

# Student Rights, Responsibilities and Judicial Procedures

## I. PRINCIPLES

Isothermal Community College exists to improve life through learning. Free inquiry and free expression are essential to the attainment of this goal. Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn depends upon appropriate opportunities and conditions. Students should exercise their freedom with responsibility. As members of the academic community, students are subject to the obligations which accrue to them by virtue of this membership. As members of the larger community of which the College is a part, students are entitled to all rights and protection accorded them by the laws of that community.

By the same token, students are also subject to all laws, the enforcement of which is the responsibility of duly constituted authorities. When students violate laws, they may incur penalties prescribed by legal authorities. In such instances, college discipline may be initiated when the presence of the student on campus will disrupt the educational process of the College. However, when a student's violation of the law also adversely affects the College's pursuit of its recognized educational objectives, the College may enforce its own regulations. When students violate college regulations, they are subject to disciplinary action by the College whether or not their conduct violates the law. If a student's behavior simultaneously violates both college regulations and the law, the College may take disciplinary action independent of that taken by legal authorities.

For the purpose of this policy, student is defined as an individual who has been admitted to the College and has registered for courses, or otherwise entered into any other relationship with the College to take instruction. It further includes persons who are eligible to receive any of the rights and privileges afforded a person who is enrolled at the College. Student status lasts until an individual graduates, is dismissed, or is no longer enrolled.

Career and College Promise students are required to adhere to Isothermal Community College's Student Code of Conduct while on or about the premises of the College campus, in Isothermal Community College courses, or at college-sponsored or college-supervised events. When the College is made aware of a high school student's misconduct at their respective high school, the dean of students will determine if the dually enrolled student is also in violation of the College's Student Code of Conduct policy.

Visitors to Isothermal Community College are expected to conduct themselves in an appropriate manner. The College reserves the right to suspend the privilege of visiting the campus or the use of its facilities. Visitors do not have the same rights to due process and appeals as students.

## II. STUDENT RIGHTS

A. **Constitutional Rights-** No rights and privileges guaranteed to every citizen by the Constitution of the United States and by the state of North Carolina shall be denied any student.

**B. Freedom of Speech and Assembly-** Students have the right to freedom of expression, inquiry and assembly without restraint or censorship subject to reasonable and non-discriminatory rules and regulations regarding time, place, and manner.

**C. Student Representation in Governance-** Students have the right to inquire about and to propose improvements in policies, regulations and procedures affecting the welfare of students through established student government procedures, campus committees and college offices.

**D. Privacy-**The Family Educational Rights and Privacy Act of 1974 provides safeguards regarding the confidentiality of and access to student records and this Act will be adhered to by the College (reference Student Records policy 601-02-07AP).

**E. Free from Harassment-** Students have the right to be free from sexual harassment, gender harassment, and other unlawful harassment or discrimination (reference Student Unlawful Harassment/Discrimination policy 601-02-05BP).

**F. Due Process-**No disciplinary sanctions other than temporary removal from class or activity (only for duration of said activity) may be imposed upon any student without due process (reference section V: Disciplinary Procedures).

### **III. STUDENT CODE OF CONDUCT**

Students, employees, and visitors to the College are expected to conduct themselves in a respectful manner at all times consistent with the goal of the College to enhance learning. Isothermal Community College reserves the right to maintain a safe and orderly educational environment for students, faculty, staff, and visitors. Therefore, when, in the judgment of College officials, a student's conduct disrupts or threatens to disrupt the learning environment (to include physical campus and facilities, online, web-based, or remote locations) appropriate disciplinary action will be taken. The purpose of this code is not to restrict student rights but to protect the rights of all individuals in the academic community.

The Student Code of Conduct applies to student conduct, which occurs at the College, in any of its facilities, on any of its grounds, or during any College related activity regardless of location. The Student Code of Conduct shall apply to a student's conduct even if the student withdraws from the College while a discipline matter is pending.

Students in certain programs may be expected to follow additional guidelines. Examples include (but are not limited to) Basic Law Enforcement Training standards, guidelines associated with health sciences programs, and policies associated with County Schools (e.g., Rutherford Early College High School or Polk County Early College). The students enrolled in adult basic education (ABE), adult high school (AHS), English as a second language (ESL), or high school equivalency preparation are also expected to follow both the Basic Skills Code of Conduct and the Student Code of Conduct.

#### **CODE OF CONDUCT RULES AND REGULATIONS**

The following regulations set forth rules of conduct that prohibit certain types of student behavior. Violations of one or more of the following regulations may result in one of the sanctions described in Section VI.

1. Theft of, misuse of, damage to college property, or theft of or damage to property of a member of the college community or a campus visitor on college premises or at college functions; unauthorized entry upon the property of the College or into a

- college facility or a portion thereof which has been restricted in use and thereby placed off limits; unauthorized presence in a college facility after closing hours.
2. Lewd or indecent conduct, including public physical or verbal action or distribution of obscene or libelous written material. This includes inappropriate public displays of affection, obscene language, gestures, etc.
  3. Mental, verbal, or physical intimidation, threat, abuse, or assault of any person on college premises or at college-sponsored or college-supervised functions, including verbal or physical actions which threaten or endanger the health or safety of any such persons or which promote hatred, racial prejudice, or discrimination. This includes, but is not limited to, acts of intimidation, harassment, discrimination, or acts intended to threaten the safety of others (refer to Communicable Disease policy 601-02-06BP).
  4. Any act, comment, or behavior which is of a sexually suggestive, harassing, or unlawfully discriminatory nature and which in any way interferes with a student's or an employee's performance or creates an intimidating, hostile, or offensive environment (refer to Student Unlawful Harassment/Discrimination policy 601-02-05BP).
  5. Forcible or non-forcible sex offenses including rape and acquaintance rape. Students should be aware that minors are present on campus, and they should be cognizant of applicable laws related to age of consent, etc.
  6. Direct or credible threat - students (i) pose a credible risk of substantial harm to a member or members of the college community while on the campus or engaged in college activities, or (ii) substantially impede educational or other activities while on the campus or engaged in college activities.
  7. Any other violation of local, state or federal law while on the College campus or participating in an off-campus College activity that infringes on the rights of other members of the College community.
  8. Intentional obstruction or disruption of teaching, research, administration, or disciplinary proceedings, or other college activities, including public service functions and other duly authorized activities on or off College premises. This includes any inappropriate behavior that interferes with the peace and order of the College.
  9. 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.
  10. Participating in, conducting an assembly, demonstrating, or gathering without approval of the College based on reasonable time, place and manner restrictions; in a manner which threatens or causes injury to person or property; interferes with ingress or egress of college facilities; or is harmful, obstructive or disruptive to the educational process or institutional functions of the College; remaining at the scene of such an assembly after being asked to leave by a representative of the college staff.
  11. Possession of or use of alcoholic beverages or being in a state of intoxication on the Isothermal Community College campus or at college-sponsored or supervised functions off campus or in vehicles owned, leased or rented by the College. Exceptions shall be made for the use of alcohol in instructional situations, e.g. cooking classes, laboratory experiments, or in conjunction with events at The Foundation Performing Arts and Conference Center meeting the requirements of the NC State ABC Codes and of nonexclusive catering services agreements. Possession, use, distribution, or manufacture of any illegal drugs or drug paraphernalia, including prescription drugs in which the user does not possess

a legally obtained prescription, except as expressly permitted by law. Any influence which may be attributed to the use of drugs or of alcoholic beverages shall not in any way limit the responsibility of the individual for the consequences of their actions (refer to Drug and Alcohol policy 601-02-01BP).

12. Possession or use of firearm, incendiary device or explosive, except in connection with a College-approved activity. This also includes unauthorized use of any instrument or weapon designed to inflict serious bodily injury to any person (refer to Weapons on Campus policy 902-02-00).
13. Setting off a fire alarm, or using, or tampering with any safety equipment, except with reasonable belief in the need for such alarm or equipment.
14. Gambling on campus or at any College-affiliated activities or events.
15. The use of tobacco products is prohibited on the Isothermal Community College campus. This includes all buildings, facilities, property owned or leased by the College, and campus grounds. Smoking and tobacco use are also prohibited in vehicles owned, leased or rented by the college. Tobacco use is permitted in personal vehicles only. For a complete definition of tobacco products, refer to Use of Tobacco Products policy 802-02-01BP.
16. Violation of College regulations regarding the operation and parking of motor vehicles (see *College Catalog and Student Handbook*).
17. Presenting to the College or its employees false information as part of an investigation, inquiry, hearing, or in other manners related to College activities; neither may a student knowingly withhold information that may affect their enrollment or their status with the College. Forgery, alteration, or misuse of college documents, records or instruments of identification with intent to deceive, or the presentation of false information to the College with the intent to deceive.
18. Failure to comply with the instructions of college officials acting in performance of their duties.
19. Violation of the terms of disciplinary probation or any college regulation during the period of probation.
20. Fiscal irresponsibility such as the failure to pay college-levied fines, failure to repay college-funded loans or the passing of worthless checks to college officials.
21. Violation of a local, state, or federal criminal law on college premises adversely affecting the college community's pursuit of its proper educational purposes.
22. Revocation of sponsorship by sponsoring agency for students in Basic Law Enforcement Training.
23. Unauthorized solicitation.
24. Violation of the College's Computer Resources, Internet, and Network Use policy.
25. Any other violation of local, state, or federal law while on the college campus or participating in an off-campus college activity that disrupts or has the potential to disrupt college activities or could result in harm to self or others.

**Note:** Student leaders are expected to abide by standards set forth in the Student Code of Conduct, the Student Leaders Manual, and the student club/organization's constitution and/or bylaws, and to conduct themselves at all times in accordance with conduct befitting the leader of an organization at Isothermal Community College.

**Note:** Students are encouraged to report any concerns or information regarding violations of law or College policy or other behavior perceived to be a threat to the community

## **IV. DISCIPLINE AND APPEALS FOR NON-ACADEMIC VIOLATIONS**

### **A. Jurisdiction**

In the following regulations and procedures, the dean of continuing education will review and enforce all policies and regulations for continuing education students, adult basic education (ABE), adult high school (AHS), English as a second language (ESL), and high school equivalency students. All other student regulations and procedures will be referred to the dean of students. Campus deputies or other duly constituted authorities may enforce all laws and regulations as part of their sworn duty independent of college disciplinary action. In certain program areas, Code of Conduct responsibilities may be enforced by other officials as appropriate.

## **V. STUDENT CODE OF CONDUCT DISCIPLINARY PROCEDURES**

### **A. Immediate Suspension**

If an act of misconduct threatens the health or well-being of any member of the academic community or seriously disrupts the function and good order of the College, an instructor or administrative officer may direct the student(s) involved to cease and desist such conduct and advise them that failing to cease and desist will result in removal from class, campus, or college-sponsored activity. If the student(s) fails to cease and desist, the instructor or administrative officer may temporarily remove the student from the class, campus, or college-sponsored activity until a resolution of the matter can be made.

The instructor or administrative officer invoking such suspension shall notify the dean of students/dean of continuing education in writing of the individual(s) involved and the nature of the infraction as soon as possible but no more than two business days following the incident.

Upon reasonable belief that a student's continued presence on campus presents a danger to the community, the dean of students/dean of continuing education may immediately suspend the student during the course of disciplinary procedures. At any time the dean immediately suspends a student because of a belief that the student's presence on campus constitutes a threat to others, the dean may initiate a meeting with the Threat Assessment Team to assess the situation and/or student's continued presence.

The dean of students/dean of continuing education shall resolve the matter in a timely fashion utilizing the steps outlined below.

### **B. Formal charges that do not require immediate suspension**

In order to provide an orderly procedure for handling student disciplinary cases in accordance with due process and justice, the following procedures will be followed:

### **C. Charges**

Any administrative official, faculty member, or staff member may file a report with the dean of students/dean of continuing education against any student or student organization for violations of college regulations. The individual(s) making the report must complete an incident report form (available on the college website), stating:

- # name of the student(s) and/or organization involved
- # the alleged violation of the specific code of conduct

- # the time, place, and date of the incident
- # names of person(s) directly involved or witnesses to the infractions
- # any action taken that related to the matter, and
- # desired solution(s)

#### D. Student Code of Conduct Due Process Avenues of Action

Steps	Appeals Procedure	Guidelines for response or action
1	<b>Charge:</b> An incident report form shall be forwarded to the dean of students or dean of continuing education.	2 business days
2	<b>Investigation:</b> The dean or designee shall complete a preliminary investigation of the report and shall discuss the report and investigation with the student and/or applicable parties.	10 business days (if necessary, time may be extended by the appropriate vice president)
3	<b>Actions:</b> After seeking and documenting information from the student, the dean may take the following actions: a) Drop the charges b) Impose a sanction consistent with those shown in Section VI Refer the student to another college office or community agency for services	
4	<b>Notification:</b> The decision of the dean of students/ dean of continuing education shall be presented to the student in writing following the meeting with the student. In instances where the student cannot be reached for a discussion or where the student refuses to cooperate, the dean of students/dean	5 business days

of continuing education shall send a letter to the student's last known address with a list of the charges, the dean's decision, and instructions governing the appeal process.	
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## VI. STUDENT CODE OF CONDUCT SANCTIONS

1. **Verbal Reprimand:** A verbal communication, which is the lightest form of disciplinary action. A verbal warning may be documented in writing.
2. **Written Reprimand:** A written communication which gives official notice to the student that any subsequent offense against the Student Code of Conduct will carry heavier penalties because of this prior infraction.
3. **General Probation:** An individual may be placed on general probation when involved in a minor disciplinary offense. General probation has two important components: the student is given a chance to show capability and willingness to observe the Student Code of Conduct without further penalty and if the student violates the Code again during a time of General Probation, further action will be taken. This probation will be in effect for no more than two semesters.
4. **Restrictive Probation:** Restrictive probation results in loss of good standing and becomes a matter of record. Restrictive conditions may limit activity in the college community or require additional specified activities. Generally, the individual will not be eligible for initiation into any local or national organization, and may not receive any college award or other honorary recognition. The individual may not occupy a position of leadership or responsibility with any college student organization, publication, or activity. This sanction prohibits the student from officially representing the College. This probation will be in effect for not less than two semesters. Any violation of restrictive probation may result in immediate suspension.
5. **Restitution:** Restitution for damaging, misusing, destroying or losing property belonging to the College, college personnel, students.
6. **Withholding transcript, diploma, or right to register:** Imposed when financial obligations are not met.
7. **Interim Suspension:** Exclusion from class and/or other privileges or activities as set forth in the notice, until a final decision has been made concerning the alleged violation.
8. **Suspension:** Exclusion from course(s), and/or all other privileges or activities of the College for a period of time specified by the dean of students or dean of continuing education. After the specified time has elapsed, the student may request the suspension to be lifted. The student should submit a written request for return and a reflection addressing (1) how their behavior was inconsistent with College expectations, (2) reason for desiring to return to campus, (3) what was learned from the experience, and (4) how they have or how they intend to alter their conduct in accordance with all College policies, including the Student Code of Conduct. This sanction is reserved for those offenses warranting discipline more severe than probation, or for repeated misconduct. Students who receive this sanction must receive specific written permission from the dean of students/dean of continuing

education before returning to campus. Suspended students remain responsible for applicable tuition, fees, and/or additional outstanding financial obligations to the College.

**Expulsion:** Dismissing a student from the College for an indefinite period. The student loses their student status. The student may be readmitted to the College only with the approval of the president. Students who wish to be readmitted after the expulsion should submit a written request for return and a reflection addressing (1) how their behavior was inconsistent with College expectations, (2) their reason for desiring to return to campus, (3) what was learned from the experience, and (4) how they have or how they intend to alter their conduct in accordance with all College policies, including the Student Code of Conduct. Expelled students remain responsible for applicable tuition, fees, and/or additional outstanding financial obligations to the College.

9. **Group Probation:** This is given to a college club or other organized group for a specified period of time. If group violations are repeated during the term of the sentence, the charter may be revoked or activities restricted.
10. **Group Restriction:** Removing college recognition during the semester in which the offense occurred or for a longer period. While under restriction, the group may not seek or add members, hold or sponsor events in the college community, or engage in other activities as specified.
11. **Group Charter Revocation:** Removal of college recognition for a group, club, society, or other organization for a minimum of two years. Re-charter after that time must be approved by the president.
12. **Referral to local authorities for prosecution.**
13. **Presence on campus prohibited or Trespass Order (reference Trespassing policy 802-02-04AP).**
14. **Removal from Basic Law Enforcement Training (BLET) Program due to loss of sponsorship.**
15. **Denial of access to the college's computer resources, Internet, and networks (reference Computer Resources/Internet policy 602-03-01AP).**
16. **Other directive imposed in conjunction with any of the above sanctions as deemed appropriate by the dean of students/dean of continuing education.**

In situations regarding student organizations, the dean of students/dean of continuing education, in their discretion, may administer disciplinary action against the organization as well as individual members.

In addition to the above stated sanctions, the student may be required, at their own expense, to attend one or more counseling sessions with a licensed professional counselor or drug education classes while maintaining enrollment or before returning to the College after a period of suspension or expulsion. In such situations, the student must provide written documentation from the licensed professional that the requirement has been met and may be required by the president to provide a statement from an acceptable licensed professional that the student is able to return to class based on their professional judgment.

**Disclosure:**

1. Students should be aware that Student Code of Conduct violations and related sanctions may be disclosed to outside parties with the written consent of the



student. Examples of parties who may require this information are future employers and educational institutions.

2. On an annual basis, the dean of students/dean of continuing education will review Student Code of Conduct violations based upon factors such as severity and length of time since sanctions were imposed. This deliberative process will involve the appropriate vice president and may result in an update of student conduct records. Upon written request, Isothermal Community College, must disclose to the alleged victim of any crime of violence or a non-forcible sex offense, the results of any disciplinary proceeding conducted by the College against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of the crime or offense, the information shall be provided, upon request, to the next of kin of the alleged victim.

## VII. STUDENT CODE OF CONDUCT APPEALS PROCEDURE

A student who disagrees with the decision of the dean of students/dean of continuing education may request a hearing before the Disciplinary Review Committee.

Steps	Appeals Procedure	Guidelines for response or action
1	After being notified of disciplinary action for violations of the Student Code of Conduct a student may request a hearing before the Disciplinary Review Committee. The request must be made in writing.	3 business days after notification of disciplinary sanction
2	The Review Committee must convene. The dean shall submit to the committee a report of the nature of the alleged misconduct, the name of the complainant, the name of the student against whom the charge has been filed, and the relevant facts revealed by the dean's investigation.	15 business days after the receipt of a request for a hearing
3	The dean of students/dean of continuing education shall send a letter to the student's last known address. The letter shall include the following information:	5 days prior to the date set for the hearing  Upon receiving written request from the student and approval by appropriate college administrator, the

	<ol style="list-style-type: none"> <li>1. A restatement of the charges.</li> <li>2. The time and place of the hearing.</li> <li>3. A statement of the student's basic procedural rights.</li> </ol> <p>The hearing will take place as scheduled unless a written and reasonable request to change the date and time is received by the student and subsequently approved by the committee chair.</p>	<p>hearing may be held prior to the expiration of the 5-business day notification period if the dean of students/dean of continuing education concurs with this change.</p>
4	<p>Upon completion of the hearing, the Committee shall convene in private to render a decision. The Committee may uphold, overturn or modify the dean's original decision.</p>	
5	<p>The dean of students/ dean of continuing education shall send a letter to the student's last known address providing the student with the Committee's decision.</p>	<p>2 business days after a decision is rendered by the Committee</p>
6	<p>A student who refuses to accept the findings of the Committee may appeal in writing to the president.</p>	<p>5 business days after receipt of the Committee's decision</p>
7	<p>The president shall have the authority to:</p> <ol style="list-style-type: none"> <li>1. Review the findings of the proceedings of the Committee.</li> <li>2. Hear from the student, the dean of students/dean of continuing education, and the members of the Committee before ruling on an appeal.</li> <li>3. Approve, modify, or overturn the decision of the Committee.</li> </ol>	<p>The president shall inform the student in writing of the final decision within 10 business days of the receipt of the appeal</p>

The president's decision is final.
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**A. Disciplinary Review Committee.** In the event of a student appeal, the Disciplinary Review Committee shall be composed of the following:

1. Four members appointed by the president who may include faculty, staff, and/or students.
2. One administrator appointed by the president to serve as committee chairperson and who may vote to break a tie.
3. At least two committee members appointed by the president as well as the chairperson must be present in order for the committee to conduct business.

In cases involving sensitive matters, such as sexual assault or harassment, the president may exclude student members from the Disciplinary Review Committee to maintain the confidentiality of the parties involved.

If a charged student fails to appear for a disciplinary review hearing, the hearing will proceed as planned and committee members will deliberate and reach a decision based on available information and the testimony of any witnesses who appear.

**B. Basic procedural rights of students** include the following:

1. The right to counsel at the student's expense. The role of counsel is to advise the student. That counsel does not address the Committee or question witnesses.
2. The right to produce witnesses on one's behalf relevant to the charge.
3. The right to present evidence.
4. The right to know the identity of the person(s) bringing the charge(s).
5. The right to hear witnesses' testimony if presented at the hearing and/or review witness statements.
6. The right to testify or to refuse to testify without such refusal being detrimental to the student.
7. The right to appeal the decision of the Committee to the president who will review the official record of the hearing. The appeal must be in writing, stating the reason for the appeal, and it must be submitted to the president within five business days after the dean mails the letter containing the Committee's decision.

**C. Conduct of the Committee Hearings**

1. Hearings before the Committee shall be confidential and shall be closed to all persons except the following:
  - a. The student.
  - b. Attorneys representing parties to the hearing.
    - i. Student must notify the dean of students/dean of continuing education at least two days in advance of the hearing if they are bringing counsel and must provide the name of the attorney or firm. Failure to notify the dean regarding legal counsel could result in the hearing being continued until such time that the College can have its legal counsel present.
    - ii. The attorney may be present only during the proceedings when the student is present.
  - c. Witnesses who shall:
    - i. Give testimony singularly and in the absence of other witnesses.

- ii. Leave the committee meeting room immediately upon completion of the testimony.
  - iii. Provide only testimony that is relevant to the charge.
- 2. At least two days prior to the hearing, the student will provide the dean of students/ dean of continuing education with a witness list.
- 3. The hearing will be recorded. Recordings will become the property of the College, and access to the recordings will be determined by the Chairperson of the Committee and the dean of students/dean of continuing education. All recordings or transcripts will be filed in the office of the dean of students/dean of continuing education.
- 4. The Committee shall have the authority to adopt supplementary rules of procedures consistent with this code.
- 5. The Committee shall have the authority to render written advisory opinions concerning the meaning and application of this code.
- 6. Upon completion of the hearing, the Committee shall convene in private to render a decision. The Committee may uphold, overturn or modify the dean's original decision. Decisions of the Committee shall be made by majority vote.
- 7. The charged student will be notified of the outcome of the disciplinary hearing by a letter to the last known address. The student is responsible for providing the College with a correct address.

#### **D. Student Voluntary Withdrawal**

If a student is accused of violating the Student Code of Conduct and voluntarily withdraws prior to the conclusion of the disciplinary matter without the consent of the dean of students/dean of continuing education, the student will not be allowed to re-enroll to the College unless reasonable re-entry restrictions, as determined by the dean, are satisfied

For students who withdrew prior to a determination regarding alleged misconduct that threatened the health, safety or well-being of any member of the academic community and/or seriously disrupted the function and good order of the College, in addition to other reasonable re-entry restrictions, the student must provide proof from an acceptable licensed mental health professional, at the student's expense, that they no longer pose a direct threat of harm to a member or members of the college community.

#### **VII. Discipline and Appeals for Academic Misconduct**

All forms of academic misconduct including, but not limited to, cheating, plagiarism, collusion, and falsification of information may result in sanctions. Alleged violations will be handled according to the procedures described in this section.

##### **A. Definitions:**

- 1. a. Cheating is defined to include the following:
  - i. Using materials or equipment to complete a learning activity not authorized by the administrator of the learning activity.
  - ii. Collaborating with any other person on a learning activity without permission from the instructor or facilitator.
  - iii. Knowingly obtaining, using, buying, selling, transporting, sharing, or soliciting in whole or in part the contents of a learning activity prior to its administration.

- iv. Substituting for another student or permitting any other person to substitute for oneself.
- v. Falsifying information in order to be granted additional time to submit learning activity.
- vi. Cooperating or aiding in any of the above.
- b. "Plagiarism" is the intentional theft or unacknowledged use of another's work or ideas. Plagiarism includes, but is not limited to: a) paraphrasing or summarizing another's words or works without proper acknowledgement; b) using direct quotes of material without proper acknowledgment; or c) purchasing or using a paper or presentation written or produced by another person. If a student is uncertain about what constitutes plagiarism, they should discuss with the class instructor.
- c. "Collusion" is defined as knowingly assisting another person in an act of academic misconduct.
- d. Falsification is defined as altering or inventing information in such academic exercises as reports, laboratory results, and citations of the sources of information.

## **B. Disciplinary Procedures and Documentation of Violations**

Academic misconduct threatens the academic integrity and disrupts the function and good order of the College. An instructor, facilitator, or administrator may direct the student(s) involved in academic misconduct to cease and desist such conduct and/or may advise them that appropriate sanctions are warranted. However, if the instructor, facilitator, or administrator should determine that the misconduct was unintentional and that the student would benefit from instruction regarding academic integrity, the instructor, facilitator, or administrator may forego sanctions and conduct or arrange for appropriate instruction. The instructor, facilitator, or administrator shall notify the appropriate dean/director of the individual(s) involved, the nature of the infraction and the action taken by submitting an academic misconduct incident report form as soon as possible but no more than two business days following the sanction or instruction.

## **C. Sanctions Imposed**

The following sanctions may be imposed for academic violations:

1.
  - a. Verbal warning;
  - b. Written warning;
  - c. Satisfactory completion of the unfinished assignment;
  - d. Additional coursework;
  - e. Loss of credit for the assignment or learning activity;
  - f. Loss of credit for the course;
  - g. In accordance with guidelines for certain programs, academic misconduct may result in removal from the program of study;
  - h. Multiple violations of academic misconduct may result in further sanctions imposed by dean of students

## **D. Appeals Procedure for Academic Misconduct**

A student, after conferring with the instructor concerned, may present in writing to the appropriate instructional dean/director an appeal of a decision concerning academic misconduct. Academic misconduct appeals should be made within five business days of the sanction. The dean/director will review the decision and respond to the student

in a timely manner. The student may appeal the decision of the dean/director to the vice president of academic and student services. The decision of the vice president of academic and student services is final in all cases involving academic misconduct.

## **GRADE APPEAL**

A part of faculty responsibility at the College is the assignment of student grades according to methods that are professionally acceptable, communicated to everyone in the class, and applied to all students equally.

A student who has a disagreement with an instructor's professional judgment in grading should attempt to resolve the matter through discussion with the instructor who issued the grade. The College believes that the preservation of the institution's academic integrity requires that the College ordinarily refrain from review of or participation in an instructor's evaluation of student performance in cases where the instructor is using their professional judgment.

However, the College acknowledges that on occasion circumstances may arise in which a student should have the opportunity to appeal a grade. In these circumstances, the student should first discuss the concerns with the instructor. If desired, the student may further appeal to the dean of the academic department. Appeals to the dean must be submitted in writing within the first four weeks of the succeeding semester. If the student determines that an appeal of the dean's decision is warranted the student may further appeal to the vice president of academic and student services. The decision of the vice president is final in all cases involving grade appeals.

The following examples are provided to clarify when a grade appeal is warranted. These examples are not intended to include all instances that may or may not warrant an appeal.

### **Examples that do merit a grade appeal:**

- The instructor miscalculated a grade.
- The instructor has violated the grading policies outlined in the syllabus without reasonable cause or explanation.
- The instructor has not provided a reasonable explanation of how the student's work was evaluated.

### **Examples that do not merit a grade appeal:**

- The instructor's grading policies differ from other instructors in the department or College.
- The instructor's attendance policy differs from other instructors in the department or College.
- The instructor's late work policy differs from other instructors in the department or the College.
- The grade distribution in the class in question is lower than in other sections of the same course.
- The grade in the course is significantly lower than grades the student earned in similar courses.
- The grade in question will trigger probation, suspension, or loss of financial aid.
- The grade is the result of enforcement of College and/or instructor's academic integrity policies.

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**Policy Number:** 601-02-00BP

**Cross-reference:**

- [Drug and Alcohol Policy](#)
- [Discrimination and Unlawful Harassment - Student](#)
- [Communicable Disease and Vaccinations](#)
- [Student Records](#)
- [Use of Tobacco Products](#)
- [Weapons on Campus](#)

**Adopted:** April 1965

**Reviewed:** June 12, 2018

**Amended:** May 1984; November 1986; November 1987; November 1989; May 11, 1993; July 1993; June 10, 1997; August 2005; January 11, 2006; January 28, 2009; May 24, 2011; May 22, 2012; June 12, 2018; July 20, 2020

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