

**THE CODE
OF STUDENT CONDUCT
FOR
SULLIVAN COUNTY COMMUNITY
COLLEGE
FALL 2011/SPRING 2012**

**APPROVED NOVEMBER 20, 2008
BY THE BOARD OF TRUSTEES**

STUDENT CODE OF CONDUCT

1. PURPOSE

Sullivan County Community College is a public community college committed to providing access to opportunities in higher education for students in Sullivan County and beyond. Its mission is to serve its region, state, and nation by preparing students to make meaningful contributions in an increasingly complex global society.

The College's Student Code of Conduct is an integral part of the educational mission, emphasizing the development of each individual's acceptance of his or her own personal and social responsibilities and to ensure fairness and due process for all students. Since behavior which is not in keeping with standards acceptable to the College community is often symptomatic of attitudes, misconceptions, and emotional crises; reeducation and rehabilitative activities are essential elements of the disciplinary process.

The College's Student Code of Conduct is designed to provide and help maintain an atmosphere within the College community that is conducive to academic pursuits. Serious action against a student, such as separation, is considered and invoked only when other remedies fail to meet the needs of the College's mission.

The College, however, recognizes its responsibilities to all members of the academic community – students, faculty, and staff, and the protection of personal and institutional rights and property is a primary focus of the process.

2. PRINCIPLES

The College principles address the respect for the law, regulations and policies, and the respect for people.

- a. Respect for the Law. Students are expected to respect and obey all regulations and policies of the College and all local, state and federal laws. If regulations, policies or laws are considered to be unfair or improper, it is expected that students will use appropriate, established, and lawful procedures to effect change.
- b. Respect for Self and Others. Students are expected to conduct themselves in a manner which exemplifies respect for people of all races, religions, and ethnic groups, and to adhere to one's personal values without unduly imposing them on others. Respect for one's own mind and body, is essential. In interpersonal relationships, students are expected to respect the rights of others, particularly their right to refuse to participate in any activity. Students should take responsibility to serve as leaders in promoting compassion for others and challenging prejudice.

All students enrolled in the College including all student residents, regardless of program affiliation, are expected to know and adhere to the regulations and policies of the College, as well as local, state, and federal laws.

3. AUTHORITY AND JURISDICTION

- a. The authority for student discipline is derived from the Board of Trustees of the College. The Board of Trustees has vested in the President or the President's

designee's authority to discipline a student or student group for violations of the Student Code of Conduct.

- b. A student, registered organization or a person who has submitted an application for admission, housing, or any other service provided by the College which requires student status will be subject to the Student Code of Conduct for any conduct which occurs on College property, at College-sponsored events or off campus under the conditions described in this policy.
 - c. The faculty shall have power to recommend rules of conduct which are subject to approval by the Board of Trustees, and shall appoint a judicial body, currently known as the Joint Committee on Student Affairs, as provided for in the Faculty by-laws.
 - d. Off-Campus Conduct: The College shall take disciplinary action against a student for violations committed off campus if any one of the following applies:
 - 1. The off-campus conduct is specifically prohibited by law or violates this Code of Conduct.
 - 2. The off-campus conduct demonstrates that the continued presence of the student on campus presents a danger to the health, safety, or welfare of the college community; is disruptive to the orderly conduct processes and functions of the college; or is intimidating or threatening to the college community or an individual within the college community.
 - 3. The off-campus conduct is of such a serious nature that it adversely affects the student's suitability to remain a part of the college community.
4. **DEFINITIONS:**
- a. Academic days - Only those days when the College's classes are in session, excluding holidays and weekend days.
 - b. Chair - One of the faculty/staff members that is selected from the panel to chair the Student Conduct Board Hearing.
 - c. Charged Student - The term "charged student" refers to any student who has been formally charged with an alleged violation of the Student Code of Conduct.
 - d. College or SCCC – The term College or SCCC refers to Sullivan County Community College
 - e. College Official - The term "college official" refers to any person employed by the College to perform assigned teaching, administrative, professional or other responsibilities.
 - f. Dean of Enrollment Management and Student Development Services – The person duly authorized by the President to impose sanctions on a case-by-case basis upon students who have been found responsible for violations of the Student Code of Conduct. The Dean of Enrollment Management and Student Development is responsible for the administration of the Student Code of Conduct. The term "Dean" refers to the Dean of Enrollment Management and Student Development Services.
 - g. Disciplinary Conference - The term "Disciplinary Conference" refers to the individual meeting with the student and the Dean or designee after a Notice of Charges has been delivered. This meeting consists primarily of a discussion between the student and the Dean and affords the student the opportunity to choose

- Responsible or Not Responsible to the charges listed on the Notice of Charges and determine the next course of action.
- h. Judicial Officer or body refers to any person or persons authorized by the Code of Conduct to determine whether a student is responsible for violations of the student code of conduct and to recommend sanctions to the Dean of Enrollment Management and Student Development Services.
 - i. Hearing Officer refers to any College official appointed by the Dean of Enrollment Management and Student Development Services to act in his/her place regarding investigation, notification of charges, hearing and determination of sanction.
 - j. Student - The term "student" refers to any person taking courses at SCCC on any of its campuses or sites, either full-time or part-time, pursuing undergraduate, or certificate studies. Persons who withdraw after allegedly violating the Student Code of Conduct, who are not officially enrolled for a particular term but who have a continuing relationship with SCCC or who have been notified of their acceptance for admission are considered "students" as are persons who are living in SCCC housing, although not enrolled in this institution. The term "student" will also refer to student clubs, groups and organizations.
 - k. Student Affairs Committee – The term Student Affairs Committee refers to one of the Standing Committees of the Faculty Council authorized by the College to determine whether a student has violated the Student Code of Conduct and recommend sanctions that may be imposed when a violation has been committed. This Committee is also authorized to hear appeals from students when not used as the original hearing body.

5. Violations of the Code of Conduct: Any of the following actions constitute conduct for which a student, a group of students, or a student organization may be subject to disciplinary action.

- a. Violence or threat of violence to others or against oneself or actions which endanger any member or guest of the college community; including physical or sexual assault and relationship/domestic violence.
- b. Theft, conversion, misuse, damage, defacing or destruction of College property or of the property of members of the College community.
- c. Interference with the freedom of movement of any member or guest of the College.
- d. Interference with the rights of others to carry out their activities or duties at or on behalf of the College.
- e. Interference with academic freedom and freedom of speech of any member or guest of the College.
- f. Noncompliance with written, oral requests or orders of authorized college officials or law enforcement officers in the performance of their duties.
- g. Providing false information to college officials, forgery, the withholding of required information or the misuse or alteration of College documents or the College's name or logos.
- h. Misuse or duplication of any College key or access card to any college premises or services.
- i. Possession or use of firearms, explosives, ammunition, fireworks, weapons or unauthorized possession or use of hazardous materials or dangerous chemicals on College premises.
- j. Actions which cause or attempts to cause a fire or explosion, falsely reporting a fire,

- explosion or an explosive device; tampering with fire safety equipment or failure to evacuate College buildings during a fire alarm.
- k. Disorderly Conduct - Breach of peace, such as causing a disturbance or being unruly.
 - l. Soliciting, aiding, abetting or inciting others to participate in conduct which violates this regulation.
 - m. Lewd, obscene, indecent behavior or voyeurism.
 - n. Acts of verbal, written (including electronic communications) or physical abuse, threats, intimidation, harassment, coercion or other conduct which threaten the health, safety or welfare of any person.
 - o. Conduct which constitutes unlawful discrimination or harassment and/or violation of the College Equal Employment Opportunity/Affirmative Action Policy or the Sexual Harassment Policy.
 - p. Possession, use, delivery to, sale of, distribution of, controlled substances or drug paraphernalia; as defined in Article 220, State of New York Statutes.
 - q. Endangering the health, safety or welfare of members or guests of the College.
 - r. Engaging in Hazing. Hazing is prohibited. Hazing is defined as an action or situation which recklessly or intentionally endangers the mental or physical health or safety of a person(s), for the purpose of initiation or admission into, affiliation with, or as a condition for the continued membership in a group or organization whether conducted on or off campus.
 - s. Unauthorized use or abuse of College Computing Resources and/or violation of the Computer and Network Acceptable Use Policy.
 - t. Repeated following or contacting of another person to the extent that it places that person in reasonable fear for his or her physical or emotional welfare.
 - u. Any sexual act that occurs without the consent of the victim, or that occurs when the victim is unable to give consent.
 - v. Any act which could constitute a violation of any local law or ordinance, State of New York or Federal law.
 - w. Misuse of Alcoholic Beverages.
 - 1. Underage drinking of alcoholic beverages is prohibited.
 - 2. The consumption of any alcoholic beverage in public places on the campus is prohibited except where specifically authorized by the President. All buildings, lobbies, walkways, and grounds of the campus are, for the purpose of this rule considered to be public places. The Paul Grossinger Dining Room is exempt from the public places restriction.
 - 3. Violation of the Alcohol Policy.
 - 4. Hosting – Allowing underage drinking; allowing excessive drinking or allowing an intoxicated person to leave and/or operate a motor vehicle.
 - x. Inappropriate Conduct at College-Sponsored Events – Students are expected to govern their behavior at all College-sponsored events and conduct themselves within the guidelines of the Student Code of Conduct. This applies to events that are held on or off campus.
 - y. Violation of Disciplinary Probation - failure to abide by conditions of probation.
 - z. Obstruction of Student Code of Conduct Process – Acts that disrupt or interfere with the College disciplinary process, including but not be limited to:
 - 1. Failure to appear at an official college hearing when proper notification has been provided; (nothing in this subsection shall be construed to compel self-incrimination).

2. Knowingly falsifying, distorting or misrepresenting information before a disciplinary proceeding;
 3. Deliberate disruption or interference with the orderly conduct of a disciplinary proceeding,
 4. Knowingly initiating a complaint/referral without cause;
 5. Use of threats, coercion, or intimidation to discourage an individual's participation in or other proper participation or use of the disciplinary process,
 6. Tampering with information to be used in a Hearing,
 7. attempting to influence the impartiality of a member of the disciplinary process prior to or during the course of the disciplinary proceeding;
 8. harassment or intimidation of any participant in the disciplinary process.
 9. Violating and/or failing to comply with or fulfill disciplinary sanctions.
- aa. Disruptive Conduct - Any other action that impairs, interferes with or obstructs the mission, purposes, order, academic atmosphere, operations, processes and/or functions of Sullivan County Community College.
 - bb. Any unauthorized use of electronic or other devices to make an audio or video record of any person while on College premises without his/her prior knowledge or without his/her effective consent when such recording is likely to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room or restroom.
 - cc. Violation of any College Policy or Regulation published in hard copy or available electronically on the College's website.
 - dd. Violation of Housing and Residential Life policies and procedures as outlined in either the Housing Contract or Housing Guidebook.

6. Court proceedings outside of the College:

- a. College disciplinary proceedings may be instituted against a student charged with conduct that potentially violates both the criminal law and this Student Code without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under this Student Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of the Dean of Enrollment Management and Student Development Services. Determinations made or sanctions imposed under this Student Code shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of College rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant.
- b. Any admission of guilt, responsibility or against the student's interest made by a student at off-campus proceedings shall be conclusive for College purposes.
- c. A verdict of guilty, a plea of guilty, a plea of no contest (nolo contendere) or similar plea in a court of law by a charged student will operate as a conclusive finding that the student is "responsible" for the purpose of SCCC disciplinary proceedings.
- d. The College may amend its charge(s) based on information obtained through an outside proceeding where that information is relevant to activity adversely affecting the College community.

7. **Students' Rights.** A student against whom disciplinary action may be taken shall have the following rights.
- a. The right to be notified in writing of the charges against him/her.
 - b. The right to a hearing no less than three academic days after the College provides the student with a notice of charges.
 - c. The right to a fair and impartial hearing on the charges by a duly constituted panel of the Student Conduct Board.
 - d. The right to present information and witnesses relevant to his or her defense at the hearing.
 - e. The right to question all adverse witnesses by appropriate mechanisms, unless the student has waived a hearing.
 - f. The right to not be forced to present testimony which would be self-incriminating. However, the College is not required to postpone disciplinary proceedings, pending the outcome of any outside criminal or civil case.
 - g. The right to request an appeal of the sanction imposed as long as appropriate appeal procedures are followed.
 - h. The right to have his or her status remain unchanged pending final disciplinary action except in cases involving the health, safety or welfare of the College community.
8. **Emergency Measures**
- a. The Dean of Enrollment Management and Student Development has the authority to take appropriate immediate action against a student who poses a significant danger of imminent or serious physical harm to himself/herself or others at the College, or where the Dean determines that an emergency exists which affects the health, safety or welfare of a student or the college community.
 1. Emergency Measures include but are not limited to, one or more of the following:
 - a. Interim Suspension. A student under interim suspension may not attend classes, may not be on or come onto College property, may not participate in any College activities or organizations, and may not use College facilities, equipment or resources.
 - b. Interim Suspension from College Housing. A student under interim suspension from College Housing may not reside in College Housing and may not come into College Housing facilities and/or adjacent areas of College Housing.
 - c. If the Dean determines that other interim measures are more appropriate to protect the health, safety, or welfare of the student or the College community, the Dean may:
 1. restrict or bar attendance of any or all classes;
 2. restrict or bar access or contact with individuals;
 3. restrict or bar access to College property, places, facilities or equipment;
 4. restrict or ban participation in College activities or organizations; or
 5. otherwise restrict or ban access to College resources or conduct.
 - b. A student subject to Emergency Measures shall be furnished:

1. Written notice of the Emergency Measure and the reason(s) for the action.
2. The opportunity to participate in disciplinary proceedings or to present relevant information for consideration of his/her case.
- c. Emergency Interim Measures may be taken at any time prior to the conclusion of the College Disciplinary process including during the appeal process.
- d. A Dean's hold on registration may immediately be placed on all students who have Emergency Measures taken against them, which prevents the student from accessing, changing or altering his/her course registration and/or admission status.

9. Procedures for the Conduct of Disciplinary Proceedings.

- a. Complaints. Any person or entity may request charges be filed against a student for alleged violation of law or College regulations or policies. An investigation may take place of the circumstances of the complaint. The complaint regarding a student's conduct must be submitted as follows:
 1. Filing a police report with the Campus Security or requesting that a report from another law enforcement agency be sent to the Campus Security Department and referral to the Dean; or providing a written and signed statement to the Dean. Written statements should include all information and evidence the person making the complaint can produce.
 2. Reports must be made to either law enforcement or the appropriate administrator within 6 months of the incident, or knowledge about the incident. No student may be charged with a violation to the Student Code of Conduct if the report is made past the 6 month period. This provision shall apply except in incidents involving patterns of behavior (i.e. stalking, sexual misconduct, domestic violence, etc.). These incidents must be reported within one (1) calendar year from the date of the incident or knowledge about the incident.
- b. When a complaint against a student is received by the Dean, all other administrative processes and petitions related to the student at the College are suspended and may not be processed further until final disposition of the complaint or special permission by the Dean of Enrollment Management and Student Development.
- c. The Dean will determine if there are reasonable grounds to believe that the allegations of the complaint are true, and if true, would constitute a violation of the College's Code of Conduct.
 1. The Dean may conduct an Investigation Conference with the student. This conference shall include an explanation of the process, the student's rights and a review of the incident. No student shall be required to testify against him/herself.
 2. The Dean may conduct an investigation with others as related to the incident or complaint.
 3. Nothing in this policy shall prevent the mediation of a complaint when deemed appropriate by the College.
 4. Nothing in this policy shall prevent the disposition of a complaint administratively by written agreement with mutual consent of the parties involved. Such disposition shall be final and there shall be no subsequent proceedings.

5. If an alleged violation of the Code of Conduct is not handled through other appropriate channels, is not dismissed, or is not settled informally, then the Dean shall present in writing formal charges to the student.
- d. Notice of Charges. The notification of charges shall be in writing and include: the specific conduct code violations, a brief description of alleged offenses, the student's rights, and an invitation to attend a Disciplinary Conference; the date and time of this Disciplinary Conference is also included.
 1. The Disciplinary Conference shall take place no sooner than three academic days, excluding holidays and weekends, from the date of Notice of Charges.
 2. If a hold on registration is not already in effect, as an Emergency Measure, upon issuing the Notice of Charges the Dean may place a Student Affairs hold on registration until final disposition of the complaint.
- e. Disciplinary Conference. After the Notice of Charges has been issued, a Disciplinary Conference may be scheduled.
 1. There are no witnesses called and it consists primarily of a discussion between the charged student and the Dean in an effort to resolve the matter.
 2. The Disciplinary Conference is not audio taped or recorded.
 3. At the conclusion of the disciplinary conference, the charged student may accept or deny responsibility to the student code of conduct violations on the Notice of Charges.
 4. If the charged student chooses to accept responsibility, or fails to attend the disciplinary conference, the authority may assess such sanctions as are deemed appropriate. This acceptance of responsibility or failure to appear shall constitute as the charged student's waiver of a formal hearing and right of appeal. The student retains the right only to appeal the severity of the sanction.
 5. Brief written decisions (including findings of fact) will serve as records of disciplinary conference and will be communicated in writing within 7 academic days of the Disciplinary Conference.
- f. Formal Disposition by Hearing: When a charged student denies responsibility, a hearing shall be scheduled no less than three (3) days after the date of the Disciplinary Conference.
 1. A Formal Hearing is defined as any hearing before the Student Affairs Committee or a College Hearing Officer.
- g. Notice of Hearing. The notification of hearing shall be in writing and include:
 1. The date, time and location of the Student Affairs Committee or Hearing Officer hearing
 2. A copy of his/her rights and the hearing procedures
 3. The charged student shall have the opportunity to challenge the impartiality of the hearing officer within three (3) academic days of notification. In the event that a student has opted not to challenge the impartiality of a hearing officer prior to the allotted three (3) academic days, the assigned hearing officer shall remain as scheduled. The student shall state in writing the basis for such challenge. A hearing officer so challenged may be replaced by the Dean for good cause shown.

- h. Postponement of Hearing. The student may request postponement of a Hearing in writing to the Dean. The Dean may grant a postponement when the circumstances presented demonstrate that a postponement is necessary to ensure fairness to the process or on any other reasonable grounds. The Dean may postpone the hearing on the College's behalf for administrative reasons.

10. Hearing Procedures

- a. The hearing is not a legal proceeding. Formal rules of process, procedure, or evidence do not apply.
- b. Objectives of the Hearing. Requisite levels of due process and fairness will be provided to all participants during these proceedings. The hearing shall have the following objectives.
 - 1. Inform the student of the charges
 - 2. Give the accused student an opportunity to respond to the charges
 - 3. Review the facts of the case
 - 4. Determine if any violation of the Student Code of Conduct was committed
 - 5. Recommend any Disciplinary Sanction(s) to be imposed based upon the facts, as determined at the hearing.
- c. Witnesses. Witnesses at hearings will not be sworn in. Each witness will be admonished that he or she is required to tell the truth. A student giving untrue testimony at a hearing is subject to disciplinary charges.
- d. The charged student may choose one advisor to be present at the hearing at the student's expense. The advisor/attorney may not present statements, arguments, or question witnesses or participate directly in any Hearing. Members of the Student Affairs Committee may not serve as a student's advisor at the hearing.
- e. Information. Pertinent records, exhibits, and written statements may be accepted as information for consideration by the Hearing Officer or the Student Affairs Committee at the discretion of the Chair.
- f. Burdens of Proof. The Student Affairs Committee or Hearing Officer shall determine whether it is more likely than not that the accused student violated the Student Code of Conduct by a preponderance of evidence.
- g. Hearings.
 - 1. All hearings before the Student Affairs Committee will be digitally recorded by the College. That recording will serve as the only official record of these proceedings and shall be the property of the College. No other recordings are permitted. Deliberations shall not be recorded.
 - 2. The following is a guide to the format of events for hearings. The Committee or Hearing Officer may change the order if necessary. The Committee or Hearing Officer may question any party or witness directly.
 - a. Review of Hearing procedures.
 - b. Reading of Charges
 - c. Opening statement and presentation of evidence by the College, followed by the opening statement and presentation of evidence by the charged student.
 - d. Questioning of College witnesses, followed by the questioning of charged student's witnesses.

- e. Questions directed to the charged student and the College by the Student Affairs Committee or Hearing Officer.
 - f. Closing statement by the College, followed by the closing statement of the charged student.
 - g. Deliberation by the Board or Hearing Officer (not taped)
 - h. Decision and optional recommendation of sanction by the Board or Hearing Officer.
- h. The Student Affairs Committee or Hearing Officer will find the student “Responsible” or “Not Responsible” for each of the alleged violations listed on the Notice of Charges.
 - i. If the charged student fails to appear at the scheduled hearing (after proper notice), the student shall be found Responsible for each of the alleged violations listed on the Notice of Charges and may not appeal the finding of responsibility. The student retains the right only to appeal the severity of the sanction.
 - j. The Dean shall send a notification in writing (Notice of Decision and Sanction) to the student of the decision of the Student Affairs Committee and the sanction(s) imposed within three (3) academic days of the conclusion of the hearing.

11. Disciplinary Sanctioning is intended:

- 1. To make sure the student sanctioned has learned from the experience.
 - 2. To educate the student so he or she does not commit the violation again.
 - 3. To offer the student the opportunity to make good on a mistake.
 - 4. To ensure that College expectations regarding appropriate behavior are clear.
 - 5. To educate the student concerning how his or her behavior impacts others in the community.
 - 6. To protect the College community from people who may harm others in the community or who may substantially interfere with the educational mission of the College or other institutions.
- b. Disciplinary Sanctions. In light of the facts and circumstances of each case, a Student Affairs hold on Registration (if not already in place) and the following sanctions or combination of sanctions shall be imposed upon any individual student or student organization found “Responsible” to violations of this Code.
 - 1. Educational Activities - required attendance at educational programs, meeting with appropriate officials, written research assignments, planning and implementing educational programs, or other educational activities at the student’s or student organization’s own expense.
 - 2. Counseling Assessment and Recommended Treatment – referral for assessment and treatment to the College Counseling Center or another agency at the student’s expense.
 - 3. Community/College Service - required completion of a specified number of hours of service to the campus or general community.
 - 4. Termination or Change in College Housing Assignment. Students remain financially responsible for obligations under the housing contract.
 - 5. Fines not to exceed \$250.00 per case.
 - 6. Restitution - Payment made for damage or loss caused by the responsible student.

7. Restriction or Revocation of Privileges. Temporary or permanent loss of privileges, including, but not limited to the use of a particular College facility, resources, equipment or visitation privileges.
8. Disciplinary Warning - A disciplinary sanction in writing notifying a student that the student's behavior did not meet College standards. All disciplinary warnings will be taken into consideration if further violations occur.
9. Disciplinary Probation - A disciplinary sanction in writing notifying a student that his or her behavior is in serious violation of College standards and that restrictions are being placed on his or her activities. Some sanctions that may be placed on a student during a probationary period include, but are not limited to, restriction of the privilege to: participate in student activities or in student organizations; represent the College on athletic teams, student organizations or in other leadership positions; gain access to College Housing buildings or other areas of campus; use of College resources and/or equipment; or contact with specified person(s). If the student is found "responsible" for another violation of the code of conduct during the period of Disciplinary Probation, the College will consider increasing the level of the subsequent sanction.
10. Suspension - Mandatory separation from the College. During the period of suspension the student is barred from SCCC unless specific permission is granted by the Dean. Once the entire period of suspension has been served, the student may seek readmission by submitting a written request to the Dean.
11. Revocation of Admission and/or Degree – Admission to or a degree awarded from SCCC may be revoked for fraud, misrepresentation or other violation of SCCC standards in obtaining the degree or for other serious violations committed by a student prior to graduation.
12. Withholding Degree – SCCC may withhold awarding a degree otherwise earned until completion of the process set forth in this Student Conduct Code, including completion of all sanctions imposed, if any.
13. Expulsion - Permanent dismissal from the College with no right for future readmission under any circumstances. A student who has been expelled is barred from SCCC.
14. Deactivation of the Student Organization's status at the College.
15. Administrative Withdrawal from individual courses or all courses registered for at the College. Students remain financially responsible for tuition and fees.
16. Other Appropriate Action. A disciplinary action not specifically set out above, but deemed proper by the Dean, Committee or Officer.
17. Alcohol Abuse Sanction Guidelines: Depending on the amount of alcohol involved and those involving severe intoxication and/or police or emergency medical response, dependent students, found responsible for offenses regarding the use, possession, sale or distribution of alcohol, may be sanctioned as follows at the discretion of College officials. These violations are per academic year.
 - a. First Violation
 1. Completion of an educational program

2. Parental Notification ** (Parental Notification may be implemented depending on the severity or nature of the first violation.)
 3. Completion of 5 - 15 hours of campus or community service
 - b. Second Violation
 1. Completion of an approved evaluation and treatment program at the student's own expense.
 2. Deferred Removal from College Housing for a period of one year
 3. Parental Notification
 4. Disciplinary Probation for at least 1 semester
 5. Completion of 15 - 30 hours of campus or community service
 - c. Third Violation
 1. Termination of Housing Contract – Student is suspended from campus housing and may be suspended from the College. Students are still financially responsible for obligations under the housing contract.
 2. Parental Notification
 3. Disciplinary Probation for 1 year
 4. Completion of up to 50 hours of campus or community service
 18. Drug Abuse Sanction Guidelines: Depending on the amount of illegal substance involved, the student may be suspended or expelled from the College, as well as prosecuted. At the minimum, a student may be sanctioned as follows:
 - a. First Violation
 1. Removal from College Housing
 2. Disciplinary Probation for one year
 3. Mandatory completion of an approved evaluation and treatment program at the student's own expense.
 4. Parental Notification
 5. Completion of 25 hours of campus or community service
 - b. Second Violation
 1. Completion of 50 hours of campus or community service
 2. Deferred Disciplinary Suspension for one year
 - c. Persons found to be involved in the sale of illegal drugs will be subject to permanent dismissal from the College.
12. **Appeals.** A student may appeal the finding of the Student Affairs Committee or Hearing Officer hearing (Responsible/Not responsible) or the sanctions imposed by the Dean..
- a. Standards for Appeal.
 1. Failure to receive the due process required by law.
 2. Severity of the sanction.
 3. New material or information that could not be discovered at the time of the hearing.
 - b. All appeals must be postmarked or received in writing within five academic days of the date of the Notice of Decision/Sanction to the Dean of Enrollment

Management and Student Development for consideration by the appropriate appellate body. All appeals must specify the basis for the appeal.

- c. The burden of proof at the appellate level rests with the charged student.
- d. The student's pre-decision status will remain unchanged pending the appeal determination, except where the safety, health or general welfare of the student or the College community is involved.
- e. Appeals of decisions and/or sanctions imposed by the Dean of Enrollment Management and Student Development are heard by the Student Affairs Committee.
- f. Appeals of decisions of the Student Affairs Committee are heard by the College President.
- g. After considering the appeal, the President or the Student Affairs Committee may reopen the hearing, order a new hearing with the same or new Conduct Board or Hearing Officer, uphold the prior decision or revise the sanction. The President shall provide the student written notice of her/his decision within five (5) academic days.
- h. The appeal determination of the President is final and binding on all parties. There are no further appeals within the College.

13. Disciplinary Records.

- a. The record of student disciplinary proceedings are part of a student's educational record and are subject to educational records confidentiality laws. Conduct records, disciplinary records and law violations are kept in the Dean of Enrollment Management and Student Development. These files are separate from academic transcripts.
- b. Issuance of Transcripts, Flagging of Records, and Retention of Records in Cases of Disciplinary Action. The transcripts and future registration records of students subject to disciplinary action are flagged in accordance with the following guidelines:
 - 1. The Dean will flag the records where:
 - a. A student has committed disciplinary acts culminating in suspension and/or expulsion;
 - b. A student has failed to appear before the Dean, when reasonably notified as to his or her involvement in disciplinary matters;
 - c. A student with severe behavior problems is no longer attending the College, and it is the determination of the Dean that a complete review of his or her record is to be made prior to readmission.
 - 2. When a student requests issuance of his or her transcript to another educational institution, outside agency or individual, such transcript shall be issued subject to the following guidelines:
 - a. If the student has had a disciplinary action taken against him/her which falls under paragraph (1) above, the transcript can only be sent with an overlay.
 - b. The overlay states: "This transcript reflects only the academic record of the student; this student currently is not in good standing and further information should be requested from the Dean of Enrollment Management & Student Development Services."

**Flowchart for the Process of Student Code of Conduct
at Sullivan County Community College**

