrons should follow College Procedure **B600.00.40.01.C** (Technology Acceptable Use) while using technology resources. This procedure includes, but is not limited to, the following directives regarding the use of Rowan-Cabarrus Technology:

- a. Responsible use: Users are responsible for the security of their passwords and accounts and must keep passwords confidential. Users are not permitted to share accounts or passwords with anyone.
- b. Misuse: Rowan-Cabarrus prohibits the use of college technology resources for illegal, inappropriate, or obscene purposes, or in support of such activities; these are strictly prohibited.



- c. Abuse: Users of Rowan-Cabarrus technology are prohibited from transmitting, posting, or otherwise displaying material that is threatening, obscene, harassing, or defamatory.

## **7. Social Media**

As a general rule, personal use of non-Rowan-Cabarrus social media is not governed by this code. Students should be aware, however, that online postings such as blogs, web postings, chats and social networking sites are in the public sphere and are not private unless password protected, and even then, may be shared in unpredictable ways and with unintended audiences. In cases where personal and academic or professional boundaries are blurred, students should exercise discretion. Exceptions to the general rule may be made when actions or statements over social media have a sufficient connection to Rowan-Cabarrus. These exceptions apply when:

- a. The use of an electronic medium involves the use of Rowan-Cabarrus resources (e.g. email account, Rowan-Cabarrus social or electronic media, use of Rowan-Cabarrus work time) inconsistent with the policies and procedures applicable to such use.
- b. The use of an electronic medium involves a true threat, defined as a threat whereas a reasonable person would interpret as a serious expression of intent to inflict harm upon specific individuals.
- c. The use of an electronic medium to post material considered to be forms of illegal bullying, discriminatory or other severe and pervasive harassment, or stalking, in violation of the code or the law.
- d. The use of an electronic medium is used to defame someone, post unlawful materials, or otherwise causes a material and unreasonable interference with the education, research public service and outreach missions of the College.
- e. The use of the electronic medium provides evidence of a potential violation of the code, warranting investigation and potential disciplinary action.

## **8. Gambling**

The College prohibits gambling in any format on the campus or at College-sponsored activity sites.

## **9. Providing False Information**

The College prohibits the act of providing false information to the College or attempting to gain benefit through efforts to deceive or falsely represent a matter to a College official. In addition, the College prohibits providing false information to the College or College official

that causes significant harm to a member of the College community. These acts include but are not limited to forgery, alteration, unauthorized duplication or misuse of College documents, resources, or records, computers, or instruments of identification; falsely identifying or presenting oneself as a College official, committing or attempting to commit identify theft; knowingly filing a false student misconduct or employee misconduct report or filing a false report to Campus Security, Human Resources, or the Office of Civility.

#### **10. Financial Irresponsibility**

The College prohibits failure to pay College-levied charges, fees or fines, failure to repay College-funded loans, the passing of worthless checks to College Officials or any fraudulent action when transacting business with the College or third-party agent contracted by the College to provide services for students (i.e., campus store, food service, e-cashiering).

#### **11. Disciplinary Probation**

The College prohibits violation of the terms of disciplinary probation during the period of probation. Additional violations of any College regulation during the probationary period will result in immediate review for additional sanctions.

#### **12. Violation of College Policy, Rule or Regulation**

The College prohibits violation of any Rowan-Cabarrus policy, rule or regulation published in hard copy or available electronically on the College's website.

#### **13. Violation of Law**

The College prohibits violation of any federal, state, or local law.

### **DISCIPLINARY PROCEDURES**

College Officials have the authority to take appropriate action and begin disciplinary proceedings in response to violations of the Campus Code of Conduct.

The College reserves the right to maintain a safe and orderly educational environment for students and employees. Therefore, when, in the judgment of College officials, a student's/patron's conduct disrupts or threatens to disrupt the College Community, appropriate disciplinary actions will be taken to restore and protect the well-being of the College Community.

Note: Records related to reported violations, disposition, sanctions and appeals of the Student Code of Conduct are maintained within the Office of Civility.

**A. Response to Alleged Violations of The Campus Code of Conduct:**

1. The Executive Director of Student Success and College Civility (or designee) is responsible for implementing student disciplinary procedures.
2. Alleged academic integrity violations will be investigated by the appropriate Academic Dean (or designee). The Academic Dean (or designee) may choose to drop or informally resolve the charges or proceed with disciplinary disposition and appropriate sanction.
3. Allegations that a community patron has violated the Campus Code of Conduct will be investigated by the Director of Campus Safety and Security (or designee) and/or the Executive Director of Student Success and College Civility (or designee) to determine if the charges are significant and will inform the patron and appropriate administrative unit(s) of any restrictions imposed and notify Campus Security personnel of any additional action to be taken.

**A. Disposition of Student Disciplinary Cases:**

The following section outlines the procedures for handling student disciplinary cases in accordance with due process and social justice.

1. Charges: Any member of the college community may file charges against any student for violation of College regulations. Those making the charge must complete the online charge form provided on the College website and intranet. The completed charge form will be forwarded directly to the Executive Director of Student Success and College Civility.
2. Investigation and Decision: Within five (5) business days after the charge is filed, the Executive Director of Student Success and College Civility (or designee) or Dean shall conduct a preliminary investigation of the charge and then schedule a meeting with the student(s) alleged to be in violation. After meeting with the student(s) to review the alleged infraction(s), one of the following actions will be taken:
  - Drop the charge(s)
  - Impose a sanction consistent with those listed below
  - Refer the student(s) to a College Office or community agency for services.
  - Conduct further investigation
3. Notifications: The decision of the Executive Director of Student Success and College Civility (or designee) or Dean shall be presented to the student in writing or mailed within five (5) business days after the completion of the investigation. In instances

where the student cannot be reached to schedule an appointment or where the student refuses to cooperate, the Executive Director of Student Success and College Civility (or designee) or Dean shall send a certified letter to the student's last known address providing the student with a list of charges, the decision, and instructions governing the appeals process.

4. Immediate Interim Action: This action may be invoked by any College Official for any student who has been involved in conduct that threatens the health or well-being of any member of the College Community or disrupts the function or good order of the College or College Premises. The College Official must advise the student that failure to cease and desist will result in immediate interim action. If the student fails to cease and desist, the College Official may invoke the interim action until disciplinary proceedings are completed. If a student poses an imminent threat to the safety of the College or a member of the College Community, then Campus Security should be contacted immediately.

Once interim action has been invoked by a College Official, an online report of the incident must be submitted. The report should be filed within 24 hours of the incident. Incidents in the classroom should be reported to the Program Chair and/or Dean of the division by the instructor involved.

The Executive Director of Student Success and College Civility will notify the student in writing of the interim suspension and the reasons for the interim action. The notice will include a description of student conduct procedures including the time, date, and location of any subsequent meetings. The procedural timeline outlined in a subsequent section will be followed by the College to resolve the pending matter.

## **B. Sanctions:**

If it is determined, after considering all available information, that the student is responsible for violating the Campus Code of Conduct, an appropriate sanction will be imposed. All parties will then be notified in writing of the decision of the Student Conduct Officer. NOTE: Refusal of a student to accept a certified letter or read the email sent will not delay or alter student conduct actions or procedures. The decision of the Student Conduct Administrator shall be presented to the student in writing within five (5) College days following the close of the investigation.

1. Verbal Warning (reprimand): A verbal communication given to the student or patron by a College Agent to cease a behavior or action deemed inappropriate or possibly a violation of the Campus Code of Conduct. The issuing College Official should

document the issuing of a verbal warning, including the incident and the student's/community patron's name.

2. Written Warning (reprimand): A written communication which gives official notice to the student or patron regarding the offense noted and that any subsequent offense of the Campus Code of Conduct will carry heavier penalties because of the prior infraction.
3. General Probation: Sanction which allows the student to show the willingness and capacity to observe the Campus Code of Code without further penalty. If a second penalty occurs during the probationary period further action may be taken. The probationary period can be in effect for no more than two academic terms.
4. Restrictive Probation: A major disciplinary offense or series of violations may result in a loss of good standing and a matter of official record (transcript notation) denoted by this sanction. Restrictive Probation may limit the student's/patron's activity on the campus and within the College Community. The student cannot be initiated into any local or national organization, receive any College award or recognitions, occupy a position of leadership or travel with any College student organization. Further, the College may restrict the student's/patron's access to campus or use of campus services and facilities. Restrictive Probation is for a period of not less than two academic terms. Any violation of Restrictive Probation orders may result in immediate suspension.
5. Restitution: Paying for damage, misuse, destruction, theft, or loss of property belonging to the College, College personnel, student, or contract agent for the College.
6. Loss of academic credit or grade reduction: Imposed as result of academic dishonesty.
7. Academic Withholding/Revocation: The College reserves the right to withhold grade reports, transcripts, diplomas, right to register for classes when the student does not meet financial obligations and for violations that demonstrate that the student has not properly earned said grades or credentials. The College can also withhold registration or participation in graduation ceremonies.
8. Suspension: Exclusion from campus, class(es) or all other privileges or activities of the College for a specified period of time. After the suspension period has concluded, the student must meet with the Executive Director of Student Success and College Civility before being allowed to return to campus. A suspension can be in effect for no more than two years.
9. Expulsion: Dismissing a student/patron from campus for an indefinite period. Loss of student/patron status means that the individual will not be permitted on the College property, may not register for any course (basic skills, curriculum, and continuing education, occupational or corporate) and may not participate as a citizen in any College sponsored event. Only the President of the College may impose this sanction. The individual may be readmitted to the College only with the approval of the President.

10. Behavior Contract: The student signs an agreement that specifies behaviors/actions that the student will/will not demonstrate in a particular context for a specified period of time.

### **C. Student Conduct Appeal Procedures**

The following does not apply to a grade appeal, which is addressed in College Procedure B600.00.70.01.TTT (Grade Appeal).

The College provides an appeal process for students who are either the complainant or the respondent who does not agree with the outcome of a student conduct case. **One or more of the following criteria must be met for an appeal to be granted:**

1. The student must be able to provide evidence that the College failed to follow their procedures, as a result of which, the outcome of the case was that significantly affected.  
OR
2. The sanction imposed was not appropriate for the violation that was committed.  
OR
3. New and relevant evidence is now available for review that can reasonably be expected to influence the outcome.

Note: Appeals will not be granted in cases where the sanction imposed upon a student was either a Reprimand or General Probation. The rationale for this decision is that in neither case is:

1. A student's official College record impacted.
2. Any information about the incident or the outcome reported to any educational institution where the student seeks to transfer, or to other outside entities that request such information (i.e., employment reference inquires, even when the student has granted permission for College records to be released).

Basic procedural rights of the student include the following:

1. The right to counsel. The role of the person acting as counsel is solely to advise the student. The counsel shall not address the student conduct officer, or any College official involved in the investigation or adjudication of the student conduct matter.
2. The right to provide witnesses on one's behalf. The names and contact information for each witness must be provided to the Vice President of Student Success Services (or designee) no less than three (3) full College days prior to the appeal hearing. Any

witnesses whose name and contact information are not provided will not be allowed to provide testimony in the absence of a showing of good cause for delay in identification.

3. The student providing the name of the witness(es) is required to notify their witness(es) that their name and contact information have been submitted to the Vice President. However, an exception to notifying this witness is made in instances when the witness is serving as a hostile/uncooperative witness. In such cases, the student submitting the name of this person as a witness must notify the Vice President that this person is a hostile/uncooperative witness. The Vice President has the right to limit the number of witnesses provided by either party.
4. The right to present evidence.
5. The right to know the name of person(s) bringing the charge(s).
6. The right to give or refuse to give testimony.

The following outlines the Student Conduct Appeal process:

1. The student that is the complainant or the respondent seeking to appeal the outcome of a student conduct case must send an email requesting an appeal to the Executive Director of Student Success and College Civility.
2. This email must be sent within five business days of the email notification that was sent to the student notifying them of the outcome of the student conduct case.
  - a. This email must specify, from the above listed criteria, the basis for their request for an appeal.
3. Once received, the request for an appeal will be forwarded to the Vice President of Student Success Services (or designee), who serves as the adjudicator for student conduct appeals.
4. Upon receipt of the request for an appeal, the Vice President (or designee) will, within five business days take one of the following actions.
  - a. Notify the student that their appeal has been granted.
  - b. Notify the student that their request for an appeal has been denied because their request did not meet the criteria listed above.
  - c. Request additional information, which will be used to determine if the above listed criteria are met. Upon receipt and review of this additional information, the Vice President (or designee) will notify the student whether their appeal has been granted.
5. In cases when the Vice President of Student Success Services (or designee) grants an appeal the student will be provided with the following:
  - a. Restatement of the charges.
  - b. Information regarding the location (or the specific technology that will be used to conduct the appeal remotely), time and date of the appeal.

- c. Information concerning their basic procedural rights.
6. In making their decision the Vice President (or designee) will either:
  - a. Determine that the student is not responsible for the violation for which they were accused, and thereby overturn the decision made the Executive Director of Student Success and College Civility (or designee),
  - b. Determine that the decision and the actions taken by the Executive Director of Student Success and College Civility (or designee) were appropriate, and, therefore, uphold both the decision and the sanction that was imposed, OR
  - c. Determine that the student was indeed responsible for committing the violation, but then make the decision to modify the sanction. **IMPORTANT: This modification could be the imposing of a more severe sanction.**
7. It is the goal of the Vice President (or designee) to notify the student of their decision within three (3) business days after conducting the requested appeal. Note: Additional time may be required if further investigation is necessary. The notification will be sent via email to the student's College email address. If the student does not have a College email address, the decision of the Vice President (or designee) will be sent to the student's last known mailing address via certified letter.
8. The College considers the matter to be closed upon the decision of the Vice President of Student Success Services (or designee).
9. As noted in this procedure, only the President of the College may impose the sanction of Expulsion. Expelled individuals may be readmitted to the College only with the approval of the President.

#### HISTORICAL NOTE

Former Procedure Number: 7.16

*Original (signed) procedure is on file in the President's Office.*  
Dr. Carol S. Spalding, President