

Policy Number	3354:2-61-01
Title	Student Conduct Code Policy
Date Approved	By the Board of Trustees 7/11/1991
Updated & Approved	9/12/1996, 4/7/2011
Related Procedure	SS61-01

The Board of Trustees of Lakeland Community College requires that the conduct of students be of an honest, responsible and appropriate nature so as to permit the college to properly pursue its educational objectives and programs. Academic integrity is the foundation of our institution as honesty, the basic component of trust, is essential to both individual and institutional integrity. Lakeland Community College has set forth certain behaviors as violating academic honesty and appropriate standards of student conduct and, thus, potentially diminishing Lakeland's integrity, reputation for academic quality, and ability to function as an academic community.

This policy applies to both on-campus and off-campus college-related activities.

- (A) The President of the college shall develop and implement a student conduct code which sets forth standards of conduct for students, consistent with Board policy, and proper procedures for enforcement thereof. This conduct code shall also apply to student conduct involving violations of federal, state or local laws.
- (B) The President may delegate to appropriate college officials the responsibility to implement the student conduct code. Disciplinary action may be taken against a person who has been admitted as a student to the college, whether or not the individual is registered for classes. Disciplinary action may also be taken against student organizations.
- (C) The President shall provide for the enforcement of the student conduct code through the use of college officials and college law enforcement officers.

Procedure Number	SS61-01
Title	Student Conduct Code
Date Approved	6/8/2010
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Related policy	3354:2-61-01

- (A) Definitions
 - (1) The term "college" means Lakeland Community College.
 - (2) The term "student" includes all persons who have been admitted to the college either for credit or noncredit courses and have yet to register for classes, are currently enrolled or who have previously been enrolled but have not taken classes for less than one term. Persons who were enrolled for classes during spring term and are enrolled for fall term classes are considered to be students over the summer.
 - (3) The term "faculty" means any person or group of persons hired by the college to conduct academic activities or who is otherwise considered by the college to be a member of its faculty.
 - (4) The term "college official" includes any person employed by the college, performing assigned administrative or professional responsibilities.
 - (5) The term "complainant" means any person who submits a charge alleging that a student violated the student conduct code.

- (6) The term "accused student" is defined as any student accused of violating the student conduct code.
 - (7) The term "college community" includes any person who is a student, faculty member, college official, any other person employed by the college or any visitor or invitee to the college campus. A person's status in a particular situation shall be determined by the Associate Vice President of Student Development and Dean of Students.
 - (8) The term "college premises" includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the college (including adjacent streets and sidewalks).
 - (9) The term "misconduct" is defined as any behavior which compromises the health, safety, peace, property, or the academic integrity of the college, college premises or any member of the college community, or in any manner interferes with the operation of the college.
 - (10) The term "organization" means an association of individuals who have complied with the formal requirements for college registration of an organization.
 - (11) The term "hearing officer" means any person authorized by the Associate Vice President of Student Development and Dean of Students to determine whether a student has violated the student conduct code and to recommend to the conduct administrator the imposition of sanctions.
 - (12) The term "hearing panel" means any group of persons authorized by the Associate Vice President of Student Development and Dean of Students to determine whether a student has violated the student conduct code and to recommend to the conduct administrator the imposition of sanctions.
 - (13) The term "conduct administrator" means a college official authorized on a case-by-case basis by the Associate Vice President of Student Development and Dean of Students to impose sanctions upon students found to have violated the student conduct code. The Associate Vice President of Student Development and Dean of Students may authorize a conduct administrator to serve simultaneously as a conduct administrator and as a member of a hearing panel.
 - (14) The term "shall" is used in the imperative sense.
 - (15) The term "may" is used in the permissive sense.
 - (16) The term "policy" is defined as the written regulations of the college as found in the student handbook, the college catalog and the college policy register.
 - (17) The term "attempt" is defined as conduct, which if successful, would constitute or result in the prohibited conduct.
 - (18) The terms "business day" means an official business day of the week, excluding public holidays, college closures and weekends.
 - (19) The Associate Vice President of Student Development and Dean of Students is that person designated by the college President to be responsible for the administration of the student conduct code.
- (B) Procedural Authority
- (1) The Associate Vice President of Student Development and Dean of Students shall determine the composition of hearing panels and determine which hearing officer is authorized to hear each case.
 - (2) The Associate Vice President of Student Development and Dean of Students shall develop policies for the administration of the student conduct code and procedural rules for the conduct of administrative hearings consistent with the provisions of the student conduct code.

- (3) Decisions made by a hearing officer or panel and/or conduct administrator shall be final, unless appealed as provided for in the section of the student conduct code titled "Appeals", Section (F).
 - (4) A hearing officer or panel may be designated as an arbiter of disputes within the student community in cases which do not involve a violation of the student conduct code. All parties must agree to arbitration, and to be bound by the decision with no right of appeal.
- (C) Proscribed Conduct
- (1) Jurisdiction of the College
 - (a) College jurisdiction and discipline shall be related to conduct which occurs on college premises, at college sponsored activities, during or in relation to college sponsored internships or co-operative educational experiences, or which adversely affects the college community and/or the pursuit of its objectives whether on or off college premises.
 - (b) The College retains conduct jurisdiction over students who choose to take a leave of absence, withdraw or have graduated for any misconduct that occurred prior to the leave, withdrawal or graduation. If sanctioned, a hold may be placed on the student's ability to re-enroll [and/or obtain official transcripts and/or graduate] and all sanctions must be satisfied prior to re-enrollment eligibility. In the event of serious misconduct committed while still enrolled but reported after the accused student has graduated, the College may invoke these procedures and should the former student be found responsible, the College may revoke that student's degree.
- (D) Academic Misconduct
- (1) Academic misconduct is an offense against the Lakeland Community College community. A student who commits an act of academic misconduct or who enables another student to commit an act of academic misconduct has failed to meet a basic requirement of satisfactory academic performance. Thus, academic misconduct is relevant to the evaluation of the student's level of performance, and is also a basis for disciplinary action by the Associate Vice President of Student Development and Dean of Students' office.
 - (2) Violations include but are not limited to the following actions:
 - (a) Cheating – using, attempting to use, or assisting in the use of unauthorized or unapproved aids in any academic assignment. Examples of cheating include but are not limited to:
 - (i) Giving or receiving unauthorized assistance for any examination or academic exercise;
 - (ii) Working with others without the instructor's permission on any academic assignments or exams meant to be completed by the individual student;
 - (iii) Using any materials such as electronic devices or study aids for any academic exercise without the instructor's permission;
 - (iv) Procuring course materials (test, quiz, or assignment) without the instructor's permission;
 - (v) Altering, copying, or distributing course materials (test, quiz, or assignment) without instructor's permission.
 - (vi) Engaging in any behavior specifically prohibited by a faculty member in the course syllabus or class discussion.
 - (b) Plagiarism – the act of submitting the words, ideas, or work of another as one's own for any academic exercise. Examples of plagiarism include but are not limited to:

- (i) Failing to provide adequate citations to the sources for ideas, words, images, sounds and any other supporting material for any academic exercise. A citation tells the reader where the information came from;
 - (ii) Copying and pasting, downloading, or importing any electronic material into work submitted for academic assessment without properly citing its source. Copying words without using quotation marks is plagiarism;
 - (iii) Using copyrighted material in violation of U.S. Copyright law.
- (c) Fabrication – an act of dishonesty involving misrepresentation or falsification of material included for academic work. Examples of fabrication include but are not limited to:
- (i) Submitting work prepared totally or partially by someone else as one's own, including the use of a substitute to take one's own examinations;
 - (ii) Submitting work previously done for credit as work done for a current academic exercise or submitting the same work for more than one course unless the instructor(s) has/have given permission to do so;
 - (iii) Falsifying or inventing citations, data, or evidence for any academic exercise.
- (d) Denying others access to information or material – the act of impeding another student's scholarship. Examples of denial of access include but are not limited to:
- (i) Giving other students false or misleading information;
 - (ii) Tampering with, removing or defacing library materials or reserve materials;
 - (iii) Altering computer files that belong to another;
 - (iv) Tampering with, damaging, or stealing storage devices such as USB drives.
- (e) Enabling academic misconduct – the act of participating, assisting, or knowingly helping someone violate any of the provisions of Lakeland's Student Conduct Code.
- (f) Deception in order to gain academic advantage – the act of lying to or misleading faculty, staff, or administration.

(E) General Student Misconduct – Rules and Regulations

- (1) It is the intent of this procedure to create a campus environment that is based on honesty, civility and the freedom to pursue knowledge. Such an environment must be free of harassment and hostility in order to encourage each individual to attain his or her fullest potential. Any student found to have committed the following misconduct is subject to disciplinary sanctions outlined in Section (F)(2). Examples of misconduct include, but are not limited to:
- (a) Violation of College Policies - Violation of published college policies, rules or regulations.
 - (b) Act of Dishonesty - Acts of dishonesty, including but not limited to the following:
 - (i) Furnishing false or incomplete information to any college official, staff or faculty member, agent of the college or college office;

- (ii) Forgery, alteration, fraudulent use, or misuse of any college document, record or instrument;
- (iii) Tampering with the election process of any recognized student organization.

(Acts of academic misconduct are to be handled through Section D of this procedure titled "Academic Misconduct".)

- (c) Disruption or Obstruction - Disruption or obstruction of teaching, research, administration, disciplinary proceedings or other college activities on or off college premises; or other authorized non-college activities occurring on college premises. This includes engaging in any behavior specifically prohibited by a faculty member in the course syllabus or class discussion.
- (d) Harm to Others - Physical abuse or assaults, threats or threatening behavior, intimidation, harassment, coercion, bullying, and/or other conduct which threatens or endangers the health or safety of any person (including, but not limited to, messages sent via text messages, emails, on social media networks, or any electronic format including phone, etc).
 - (i) The term "harassment" means conduct that is so severe, pervasive, and objectively offensive that it unreasonably interferes with a person's college employment, academic performance or participation in college programs or activities and creates a working, learning, program or activity environment that a reasonable person would find intimidating, hostile or offensive. The conduct does not have to be threatening and may include deliberate and persistent communication that disturbs the recipient.
- (e) Theft/Property Damage - Attempted or actual theft of and/or damage to property of the college or property of a member of the college community or personal or public property, on or off campus.
- (f) Hazing - An act which may endanger the mental or physical health or safety of a student, or which may destroy or remove public or private property, for the purpose of initiation, admission to, affiliation with, or as a condition for continued membership in, a group or organization. The express or implied consent of the victim will not be a defense. Apathy or acquiescence in the presence of hazing are not neutral acts; they are violations of this rule.
- (g) Failure to Comply - Failure to comply with directions of college officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
- (h) Unauthorized Possession or Entry - Unauthorized possession, duplication of or use of keys to any college premises or property or unauthorized entry to or use of college premises.
- (i) Violation of Federal, State or Local Laws - Violation of federal, state or local laws on college premises or at college sponsored activities on or off college premises.
- (j) Alcohol Violation - Use, possession or distribution of alcoholic beverages on college premises or at any college sponsored activity off the college premises except as expressly permitted by law and college regulations.
- (k) Narcotics Violation - Use, possession or distribution of narcotic or other controlled substances on premises or at any college sponsored activity off the college premises, except as expressly permitted by law.

- (l) Weapons Violation - Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on college premises or at college sanctioned or sponsored activities.
- (m) Interference with College Activities - Participation in a campus demonstration or disturbance which unreasonably interferes with college activities or with the legitimate activities of any member of the college community; leading or inciting others to disrupt scheduled and/or normal activities; obstruction which unreasonably interferes with freedom of movement on campus, either pedestrian or which presents a clear and present danger to others, or causes physical harm or property damage.
- (n) Obstruction of Traffic - Obstruction of the free flow of pedestrian or vehicular traffic on college premises or at college sponsored or supervised functions.
- (o) Disorderly Conduct - Conduct which is disorderly, lewd, indecent, or a breach of the peace; or aiding, abetting, or procuring another person to breach the peace on college premises or at functions sponsored by, or participated in by, the college.
- (p) Computer Violation - Abuse or inappropriate use of college computers, computer equipment or facilities including but not limited to:
 - (i) Unauthorized entry into a file to use, read, or change the contents, or for any other purpose;
 - (ii) Unauthorized transfer of a file;
 - (iii) Unauthorized use of another individual's identification and password or sharing of your own identification and/or password;
 - (iv) Use of computing facilities to interfere with the work of a student, faculty or staff member;
 - (v) Use of computing facilities to create, send or receive obscene, harassing or abusive messages;
 - (vi) Use of facilities to interfere with normal operation of the college or the college computing system;
 - (vii) Use of computing facilities to create, view, disseminate, receive, download or possess pornographic, obscene or illegal documents or images (based on local standards of Kirtland and Lake County);
 - (viii) Use of computing facilities to download, install, copy or alter software without permission of the appropriate college official;
 - (ix) Use of computing facilities for any commercial use or for personal financial gain; and
 - (x) Any other unauthorized use of computing time.
- (q) Tobacco/Smoking Violation – Use of tobacco or smoking in prohibited areas. “Tobacco” and “Smoking” are defined in College policy 3354:20-10-10
- (r) Pets Violation - Allowing or keeping pets in college facilities unless authorized in writing by college officials.
- (s) Misuse of Firefighting Equipment - Misuse or alteration of firefighting equipment, alarms or any other health and safety devices.
- (t) Sexual Harassment - Physical contact or other non-physical conduct of a sexual nature without clear, knowing or voluntary consent, or engaging in sexual activities which are disruptive to the good order of the College.

- (u) Degrading or Abusive Language - Using language that is degrading or abusive to any person.
 - (v) Operating Vehicle Under the Influence - Operating a motor vehicle on campus while under the influence of alcohol and/or drugs.
 - (w) Electronic Device Violation - Use of mobile phones, pagers and other electronic devices in a manner that causes disruption in the classroom, library or within any College owned or College operated facility; abuse of mobile devices with photographic capabilities, use of devices for purposes of photographing test questions or other notes and materials; photographing individuals in secured areas such as bathrooms, locker rooms or other areas where there is a reasonable expectation of privacy, and/or taking photographs of an individual against his or her will; electronic transmission of photographs of any person without express permission.
 - (x) Abuse of the Student Conduct System - Abuse of the student conduct system, including but not limited to:
 - (i) Failure to obey the summons of a hearing officer or other college official;
 - (ii) Falsification, distortion, or misrepresentation of information before a hearing officer/panel;
 - (iii) Disruption or interference with the orderly conduct of a conduct proceeding;
 - (iv) Institution of a conduct proceeding without good cause;
 - (v) Attempting to discourage an individual's proper participation in, or use of, the conduct system;
 - (vi) Attempting to influence the impartiality of a hearing officer or member of a hearing panel prior to, and/or during the course of, the conduct proceeding;
 - (vii) Harassment (verbal or physical) and/or intimidation of a hearing officer or member of a hearing panel prior to, during and/or after a conduct proceeding;
 - (viii) Failure to comply with the sanction(s) imposed under the student conduct code;
 - (ix) Influencing or attempting to influence another person to commit an abuse of the student conduct code process.
- (2) Violation of Law and the College Student Conduct Code
- (a) If a student is charged with an off-campus violation of federal, state, or local laws, which demonstrates a disregard for the college's academic integrity or subverts the educational process, disciplinary action may be taken and sanctions imposed, at the discretion of the College President, and in accordance with the rules and regulations governing general student misconduct violations. Such action should be initiated as soon as possible after notice of such violation has been directed to the Associate Vice President of Student Development and Dean of Students.
 - (b) College disciplinary proceedings may be instituted against a student charged with violation of a law which is also a violation of this student conduct code, for example, if both violations result from the same factual situation, without regard to the pendency of civil litigation in court or criminal arrest and prosecution. Proceedings under this student conduct code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus.

- (c) When a student is charged by federal, state or local authorities with a violation of law, the College President or his/her designee may, depending on the charge and surrounding circumstances, request special consideration for that individual due to his or her status as a student. If the alleged offense is also the subject of a proceeding before a hearing officer or board under the student conduct code, the college may advise off-campus authorities of the existence of the student conduct code and of how such matters will be handled internally within the college community. Individual students and college employees, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

(F) Procedures

(1) Charges and Administrative Hearings

- (a) In cases of general student misconduct, any member of the college may file written charges against any student with the office of the Associate Vice President of Student Development and Dean of Students via the electronic incident reporting system. A charge should be submitted as soon as possible, preferably within five (5) business days after the event takes place, or after such violation becomes known to a college official.
- (b) In cases involving an apparent act of academic misconduct the following steps will be taken:
 - (i) Any member of the college community who has witnessed an act or has information that reasonably leads to the conclusion that such an act has occurred or has been attempted, has the responsibility to inform the instructor of the class in which the student is enrolled.
 - (ii) The instructor may assign a grade for the assignment or course in question, with the grade of NA (no grade available) being an option.
 - (iii) The instructor and/or the witness bringing forth the information shall then file written misconduct charges against the student with office of the Associate Vice President of Student Development and Dean of Students via the electronic incident reporting system. A charge should be submitted as soon as possible, preferably within five (5) business days after the event takes place, or after such violation becomes known to a college official.
- (c) The Associate Vice President of Student Development and Dean of Students will appoint a conduct administrator to investigate the charges. The Associate Vice President of Student Development and Dean of Students may serve as the conduct administrator.
- (d) The conduct administrator may conduct an investigation to determine if the charges have merit and/or if they can be disposed of administratively by mutual consent of all parties involved (including the conduct administrator). Such disposition shall be final and there shall be no subsequent proceedings. If the charges cannot be disposed of by mutual consent, the conduct administrator may later serve in the same matter as a member of the hearing panel.
- (e) All charges shall be presented to the accused student in written form. All written notices shall be considered received upon delivery to a student's current local or permanent address on record with the College, by U.S. or campus mail, by on-line electronic e-mail messaging with delivery notification, or to the student in person. Such notice shall be considered adequate unless the student shows just cause why the receipt of the notice substantially impaired his/her ability to prepare for the hearing. It is the responsibility of the student to have his/her

current local or permanent address, and/or on-line electronic e-mail address on record with the College.

- (f) Within three (3) business days from the written charge notice, the student shall respond to the charge notice by notifying the conduct administrator (in writing, by telephone or facsimile) of the student's response to the charge(s).
- (g) If the accused student fails to respond to the charge notice, or informs the conduct administrator that he or she will not participate in the student conduct code process, then the conduct administrator will conduct an administrative review of the evidence and shall make a determination as to any appropriate sanction. This determination will be presented to the permanent address on record with the College, by U.S. or campus mail, by on-line electronic email messaging to a student's current e-mail address on record with the College or to the student in person. The accused student will then have ten (10) business days to respond to the charge and request a hearing. If the accused student does not respond to this notification, the matter will be closed and the accused student will lose any right to appeal the decision.
- (h) If the complainant, the accused student, or the conduct administrator request an administrative hearing, a time shall be set for an administrative hearing, not less than five (5) business days after the student has been notified. At the accused student's written request and agreed to by the complainant and conduct administrator the five (5) business day waiting period to hold an administrative hearing may be waived. Time limits for scheduling of administrative hearings may be extended at the discretion of the conduct administrator.
 - (i) Administrative hearings normally shall be conducted in private.
 - (ii) Administrative hearings may be conducted via electronic media such as telephone, web cam, or video conferencing where requested by and agreed to by the accused student and the hearing officer or panel. Either party, complainant or accused student, may utilize electronic media to be remotely present for a hearing.
 - (iii) In cases of Academic Misconduct, hearing panels will be established ad hoc by the Associate Vice President of Student Development and Dean of Students in cooperation with Lakeland Student Government and the Lakeland Faculty Association. The hearing panel will consist of two full time faculty and a student representative chosen in consultation with Lakeland Student Government. The Associate Vice President of Student Development and Dean of Students, or his/her designee, will preside as a non-voting chairperson at all academic misconduct hearings.
 - (iv) In cases of General Student Misconduct, hearing officers or panels will be appointed by the Associate Vice President of Student Development and Dean of Students.
 - (v) Admission of any person to the administrative hearing shall be at the discretion of the hearing officer or panel and/or its conduct administrator. Any person, including the accused student, who either disrupts the hearing or fails to comply with its orderly proceeding, may be excluded by the hearing officer or chairperson of the hearing panel and the hearing will be carried on without him/her.
 - (vi) In administrative hearings involving more than one accused student, the hearing officer or chairperson of the hearing panel, at his or her discretion, may permit the administrative hearings concerning each student to be conducted separately.

- (vii) The complainant and the accused student have the right to be assisted by an advisor they choose, at their own expense. The advisor may be an attorney. The complainant and/or the accused student is responsible for presenting his or her own case and, therefore, advisors are not permitted to speak or participate directly in any administrative hearing before a hearing officer or panel.
- (viii) The complainant, the accused student and the hearing officer or panel shall have the right to present witnesses, subject to the right of cross examination by the hearing officer, panel and opposing party.
- (ix) Pertinent records, exhibits and written statements may be accepted as evidence for consideration by a hearing officer or panel at the discretion of the hearing officer or panel chairperson.
- (x) Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in a criminal or civil court, are not used in Student Conduct Hearings.
- (xi) All procedural questions are subject to the final decision of the hearing officer or chairperson of the hearing panel.
- (xii) After the administrative hearing, the hearing officer or panel shall determine (by majority vote for a hearing panel) whether the student has violated the Student Conduct Code.
- (xiii) The hearing officer or panel's determination shall be made on the basis of whether it is more likely than not that a violation occurred.
- (xiv) There shall be a single record consisting of an audio recording and all pertinent records, exhibits and written statements accepted as evidence. The record shall be the property of the college. Copies of the recording will be provided to the student involved during the appeal process at his/her expense.
- (xv) Except in the case of a student charged with failing to obey a summons of a conduct administrator, hearing officer or panel, no student may be found to have violated the Student Conduct Code solely because the student failed to appear before a hearing officer or panel. In all cases, even where a student fails to attend or remains silent, the charges shall be reviewed on the basis of the information available and a decision of whether a violation has occurred shall be made.

(2) Sanctions

- (a) One or more of the following sanctions may be imposed upon any student found to have violated the student conduct code:
 - (i) Warning - a notice in writing to the student that the student is violating or has violated institutional regulations. In cases involving plagiarism, remediation is recommended when this sanction is imposed.
 - (ii) Probation - a reprimand for a violation of specified regulations for a designated period of time. Probation includes the probability of more severe disciplinary sanctions if the student is found to be violating the student conduct code during the probationary period.
 - (iii) Loss of Privileges - denial of specified privileges for a designated period of time.
 - (iv) Discretionary Sanctions - work assignments, essays, referral for counseling, service to the college or other related discretionary assignments.

- (v) Administrative Withdrawal - involuntary withdrawal of a student from a course or courses. Tuition refund for the course(s) involved is determined by the Associate Vice President of Student Development and Dean of Students, or designee.
 - (vi) College Suspension - separation of the student from the college for a definite period of time, after which the student is eligible to return. Conditions for re-admission may be specified.
 - (vii) College Expulsion - permanent separation of the student from the college. This sanction will be made part of the student's permanent record and will be printed on the student's academic transcript.
 - (viii) Revocation of Admission and/or Degree – Admission to or a degree awarded from the college may be revoked for fraud, misrepresentation, or other violation of college standards in obtaining the degree, or for other serious violations of the student conduct code committed by a student prior to graduation.
 - (ix) Withholding Degree – the college may withhold awarding a degree otherwise earned until the completion of the process set forth in the student conduct code, including the completion of all sanctions imposed, if any.
 - (x) Persona Non Grata – denial of permission to frequent or be present in specified campus locations, including total banishment from campus, for a specified period of time.
- (b) One or more of the following sanctions may be imposed upon any group or organization found to have violated the student conduct code:
 - (i) Those sanctions listed above in (F)(2)(a)(i)-(iv).
 - (ii) Loss of selected rights and privileges for a specific period of time.
 - (iii) Deactivation. Loss of all privileges, including college recognition, for a specified period of time.
 - (c) More than one of the sanctions listed above may be imposed for any single violation.
 - (d) Other than college expulsion or revocation or withholding of a degree, disciplinary sanctions shall not be made part of the student's permanent academic record, but shall become part of the confidential record maintained by the college.
 - (e) One year after the completion of the sanction referenced in paragraph (F)(2)(a)(i), the College will automatically expunge the violation and sanction from the student's record
 - (f) Two years after the completion of sanctions referenced in paragraphs (F)(2)(a)(ii), (iii), and (iv), the College will automatically expunge the violation and sanction from the student's record.
 - (g) Three years after the completion of the sanction referenced in paragraph (F)(2)(a)(vi), the student may petition the Associate Vice President of Student Development and Dean of Students to request the removal of the violation and sanction for the student's record.
 - (h) Sanctions referenced in paragraphs (F)(2)(a)(vii), (viii), (ix) and (x) remain permanently on the student record.
- (3) Interim Suspension

- (a) In certain circumstances, the Associate Vice President of Student Development and Dean of Students or a designee may impose a college suspension prior to the administrative hearing before a hearing officer or panel.
 - (i) Interim suspension may be imposed: (1) to ensure the safety or well-being of members of the college community or preservation of college property; or (2) if the student poses a threat involving disruption of or interference with the normal operations of the college.
 - (ii) During the interim suspension, the accused student shall 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 Associate Vice President of Student Development and Dean of Students or designee may determine to be appropriate.
- (4) Administrative Disenrollment
 - (a) A student may be disenrolled from the college; prohibited from all or any portion of college premises, college-related activities or registered student organization activities, and/or permitted to remain only under specified conditions when the Associate Vice President of Student Development and Dean of Students finds that there is clear and convincing evidence that:
 - (i) The student's continued presence poses a significant risk of substantial harm to the health or safety of others; or to property; or to college operations; or
 - (ii) The student is engaged in substantial, continuing disruption of teaching, learning, research, administration or other college-related activities.
 - (b) Before making such a determination, the Associate Vice President of Student Development and Dean of Students shall notify the student in writing of the reasons that disenrollment is being considered, provide the student with an opportunity to respond, and consult with appropriate college personnel. The Associate Vice President of Student Development and Dean of Students may also consult with any other persons who are deemed appropriate under the circumstances.
 - (c) The Associate Vice President of Student Development and Dean of Students may request the student to undergo an appropriate examination, as specified by the Associate Vice President of Student Development and Dean of Students, to determine whether any health condition or disability as defined by the Americans with Disabilities Act exists that may be addressed through reasonable accommodation to reduce the risk or disruption and whether any such accommodation is possible. If the student fails to undergo such an examination, and if the other available evidence supports administrative disenrollment, the Associate Vice President of Student Development and Dean of Students shall, to the extent reasonably possible, take the least restrictive measure or combination of measures necessary to resolve the risk or disruption.
 - (d) A student who has been disenrolled, prohibited from college premises, college-related activities or registered student organization activities, or permitted to remain only under specified conditions may petition the Associate Vice President of Student Development and Dean of Students in writing for revision of that status. The petition must include supporting documentation or evidence that:
 - (i) The conditions found to have existed under paragraph (4)(a)(i) or (ii) of this rule no longer exist and will not recur, and

- (ii) The student meets all usual and appropriate college requirements for admission and enrollment, including resolving any outstanding violations of the student conduct code.
 - (e) Upon receipt of such a petition, the Associate Vice President of Student Development and Dean of Students shall evaluate the evidence and may consult with the student, any appropriate college personnel, and any other persons whom the Associate Vice President of Student Development and Dean of Students deems appropriate. The Associate Vice President of Student Development and Dean of Students may deny the petition, grant the petition in whole or in part under specified conditions, or grant the petition in whole or in part without condition. In the event of a petition denial, the student may request in writing to have the decision reviewed by the Chief of Staff and Senior Vice President for Institutional Development and Effectiveness.
- (5) Appeals
- (a) A decision delivered by the hearing officer or panel and/or sanction imposed by the conduct administrator may be appealed by accused students to the Associate Vice President of Student Development and Dean of Students within seven (7) business days after the date on which written notice of the decision is sent to the student. Such appeals shall be in writing and shall be delivered to the Associate Vice President of Student Development and Dean of Students with a copy to the conduct administrator or his/her designee. In cases where the Associate Vice President of Student Development and Dean of Students serves as the conduct administrator, appeals shall be made to the Chief of Staff and Senior Vice President for Institutional Development and Effectiveness following these same guidelines. In cases of academic misconduct, appeals shall be made to the Executive Vice President and Provost following the same guidelines. A student is limited to one (1) appeal. No appeal will be considered based on non-delivery of hearing notification to a student's current address/e-mail unless the student can demonstrate non-receipt of the notification by credible evidence.
 - (b) An appeal shall be limited to review of the record of the initial administrative hearing and supporting evidence for one or more of the following purposes:
 - (i) To determine whether the original administrative hearing was conducted fairly in light of the charges and evidence presented, and in conformity with the student conduct code.
 - (ii) To determine whether the decision reached regarding the accused student was based on the evidence, that is, whether the facts in the case were sufficient to establish that a violation of the student conduct code occurred.
 - (iii) To determine whether the sanction(s) imposed were appropriate for the violation which the student was found to have committed.
 - (iv) To consider new evidence, sufficient to alter a decision or other relevant facts not brought out in the original administrative hearing, because such evidence and/or facts were not known to the person appealing at the time of the original administrative hearing.
 - (c) Upon appeal any sanctions imposed may be stayed by the appropriate appeal authority until after the appeal is reviewed. The decision of the appropriate appeal authority shall be final.
 - (d) The appropriate appeal authority may, upon review of the case, reduce, but not increase, the sanctions imposed by the conduct administrator.

(e) Any question of interpretation regarding the student conduct code shall be referred to the Associate Vice President of Student Development and Dean of Students or his/her designee for final determination.

(6) Grade Appeal

A student who has been charged with academic misconduct and has been found not in violation of this policy, may use this evidence as grounds to appeal the grade, if any, assigned by the instructor as outlined in section (F) (1) (b) (ii) of this procedure. The student may appeal the grade using the Student Initiated Course Grade Change Procedure IS47-03.