

## **Section 19.12 Student Disciplinary Policies and Procedures**

### **19.12.1 Purpose**

To specify the College's student disciplinary policy and accompanying procedures.

### **19.12.2 Policy**

Campus judicial affairs officers are responsible for the administration of disciplinary procedures at the Chester and Midlothian campuses, except in cases relating to Title IX or involving possible Title IX violations. Please see the Title IX policy for additional information. Allegations of violation of College policy are accepted for consideration only when the apparent infractions are observed on College property or other locations where the College provides services. Infractions of federal, state, or local laws occurring off campus shall be the concern of the civil authorities except when such actions (1) directly affect the health, safety, or security of the College community; (2) affect the College's pursuit of its educational purposes; or (3) occur as a direct result of a College-connected disruption. Reports of alleged student violations of published College regulations may be submitted by an individual to the dean of students within fifteen (15) business days of the infraction. The dean of students will assign a judicial affairs officer as appropriate.

### **19.12.3 Procedures**

When unruly or otherwise unacceptable behavior occurs in a classroom or laboratory, the instructor may immediately require the student who is responsible for the disruption to leave the classroom. It is the student's responsibility to contact the instructor prior to the next scheduled class meeting. After discussing the problem with the student, the instructor must either permit the student to return to class or forward formal written disciplinary charges against the student to the dean of students.

When unruly or otherwise unacceptable behavior occurs in the College libraries, library personnel may require the student or students who are responsible for the disruption to identify themselves and leave the library. Such students must be reported to the dean of students and are prohibited from returning to the College libraries until the allegations have been adjudicated by a judicial affairs officer appointed by the dean of students.

Once charges have been forwarded to the campus judicial affairs officer, the student may attend class pending the campus judicial affairs officer's review of the allegation. If the dean of students believes, however, that the student's presence in class may infringe on the rights of others or pose a threat to the welfare of other students and the instructor, the dean of students may prohibit the student from returning to class until the allegations have been adjudicated.

The campus judicial affairs officer is responsible for interpreting alleged misconduct with regard to published regulations and for identifying specific charges that will be brought against the student(s) involved. The campus judicial affairs officer should respond or bring charges within ten (10) business days from receipt of a report of a violation.

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**Campus Judicial Affairs Officers**

Campus judicial affairs officers for the Chester and Midlothian campuses are appointed annually by the dean of students, subject to the approval of the College vice president of learning and student success.

**Student Administrative Hearing**

After reviewing allegations, specifying the charges, and obtaining any necessary information, the campus judicial affairs officer will contact the student, requesting a meeting to discuss the case with the student, including the nature and source of the charges and the student's rights and responsibilities. During this discussion, the student may question the credibility of his or her accusers or other witnesses by submitting questions through the campus judicial affairs officer. The student will be given an opportunity to review relevant materials, which may have been presented as evidence against him/her. The campus judicial affairs officer also may seek guidance from the Threat Assessment Team. Following this review, the campus judicial affairs officer will either impose a disciplinary sanction or vacate the charges. This decision will be forwarded to the student in writing within ten (10) business days of the initial meeting between the campus judicial affairs officer and the student.

NOTE: If the student declines the student administrative hearing or does not attend this hearing, disciplinary proceedings will be held in his/her absence.

All records of the infraction and materials pertaining to and resulting from the inquiry (and any subsequent appeal) will be forwarded to the Office of the Dean of Students. This information will remain in the dean's office.

**Appeals to the Dean of Students**

If the campus judicial affairs officer imposes a disciplinary sanction, the student may appeal the sanction in writing to the dean of students or designee within ten (10) business days of the receipt of the campus judicial affairs officer's decision. The dean or designee will review the entire disciplinary proceeding and provide the student with a written notification of his/her findings and decision within ten (10) business days of the receipt of the appeal. The dean may request to meet with the student during his/her deliberations.

**Appeals to the Vice President of Learning and Student Success**

A student may appeal the decision of the dean of students or designee to the vice president of learning and student success or designee in writing within ten (10) business days of the receipt of the dean's decision. The vice president will review the dean's decision and provide the student with a written notification of his/her findings within ten (10) business days of the receipt of the appeal.

**Disciplinary Actions**

Disciplinary actions available to the campus judicial affairs officer are as follows:

1. Removal of the charges against the student.
2. Admonition: An oral or written statement to a student that he/she is violating or has violated College rules and may be subject to more severe disciplinary action.

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3. **Disciplinary Probation:** A student may be prohibited from participating in College extracurricular activities, using specified College facilities, or otherwise restricted in his or her movements while at the institution for a period of time not to exceed one year. A student who violates the provisions of his or her probation will be immediately dismissed from the institution.
4. **Restitution:** Reimbursement for damage to or misappropriation of property. This may take the form of appropriate service or other compensation.
5. **Attendance and successful completion of a special student development tutorial addressing ethics and appropriate student behavior.** (The failure to attend and successfully complete this tutorial will result in the assignment of another disciplinary action.)
6. **Disciplinary suspension:** Exclusion from attending the College as a student for a definite period of time not to exceed one academic year.
7. **Disciplinary dismissal from the College:** Termination of student status for an indefinite period. The conditions of the readmission, if any, will be stated in the order of dismissal.
8. **Administrative withdrawal from a course in which the student was found to be threatening and/or disruptive.**

A student, pending a hearing by the campus judicial affairs officer, may be suspended on an interim basis by the dean of students or designee or the vice president of learning and student success and barred from the College if his/her presence is deemed a danger to others or is likely to be disruptive to the normal educational activities of the College. The dean of students or vice president may seek guidance and input from the Threat Assessment Team. Nothing in these procedures should be construed to prevent the dean of students or vice president from taking such official steps as he/she may deem necessary except that final action shall be in accordance with the above procedures. Before a student may be suspended, he or she will be informed of the reasons for the suspension and will be provided an opportunity to respond within five (5) business days, except in exigent circumstances, in which case the student will be given said opportunity as soon as possible as determined by the dean of students or vice president.

NOTE: The Threat Assessment Team (TAT) upon review of the judicial affairs investigation and other information available to the team may make a recommendation of the disciplinary action to be taken. In these cases the student will be notified in writing.

### **Disciplinary Records**

All records of disciplinary action will remain confidential, will remain separate from the student's academic record, will be maintained in the Office of the Dean of Students, and will not be available to unauthorized persons on campus or to any person off campus without the express written permission of the student involved. Exceptions will be made only under the conditions specified in the [Family Education Rights and Privacy Act of 1974](#), as amended, and under a court order or subpoena.