

DISCIPLINE - POLICIES ON STUDENT RIGHTS AND DISCIPLINE

SECTION 1 - Policy Statement

Coastal Carolina Community College adopts this policy on student discipline in recognition of the need to preserve the orderly processes of the college, as well as to observe the students' procedural and substantive rights. As used herein, "student" means any person who is registered for a course, program, or extension offering.

SECTION 2 - Rights of Students

Students are entitled to an atmosphere conducive to learning and to impartial treatment in all aspects of the teacher-student relationship. The

student should not be forced by the authority inherent in the instructional role to make particular personal choices as to political action or his own part in society. Evaluation of students and the award of credit must be based on academic performance professionally judged and not on matters irrelevant to that performance, such as the personality, race, religion, degree of political activism, or personal beliefs. Students are free to take reasoned exception to the data or views offered in any course of study, but they are responsible for learning the content of the course of study, as defined by official publications.

College students are both citizens and members of the academic community. As citizens, they enjoy the same freedom of speech, peaceful assembly, and right of petition that other citizens enjoy, and as members of the academic community, they are subject to the obligations which accrue to them by virtue of this membership.

SECTION 3 - Proscribed Conduct

The college may discipline a student in the following situations:

1. For conduct that damages or destroys or attempts to damage or destroy, college property or the property of others located at the college or college-related premises;
2. For conduct that constitutes a danger to the personal safety of other members of the college community, including guests or licensees of the college (Intentionally causing or attempting to cause injury is included within the meaning of this provision.);
3. For conduct that obstructs or seriously impairs, or attempts to obstruct or seriously impair college sponsored or college authorized activities on the college campus or other location where a college sponsored activity is located;
4. For conduct that restrains freedom of lawful movement or that otherwise prevents any member of the college community from conducting his/her normal activities within the college.

The following, while not intended to be exclusive, illustrates the offenses encompassed herein when done for the purpose of obstructing or disrupting any normal operation or function of the college or any of its components: (1) occupying of any college building or part thereof with intent to deprive others of its normal use; (2) blocking the entrance or exit of any college building or corridor or room therein with intent to deprive others of lawful access to or from or use of said building or corridor or room;

5. For setting fire to or by any other means destroying or substantially damaging college premises;
6. For possessing or displaying of, or attempting or threatening to use for an unlawful purpose any weapon, dangerous instrument, explosive or inflammable material in any college building or on any college campus;
7. For blocking normal pedestrian or vehicular traffic on or into any college campus entrance;
8. For participating in conduct which is disruptive to the education process;
9. For abusive or threatening behavior to any member of the college community, including guests or licensees of the college;

10. For unauthorized possession or attempted possession of college property or property of a member of the college community;
11. For acts that violate board or college rules and regulations;
12. For making a knowingly false statement, either orally or in writing, to any employee or agent of the board or the college with regard to a college-related matter;
13. For forging, altering, or otherwise misusing any college document or record;
14. For knowingly possessing, using, transmitting, selling or being under the influence of any controlled substance or illegal drugs on the college campus or off the college campus at a college-sponsored activity, function, or event. An individual's use or possession of a drug authorized by a medical prescription for that individual from a registered physician shall not be a violation of this provision. A student shall not knowingly possess, use, transit or be under the influence of any alcoholic beverage or intoxicant on the college campus or any college-sponsored activity, function, or event;
15. For academic dishonesty, which shall in general mean conduct that has as its intent or effect the false representation of a student's academic performance, including, but not limited to, cheating on an examination; collaborating with others in work to be presented, contrary to the standard rules of the course; plagiarizing, including the submission of others' ideas or papers (whether purchased, borrowed or otherwise obtained) as one's own; stealing or having unauthorized access to examination or course materials; falsifying records, laboratory or other data; submitting, if contrary to the rules of a course, work previously presented in another course; and knowingly and intentionally assisting another student in any of the above, including assistance in an arrangement whereby any work, classroom performance, examination or other activity is submitted or performed by a person other than the student under whose name the work is submitted or performed;
16. For the unauthorized use of the name of the college or the names of members or organizations in the college community;
17. For sexual assault, defined as any attempted or actual sexual activity carried out by and/or against a member of the college community that is unwanted or nonconsensual, including forcible or non-forcible sex offenses;
18. For other situations that violate college rules and/or local, state, or federal statutes.

SECTION 4 - Discipline Procedures

Coastal Carolina Community College believes that all members of the academic community are entitled to expect compliance with the restrictions of Section 3: Proscribed Conduct. Accordingly, any student or employee of the college may initiate a disciplinary process in the manner specified by this section.

1. A statement of possible violation must be filed in writing with the division chair for student services or other designee of the president

within twenty (20) working days of the date of the alleged violation or within twenty (20) working days of the date the alleged violation was known. Said statement must specify the student conduct in question.

Once the process has been initiated, as provided in Item 1, all subsequent decisions concerning possible discipline of a student or students rests with the appropriate vice president (hereinafter referred to as "the vice president") or designee of the president. The disciplinary record of a student may be considered in determining the appropriate disciplinary penalty.

2. Substance abuse penalties are referenced in the Drug and Alcohol Policy;
3. Discipline not including removal of college privileges or suspension or expulsion:
 - a) If the vice president or designee of the president concludes that the alleged conduct, taken as true, does violate the provisions of Section 3: Proscribed Conduct, he/she shall provide written notice to the student of the statement of possible violation and the fact that the allegations will be investigated by the vice president. Said notice must inform the student that he/she has the right to explain his/her position as part of the informal investigation. As used herein, "informal investigation" means the opportunity for the student to be informed of the basis of the investigation by the vice president and to present argument and evidence in his/her behalf, within ten (10) working days;
 - b) Following completion of the informal investigation specified above, the vice president may determine that there is an insufficient basis in fact and dismiss the matter; he/she may conclude that there is sufficient factual basis for discipline;
 - c) The vice president may, after an informal investigation, impose such discipline specified in Section 5: Discipline/Penalties Items 1-4 as he/she believes appropriate. It shall be the responsibility of the vice president to make prompt disposition of discipline procedures outlined above. Such decisions shall be rendered within ten (10) working days following completion of the informal investigation.
4. Discipline including removal of college privileges or suspension or expulsion:
 - a) If the vice president or designee of the president concludes that the alleged conduct, taken as true, does violate provisions of Section 3: Proscribed Conduct and is contemplating removal of college privileges or suspension or expulsion, the vice president shall cause a statement of charges to be served on the student involved. Said statement shall contain a concise statement of the facts on which the charges are based, a citation of the rule or rules alleged to have been violated, a statement of the maximum penalty sought, a statement that the student may request a hearing by responding in writing within ten (10) working days, and a statement that failure to request a hearing may result in imposition of the maximum penalty sought;

- b) If a hearing is requested, the student is entitled to the following: to choose to be heard by either an impartial party or panel appointed by the vice president (As used herein, the term "impartial" shall mean that the individual was not a party to the incidents under consideration and has no personal interest in the outcome of the proceedings.), to appear in person, to have a staff or faculty advisor of his/her choice accompany him/her, to hear and to question adverse witnesses, to inspect all affidavits, documents, and other evidence to be used against him or her, to present evidence and testimony in his/her behalf, to receive a written decision following the hearing and to request a review of the hearing decision by the vice president within ten (10) working days of the decision. The vice president may promulgate rules for the conduct of the hearing;
 - c) The vice president is authorized to appoint college employees and students as the impartial party or panel specified herein, and the vice president may remove any appointee. Prior to the commencement of the hearing, the student subject to the discipline proceeding may challenge any such appointment on the ground that the person(s) is not impartial. The challenge is to be made to the vice president, and the decision of the vice president shall be final;
 - d) A written decision of the panel shall be forwarded to the vice president and shall specify its findings and the penalty assessed, if any.
5. Emergency removal of college privileges or suspension or expulsion:
- a) In the case of an emergency, the vice president or designee of the president may immediately remove college privileges or suspend or expel a student. An emergency means a situation under which the continued presence of the student at the college poses a danger to persons or property or constitutes an ongoing threat of disrupting the academic process;
 - b) A student whose college privileges are removed or suspended or expelled as a result of an emergency shall be afforded written reasons for the discipline and a statement that the student may request a hearing by responding in writing within ten (10) working days. If no action is taken to request a hearing, then the removal of college privileges or suspension or expulsion will remain in effect.
 - c) If a hearing is requested, the student is entitled to the following: to choose to be heard by either an impartial party or panel appointed by the vice president (as used herein, the term "impartial" shall mean that the individual was not a party to the incidents under consideration and has no personal interest in the outcome of the proceedings), to appear in person, to have a staff or faculty advisor of his/her choice accompany him/her, to hear and to question adverse witnesses, to inspect all affidavits, documents, and other evidence to be used against him or her, to present evidence and

- testimony in his/her behalf, to receive a written decision following the hearing and to request a review of the hearing decision by the vice president within ten (10) working days of the decision. The vice president may promulgate rules for conduct of the hearing;
- d) The vice president is authorized to appoint college employees and students as the impartial party or panel specified herein, and the vice president may remove any appointee. Prior to the commencement of the hearing, the student subject to the discipline proceeding may challenge any such appointment on the grounds that the person(s) is not impartial. The challenge is to be made to the vice president, and the decision of the vice president shall be final;
 - e) A written decision of the panel shall be forwarded to the vice president and shall specify its findings and the penalty assessed, if any.
6. Except in the case of an emergency as defined in No. 5 above, no disciplinary penalty may be implemented during the ten (10) working days in which a student is entitled to request a hearing of the decision of the vice president by an impartial party or panel, nor during the period in which any such hearing is being conducted.
 7. Disciplinary procedures regarding sexual assault: The federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act outlines specific requirements for conducting disciplinary procedures regarding sexual assault. These requirements are outlined in the Campus Security Handbook and may be obtained from the Security Services Department or via the college website.

SECTION 5 - Disciplinary Penalties

“Disciplinary penalty” shall mean any action affecting the status of the individual as a student, taken by the college in response to student misconduct, including but not limited to the following:

1. Disciplinary Warning: Disciplinary warning involves written notice to the student indicating what specific behavior or activity is in violation of these regulations and that repetition of similar or other unsatisfactory behavior would likely result in more serious disciplinary action;
2. Removal from a Course: This penalty may involve removal with a grade of "F" or "W";
3. Removal from Campus: In cases involving conduct disruptive to the educational process or constituting a real or implied threat to any student, guest, or college employee, the person may be required to leave the campus, classroom, or other location immediately for a definite period of time, not to exceed one week;
4. Disciplinary Probation: Disciplinary probation is the status that indicates either serious misconduct not warranting removal of college privileges or suspension or expulsion. The next discipline to be imposed after disciplinary probation may be removal of college privileges or suspension or expulsion;

5. Removal of College Privileges: This penalty may involve restrictions on student privileges for a definite period of time not to exceed two semesters;
6. Suspension: Suspension is temporary disciplinary separation from the college involving denial of all student privileges, including entrance to college premises without an appointment, not to exceed two semesters;
7. Expulsion: Expulsion is permanent disciplinary separation from the college involving denial of all student privileges, including entrance to college premises, without an appointment.

RIGHT OF APPEAL

Any student who is found guilty by any committee or other school authority of violating any provision, regulation or policy of the college or who has been disciplined by removal of college privileges or suspended or expelled shall have the right to appeal the finding and/or discipline imposed upon him/her to the president of the college after an informal investigation or hearing has taken place. Any such appeal shall be in writing, shall be based solely upon the record and shall be limited to one or more of the following grounds: that the finding is not supported by substantial evidence, that a fair hearing was not afforded the accused, or that the discipline imposed was excessive or inappropriate.

It shall be the responsibility of the president to make prompt disposition of all such appeals, and his decision shall be rendered within thirty (30) working days after receipt of the complete record on appeal.

REMOVAL FROM OFFICE

Any student in violation of proscribed conduct will automatically be removed as an officer of a Coastal campus club and/or relinquish a title or cease to represent the college in any capacity.