

# ABOUT THE STUDENT CODE OF CONDUCT

Embedded in the mission, vision, and core values of Community College of Philadelphia is the desire to create a caring environment that is intellectually and culturally dynamic and values integrity, academic excellence, diversity, commitment to teaching and learning, communication, and respect. Such an environment encourages all students to achieve greater insight, increased awareness, critical thinking skills, and self-fulfillment in preparation of becoming global citizens. Accomplishing these ideals requires a commitment from faculty, staff, and students to adhere to standards of behavior that assure a safe, healthy, and caring atmosphere. It is essential that each member of the College community participate freely in the pursuit of the ideals of the College's mission statement.

As responsible citizens, students are expected to demonstrate an awareness of the responsibilities of informed citizenship in a diverse and pluralistic society; self-management in the requirements that come with one's role as a student in the classroom and at the College; integrity in one's role as a student relative to other students, faculty, staff and administrators; and an effort to understand the perspective of others and to respond to others with well-founded thoughts.

The Student Code of Conduct supports the College's mission by outlining students' rights and responsibilities in addition to defining acceptable behaviors.

## STUDENTS' RESPONSIBILITIES

### **PRESERVE AN ENVIRONMENT CONDUCIVE TO LEARNING.**

The College has the inherent authority to maintain good order and discipline in the furtherance of its lawful mission. The Student Code of Conduct clearly and concisely identifies those behaviors that put students at risk of disciplinary action. The Code of Conduct also assures that students enjoy those protected behaviors inherent in their status as students and enumerated under Student Rights below. Students are held accountable to the College's Student Code of Conduct.

### **RESPECT THE RIGHTS OF OTHERS.**

The strength of the College lies in its diversity. Respect for the differences each student, faculty and staff person brings to the College is essential. Such differences include race, gender, sexual orientation, ethnicity, background, beliefs, experiences, cultures, values, views, national origin, religion, and ability. Students come to campus with unique interests, and while they are on campus, as a result of their interactions in the formal classroom and in the co-curriculum of the campus, they continue to develop and expand their pursuits.

### **OBEY FEDERAL, STATE AND LOCAL LAWS AND THE POLICIES OF THE COLLEGE.**

Teaching and learning require an atmosphere where dialogue, debate and the exchange of ideas can flourish unfettered. The sanctity of the classroom, academic freedom, and the student's freedom of expression all require a separate set of standards than those provided for by our society. Students must not only adhere to the rules of our society because they are the law, they must also adhere to those College policies which establish the College as a place where teaching and learning require a different set of standards.

Cooperate with faculty, staff and administrators to further the mission of the College.

Accessing the opportunities offered by the College is dependent upon students' ability to meet their responsibilities to provide accurate information, meet their financial obligations, and advocate for their needs. The freedom to teach and the freedom to learn are inseparable facets of the collegiate experience. Additionally, while enrolled in the College, students are expected to take an active voice in curricular and co-curricular interests, be active participants in the formulation of institutional policies, maintain the standards set for satisfactory academic progress, cultivate their life-long learning skills, and act in a manner on and off campus which reflects positively upon themselves, the College and our community.

## **STUDENT'S RIGHTS**

On June 5, 1968, the Community College of Philadelphia Board of Trustees unanimously adopted a set of principles to guide the College in its development of policies and procedures relating to rights and responsibilities of students. Taken, in part, from the "Joint Statement on Rights and Freedoms of Students" developed, initially, by the American Association of University Professors, the Association of American Colleges, the United States National Student Association, the National Association of Student Personnel Administrators, and the National Association of Women Deans and Counselors, the College put forth, in spirit and content, those basic tenets which protect the rights of students. They include:

### **FREEDOM OF ACCESS TO HIGHER EDUCATION**

The admissions policies of the College clearly state the characteristics and expectations of students which are considered relevant to success in the institution's programs. All facilities and services of the College are open to all enrolled students.

### **FREEDOM IN THE CLASSROOM**

Students are responsible for learning the content of the courses in which they enroll, though they should be free to take reasoned exception to the data or views offered in any course of study and reserve judgment about matters of opinion.

Students are responsible for maintaining those standards of academic performance required by each course in which they are enrolled. Students should have protection against prejudiced or capricious academic evaluation.

Students' views, beliefs, and political associations which are acquired by faculty members in the course of their work as instructors, advisors and counselors should be considered confidential.

### **FREEDOM OF INQUIRY AND EXPRESSION**

Students and their organizations are free to examine and discuss all questions and issues of interest and inquiry to them and to express their opinions publicly and privately. Such freedom does not permit student groups to disrupt the orderly processes of the educational environment. The actions of student groups should be clearly delineated from the activities and responsibilities of the College.

### **FREEDOM OF ASSOCIATION**

Students are free to form groups and organizations that appeal to the interests of a variety of students. Official student groups and organizations must be open for membership to all Community College of Philadelphia students in good standing. Official student organizations shall not deny membership or participation on the basis of race, color, religion, national origin, gender, age, disability, citizenship, veteran status, sexual orientation, gender identity or expression or any other status protected under federal, state or local law unless otherwise permitted under applicable Federal law. Certain performance-based requirements may be imposed on a view-point neutral/belief-neutral and status-neutral basis. For example, honor societies may require a certain minimum G.P.A. or matriculation into an academic program and singing groups may require students to audition. Official College organizations must be sanctioned by the College by having met all of the requirements established by the Office of Student Life.

### **RIGHT TO DUE PROCESS**

A student charged with misconduct must be informed of the nature of the charges in writing, be given copies of any documents related to the charges, and be given the opportunity to refute them. The College must not be arbitrary in its decisions to discipline students and must always provide the opportunity for students to appeal any disciplinary sanction. When disciplinary decisions are rendered, students must be provided with procedural guidelines for appeal. Whenever possible, except for reasons related to the mental or physical safety or wellbeing of the student or others on the campus, a student's status, including the right to attend classes, participate in College activities, or use College facilities, should not be altered pending disciplinary action.

# STUDENT CODE OF CONDUCT

## ARTICLE I: DEFINITIONS

1. The term **“student”** includes all persons taking courses at the College, both full-time and part-time, and those who attend post-secondary educational institutions other than the Community College of Philadelphia. Persons who are not officially enrolled for a particular term, but who have a continuing relationship with the College are also considered “students.”
2. The term **“College”** means Community College of Philadelphia.
3. The term **“faculty member”** means any person hired by the College to conduct instructional activities. The term **“faculty member”** at Community College of Philadelphia shall include counselors and librarians.
4. The term **“College official”** includes any person employed by or associated with the College in performing assigned administrative or professional responsibilities.
5. The term **“member of the College community”** includes any person who is a student, faculty member, College official or any other person employed by or associated with the College. A person’s status in a particular situation shall be determined by the President of the College.
6. The term **“College premises”** includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the College (including adjacent streets and sidewalks).
7. The term **“organization”** means any number of persons who have complied with the formal requirements for College recognition/registration.
8. The term **“Judicial Body”** means any person or persons authorized by the Vice President for Academic and Student Success to determine whether a student has violated the Student Code of Conduct and to recommend imposition of sanctions. A judicial body may consist of the Judicial Affairs Officer or a Judicial Hearing Committee.
9. The term **“Judicial Affairs Officer”** means a College official authorized on a case-by-case basis by the Vice President for Academic and Student Success to impose sanctions upon students found to have violated the Student Code of Conduct. The Vice President for Academic and Student Success may authorize the Judicial Affairs Officer to serve simultaneously as a Judicial Affairs Officer and one of the members of a Judicial Hearing Committee. Nothing shall prevent the Vice President for Academic and Student Success from authorizing the same Judicial Affairs Officer to impose sanctions in all cases.
10. The Judicial Affairs Officer is that person designated by the College President to be responsible for the administration of the Student Code of Conduct.
11. The term **“Judicial Hearing Committee”** means a College committee which is authorized to hear judicial cases and recommend specific sanctions upon students found to have violated the Student Code of Conduct.
12. The term **“mediation”** refers to a form of voluntary intervention in which conflicting parties elect to use a neutral third party or mediator to help find a solution to their dispute.
13. The phrase **“Informal Disciplinary Procedures”** refers to allowing students who allegedly commit minor infractions of the Student Code of Conduct to be subject to less formal procedures in the hearing and adjudicating of their cases.
14. The term **“Formal hearing”** means a student will be afforded a formal forum to present his/her case. The formal hearing may include testimonies of witnesses and the right to cross examination of witnesses present during the hearing.

15. The term “**Student Appeals Committee**” means any person or persons authorized by the President to consider an appeal from a judicial body’s determination that a student has violated the Student Code of Conduct or from the sanctions imposed by the Judicial Affairs Officer or the Judicial Hearing Committee.
16. The term “**shall**” is used in the imperative sense (required).
17. The term “**may**” is used in the permissive sense (option).
18. The term “**policy**” is defined as the written regulations of the College as found in, but not limited to, the Student Code of Conduct, Student Handbook, and College Catalog.
19. The term “**school day**” shall refer to any day that classes are in session with the exception of weekends and holidays. Weekends and holidays are not considered in calculating response time for notification of sanctions and appeals.
20. The term “**Complainant**” refers to any person who initiates a report leading to charges.

## **ARTICLE II: JUDICIAL AUTHORITY**

1. The Judicial Affairs Officer, subject to the approval of the Vice President for Academic and Student Success, shall develop procedures for conducting of hearings. Such procedures shall be consistent with provisions of the Student Code of Conduct.
2. The Judicial Hearing Committee shall be selected from a pool of twelve members. The pool shall have equal representation (four persons each) from faculty, administrators and students. The Faculty and Staff Federation shall recommend faculty representatives. The Vice President for Academic and Student Success shall recommend administrators. The Student Government Association shall recommend student representatives. All members recommended to serve on the Judicial Hearing Committee are subject to final approval of the College President. Four chairpersons of the committees shall be appointed from the pool of twelve by the President of the College and shall serve, case by case, on a rotating basis as one of three members of each hearing committee.
3. The Judicial Hearing Committee shall hear cases at the discretion of the Judicial Affairs Officer. The chair of the Judicial Hearing Committee shall select two other members from the Judicial Hearing Committee pool for the purpose of hearing cases. There shall be three committee members present (one person from each constituent group of faculty, administration, and students) in order to conduct a hearing. As with the chairperson, the other two committee members shall participate, case by case, on a rotating basis.
4. Sanctions recommended by a judicial body are subject to the normal appeals process.
5. Students are expected to abide by College rules and regulations both inside and outside the classroom. Whenever appropriate, minor violations committed in the general College environment may be dealt with through an informal disciplinary process at the discretion of the Judicial Affairs Officer.
6. The pool shall be initially selected on a staggered one, two, and three year term and thereafter shall be appointed for a three year term. Alternates shall be selected to replace persons who rotate off or otherwise leave the pool.

## **ARTICLE III: PROSCRIBED CONDUCT**

### **1. Jurisdiction of the College**

Generally, College jurisdiction and discipline shall be limited to conduct which occurs on College premises or which adversely affects the College community and/or the pursuit of its objectives.

### **2. Conduct – Rules and Regulations**

Any student found to have violated the Student Code of Conduct including, but not limited to, the following is subject to the disciplinary sanctions outlined in Article IV:

### **Abuse of the College's Judicial System**

Abuse of the College's Judicial System is prohibited. Abuse includes, but is not limited to, the following:

- i. Failing to obey the summons of a judicial body or College official.
- ii. Falsifying, distorting, or misrepresenting information before a judicial body.
- iii. Disrupting or interfering with the orderly conduct of a judicial proceeding.
- iv. Instituting a judicial proceeding knowingly without cause.
- v. Attempting to discourage an individual's proper participation in, or use of, the judicial system.
- vi. Attempting to influence the impartiality of a member of a judicial body prior to, and/or during the course of, the judicial proceeding.
- vii. Harassing (verbally or physically) and/or intimidating a member of a judicial body prior to, during, and/or after a judicial proceeding.
- viii. Failing to comply with the sanction(s) imposed under the Student Code.
- ix. Influencing or attempting to influence another person to commit an abuse of the judicial system.

### **AIDING AND ABETTING**

Aiding and abetting in the violation of College rules is prohibited. Anyone who aids or abets in the violation of College rules or who encourages the violation of rules may be considered just as responsible as the actual violator or offender and may be subject to the same sanctions as the actual offender.

### **ALCOHOL**

The possession, use, manufacture, or distribution of alcohol while on College property, while participating in any College-sponsored activities or while conducting College business off-campus is prohibited except as expressly permitted by the law and College regulations. Public intoxication is also prohibited.

### **ARSON**

Purposely attempting to set fire or burn any College building, furnishings, equipment or personal property is prohibited.

### **ASSEMBLY**

Free and open assembly is permitted subject to reasonable time, place, and manner restrictions. For the purposes of this code, assembly is defined as an individual or group organizing for the purpose of communication. Use of College space should be requested through established facility reservation procedures. Student groups and organizations should request such use through the Student Life Center. Failure to adhere to the College's procedure regarding Assembly is prohibited.

### **BOMB / BOMB THREAT**

Placing an explosive device or intentional imitation of such a device or threatening the placement of explosive devices on any College property, including surrounding areas, is prohibited.

### **CONTRACTS**

Students are prohibited from entering into a contract with an outside agency using the name of the College. Contracts entered into in violation of this rule shall be the personal responsibility of the student.

### **DAMAGE OR DESTRUCTION OF PROPERTY**

Intentionally destroying or damaging College property or property of others on College premises or at College-sponsored activities is prohibited.

## **DISCRIMINATION/HARASSMENT**

Discrimination or disparate treatment based on protected statuses or characteristics including race, color, ethnic or national origin, sex, sexual orientation, gender, gender identity, religion, age, ancestry, disability, genetic information, military status, or veteran status is prohibited. No student shall engage in discrimination/harassment of another student, faculty, or staff member based on any protected status or characteristics. Retaliation against a person for reporting or objecting to discrimination or harassment is a violation of this policy, whether or not discrimination or harassment occurred.

## **DISHONESTY**

Acts of dishonesty are prohibited. Dishonesty refers to, but is not limited to, fabrication, obtaining an unfair advantage, furnishing false information to any College official, faculty member or office, unauthorized access to computerized systems, and tampering with the election of any College-recognized student organization.

## **DISORDERLY CONDUCT**

Disorderly conduct is prohibited. Disorderly conduct includes behavior that is disruptive, lewd, or indecent; involves a breach of the peace; or aids, abets, or procures another person to breach the peace on College premises or at functions participated in or sponsored by the College. Disorderly conduct includes:

- i. College activities, on or off-campus, in all locations.
- ii. Authorized non-College activities, occurring on College property.

## **DOMESTIC AND DATING VIOLENCE**

Domestic and Dating Violence include sexual and/or physical abuse or threat of such abuse or other violence committed by someone who is a current or former spouse, current or former intimate or romantic partner, or someone who shares a child in common, or as otherwise defined under the laws of the Commonwealth of Pennsylvania.

## **FAILURE TO COMPLY**

Failing to comply with directions of College officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested is prohibited.

## **FALSE ALARMS OR FALSELY REPORTED FIRE ALARMS**

Setting, reporting or causing a false fire alarm is prohibited.

## **FIRE-PROTECTION EQUIPMENT**

Tampering with or possessing College fire-protection equipment, including fire extinguishers, hoses, exit lights, smoke detectors, and alarm systems is prohibited.

## **FORGERY**

Forging, altering, or misusing any College document, record, or instrument of identification is prohibited.

## **FRAUD**

Acts of fraud are prohibited. Fraud is intentionally using deceit, trickery, or some dishonest means for profit or to gain some unfair or dishonest advantage. Fraud includes, but is not limited to:

- i. Falsifying timesheets to improperly receive compensation or credit for hours not worked.
- ii. Using, possessing, manufacturing, or distributing an access device, such as a credit/debit card or declining balance card, to obtain or attempt to obtain property or services with knowledge that the access device is counterfeit, altered or incomplete; the access device was issued to another person who has not authorized its use; the access device has been revoked or cancelled; or for any other reason the use of the access device is unauthorized by the issuer or the device holder.

## **GAMBLING**

Gambling or holding a raffle or lottery on the campus or at any College function without proper College and other necessary approval is prohibited.

## **HAZING**

Hazing, defined as any act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a College-sponsored group or organization is prohibited.

## **ILLEGAL DRUGS AND SUBSTANCE ABUSE**

The unlawful possession, use, or distribution of drugs and substances, illegal or unauthorized prescription drugs, or drug paraphernalia is prohibited on College premises. Prescription and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription. In addition to College sanctions, students may be subject to federal and state laws that specify fines or imprisonment for conviction of drug-related offenses. Where appropriate or necessary, the College will fully cooperate with law enforcement agencies.

## **OBSTRUCTION OF PEDESTRIAN OR VEHICULAR TRAFFIC**

Obstructing the free flow of pedestrian or vehicular traffic on College premises or at College-sponsored or supervised functions is prohibited.

## **OBSTRUCTION OF TEACHING**

Disrupting or obstructing class is prohibited. Classroom disruptions are defined as behaviors that continue after a warning and which a reasonable faculty member would view as being likely to substantially or repeatedly interfere with the conduct of a class. Examples may include, but are not limited to: unauthorized use of cell phones, pagers, portable CDs, electronic games, and all other electronic devices in the classroom; persistent speaking without being recognized; talking with classmates while the faculty member (or another student who has the floor) is talking; entering class late; leaving class early; or leaving and returning to class while class is in session without permission.

## **PHYSICAL/VERBAL ABUSE**

Physically abusing, assaulting, or verbally abusing any person is prohibited.

## **POSTING POLICY**

Failure to follow the College's Posting Policy is prohibited. All postings must conform to all applicable College policies. Specifically, postings must adhere to the College's Statement of Mission and Affirmative Action Statement. To that end, both "**Public**" and "**College**" corkboards will be provided throughout the College.

- i. Posting of flyers, leaflets, promotional materials, etc., is prohibited in College Buildings except at designated corkboards and kiosks.
- ii. Postings that advertise goods or services, events, sales or activities not sponsored by the College may only be posted on the corkboard or kiosk identified as a "**Public Board.**"
- iii. Postings that advertise College events or activities and postings that are intended to make students and/or faculty and staff aware of College-related issues are to be posted on the corkboard or kiosk identified as a "**College Board.**" All postings on the "College Boards" must include sponsoring College office or department name and contact information, e.g., phone, email, web address.
- iv. No more than one event notice or posting is permitted per location. Multiple copies of the same flyer are not permitted at a single location.
- v. All postings on the "**Public Boards**" will be removed on the 15<sup>th</sup> and 30<sup>th</sup> of each month.

- vi. All postings on **“College Boards”** will be removed on the 30<sup>th</sup> of each month.
- vii. The size of postings on the **“Public Board”** cannot exceed 8-1/2” x 11” inches unless prior approval is received from the Office of Student Life.
- viii. The size of postings on the **“College Board”** cannot exceed 22” x 28” inches.
- ix. Postings in non-authorized areas of College Buildings will be taken down immediately. Disciplinary and/or legal actions may be pursued against individuals in violation of this policy.

### **RETALIATION**

Retaliation against any individual for filing a complaint in good faith, or for assisting in the investigation of such complaint is prohibited

### **SEXUAL ASSAULT**

Sexual assault includes any of the following: (a) any intentional, unconsented touching, or threat or attempt thereof, of: (i) an intimate bodily part of another person, such as a sexual organ, buttocks or breast; (ii) any bodily part of another person with a sexual organ; or (iii) any part of another person’s body with the intent of accomplishing a sexual act; (b) disrobing of another person without the other’s consent or purposeful exposure of one’s genitals to another without the other’s consent; or (c) forcing or attempting to force, another person to engage in sexual activity of any kind without their consent. Consent in sexual activity is defined in Pennsylvania in accordance with its plain and common meaning. Consent means words or actions that show a knowing and voluntary agreement to engage in mutually agreed sexual activity. Consent must be ongoing through sexual activity and can be revoked at any time. Assent (an affirmative statement or action) shall not constitute consent if it is given by a person who is unable to make a reasonable judgment concerning the nature or harmfulness of the activity because of their intoxication, unconsciousness, youth, mental deficiency or incapacity, or if the assent is the product of threat or coercion. Consent to prior sexual activities does not constitute consent to future acts.

### **SEXUAL HARASSMENT**

Sexual harassment is prohibited. Unwelcome verbal or physical conduct based on sex or gender that which is severe or pervasive enough to a reasonable person that it substantially interferes with a student’s academic (or work) performance, or creates an intimidating, hostile, or offensive environment is considered sexual harassment. This form of harassment may include acts of intimidation, aggression or hostility based on sex or sex-stereotyping, even if the acts do not involve conduct of a sexual nature.

### **SMOKING**

Smoking is prohibited in any building including classrooms, gymnasium, restrooms, laboratories, or other internal spaces on campus.

### **SOLICITATION**

No individual or company may solicit or sell on campus for personal gain. Use of campus property to solicit donations, make sales, or recruit is restricted to the College, College-recognized organizations, departments, and College-sponsored programs and activities. Prior approval must be obtained from the office under whose jurisdiction the organization or the department operates. Failure to follow these rules is prohibited.

### **STALKING**

Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others; or suffer severe emotional distress; or as “stalking” is otherwise defined by the Commonwealth of Pennsylvania. One engages in an impermissible course of conduct if one engages in two or more acts that include, but are not limited to acts in which the stalker directly, indirectly, or through third parties, by any action, method, or device or means, follows, monitors, observes, surveils, threatens, or communicates about a person in a way prohibited as described above, or interferes with a person’s property.



## **TECHNOLOGY**

Abuse of the College's technology is prohibited. Violations consist of theft and/or other abuse of computer time, including but not limited to:

- i. Unauthorized entry into a file to use, read, or change the contents, or for any other purpose.
- ii. Unauthorized transfer of a file.
- iii. Unauthorized use of another individual's identification and/or password.
- iv. Use of computing facilities to interfere with the work of another student, faculty member, or College official.
- v. Use of computing facilities to send obscene, abusive, or threatening messages.
- vi. Use of College computers to visit lewd and indecent web sites except for educational purposes.
- vii. Use of computing facilities to interfere with normal operation of the College computing system.

## **THEFT AND/OR POSSESSION OF STOLEN PROPERTY**

Attempted or actual theft of and/or damage to property of the College or property of a member of the College community or removing or using College property for personal, political, or social purposes without authorization or permission is prohibited.

## **THREATENING BEHAVIOR/HARASSMENT/BULLYING**

Threatening, intimidating, harassing, bullying, coercing and/or engaging in other conduct which is threatening or endangering to the health or safety of any person is prohibited.

## **TRASH**

No student shall deposit, dump, litter, or otherwise dispose of any refuse on College property, except in duly designated refuse depositories.

## **UNAUTHORIZED ENTRY**

Unauthorized entry to or use of College premises or unauthorized possession, duplication, or use of keys to any College premises is prohibited.

## **VANDALISM**

All acts of vandalism are strictly prohibited and will not be tolerated on College property.

## **VIOLATION OF COLLEGE RULES AND REGULATIONS**

Violating published College policies, rules or regulations is prohibited. Students are expected to promptly report conduct or activity which poses a danger to the community or its members.

## **VIOLATION OF FEDERAL, STATE, OR LOCAL LAW**

Violating federal, state, or local law on College premises or at College-sponsored or supervised activities is prohibited. All students are subject to the laws of the Commonwealth of Pennsylvania and the City of Philadelphia. Any violations while on campus or on College-sponsored activities will result in disciplinary procedures, which may include the involvement of local authorities.

## **WEAPONS/DANGEROUS CHEMICALS**

Possession of firearms, explosives, knives, other weapons, or dangerous chemicals on College premises or College-sponsored or supervised activities is prohibited. However, authorization may be granted or denied by the College.

### **3. Conduct – Academic Integrity**

The Community College of Philadelphia is dedicated to fostering the intellectual and personal development of its students, and to promoting an environment that exemplifies the College's core values, including Integrity, Academic Excellence, and a Commitment to Teaching and Learning. Academic Integrity requires respect for, and acknowledgement of, the work and efforts of others. It is essential to a high level of teaching and learning. Academic integrity emphasizes fairness, honesty, and responsibility in all academic endeavors and communications, on the part of both faculty and students.

## **RIGHTS AND RESPONSIBILITIES**

### **FACULTY**

- i. It is the responsibility of faculty to know and execute College policies regarding academic integrity in a fair and diligent manner.
- ii. It is the responsibility of faculty to inform students of class expectations and assessment guidelines in a timely manner.
- iii. It is the right of faculty to work within the College in an environment of discernible, structured guidelines of due process concerning matters of academic integrity.
- iv. It is the right and responsibility of faculty to participate in a fair and equitable process concerning any allegations of violations of academic integrity.

### **STUDENTS**

- i. It is the responsibility of students to familiarize themselves with College and class policies regarding academic integrity, and to seek clarification if needed.
- ii. It is the responsibility of students to comply with College and class policies regarding academic integrity.
- iii. It is the right of students to be informed of any alleged violations and possible sanctions concerning academic integrity.
- iv. It is the right of students to receive due process concerning alleged violations of academic integrity, including an appeal process.

## **VIOLATIONS OF ACADEMIC INTEGRITY**

Violations of academic integrity can include, but are not limited to, cheating and plagiarism. Cheating is an intentional effort at deception or gaining of an unfair advantage in completing academic work. Plagiarism is the act of appropriating the work of another person and passing it off as one's own. Any student who assists another in an activity that constitutes a violation of academic integrity is also responsible and accountable for such a violation.

The following list is not exhaustive, but includes some common examples of plagiarism and cheating:

- i.. copying original ideas, images, words, or design elements and using them without proper citation or permission of the author
- ii. creating a bibliography with fabricated sources or citing sources as references that were not used in the preparation of the report or essay
- iii. deceiving the instructor to get more time for an assignment or examination
- iv. hiring someone to write an essay or complete other assignments

- v. collaborating with classmates or others on an assignment when the class rules explain that only individual work is permitted
- vi. using unauthorized electronic devices or software during an examination
- vii. allowing other students to copy exam responses or homework assignment answers so that they can pass it off as their own work

Violations of academic integrity will open a student to disciplinary action.

### **ACADEMIC AUTHORITY**

- a.)The term **“Academic Integrity Hearing Committee”** means a College committee which is authorized under certain circumstances to determine whether a student has violated the Academic Integrity section of the Student Code of Conduct and to impose sanctions upon students found to have committed such violations.
- b.)The Academic Integrity Hearing Committee shall be composed of three individuals: a member of the faculty, a student, and a member of the administration. All members shall serve on an annual basis. In consultation with the Vice President for Academic and Student Success faculty representatives shall be appointed by the Faculty and Staff Federation, and student representatives shall be appointed by the Student Government Association.
- c.)The Academic Integrity Hearing Committee shall hear cases at the discretion of the Judicial Affairs Officer. Three members of the committee must be present for the purpose of conducting a hearing (one person from each constituent group of faculty, administration, and students), one of whom shall be designated as Chairperson of that hearing by the Judicial Affairs Officer.
- d.)Sanctions resulting from an Academic Integrity violation are subject to an appeals process, as detailed in the Student Code of Conduct.

### **UNDERSTANDING AND COMMITMENT**

The College’s approach to disciplinary action concerning matters of academic integrity is informed by its commitment to fostering a broad culture of academic integrity that transcends particular classrooms or course work. In the interest of the justice and effectiveness of its policies and procedures, the College engages in continued efforts to assure that students understand the meaning and importance of academic integrity. Every student has access to the College’s full policy on academic integrity, and faculty are required to promote and model academic integrity in all endeavors.

### **REPORTING**

Faculty are responsible for detecting and reporting any suspected violations of academic integrity. Whenever it is the judgment of a faculty member that a student has committed a violation of academic integrity, it is his/her responsibility to do the following:

- i. document evidence of suspected wrongdoing and keep records of relevant communications with the student,
- ii. contact the student concerning the suspected violation, allowing the student the opportunity to respond,
- iii. notify the Judicial Affairs Officer of every act that upon his/her judgment constitutes a violation of academic integrity,
- iv. inform the student that the alleged violation has been reported to the College, and
- v. inform the student of what consequences may occur within the course as a result of the violation.

All alleged violations of academic integrity are tracked. The Judicial Affairs Officer as well as the appropriate Department Head and Academic Dean are notified each time a suspected violation of academic integrity is reported.

### **JUDICIAL PROCEDURES**

The judicial process for issues involving academic integrity follows the standard judicial process detailed in Article IV of the Student Code of Conduct, with the following exceptions:

- i. an Academic Integrity Hearing Committee will hear these cases, not a Judicial Affairs Hearing Committee;
- ii. the list of concerned parties to be informed of Academic Integrity cases always includes the instructor, the Department Head, and the Division Dean.

### **SANCTIONS**

a.) Any one or more of the following sanctions may be imposed upon any student found to have committed an academic integrity violation, as defined by the Student Code of Conduct:

- i. **Warning** – A notice in writing to the student that the student is violating or has violated institutional regulations.
- ii. **Probation** – A written reprimand for violation of specified regulations. Probation lasts for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any institutional regulation(s) during the probationary period.
- iii. **Discretionary Sanctions** – Work assignments, service to the College or other related discretionary assignments (Such assignments must have the prior approval of the Academic Integrity Officer).
- iv. **Academic sanctions assigned by faculty.**
- v. **College Suspension** – Separation of the student from the College for a designated period of time, after which the student may apply for readmission to the College. Conditions for readmission may be specified.
- vi. **College Expulsion** – Permanent separation of the student from the College. Expulsion requires the approval of the College President.

b.) **More than one of the sanctions listed above may be imposed for any single violation.**

c.) **Progressive Discipline** – Students who violate the Student Code of Conduct on separate occasions are subject to more severe sanctions with each repeated offense, whether or not the violations may be similar in nature.

d.) Other than College expulsion, disciplinary sanctions shall not be made part of the student's permanent academic record, but shall become part of the confidential disciplinary record. Cases involving the imposition of sanctions other than College suspension or expulsion shall be expunged from the student's confidential disciplinary record five (5) years from graduation or last date of attendance.

e.) The following sanctions may be imposed upon groups or organizations:

- i. Warning, Probation, or Discretionary Sanctions, as described above in section (a).
- ii. Deactivation and loss of all privileges, including College recognition, for a specified period of time.

f.) In each case in which an Academic Integrity Hearing Committee concludes that a student has violated the Student Code of Conduct, the sanction(s) shall be determined and imposed by the Judicial Affairs Officer.

- g.) The recommendations of the Academic Integrity Hearing Committee shall be considered by the Judicial Affairs Officer in determining and imposing sanctions. However, the Judicial Affairs Officer is not limited to imposing the sanctions recommended by the Academic Integrity Hearing Committee.
- h.) Within five (5) school weekdays following the attainment of an informal resolution, or following the conclusion of a formal hearing, the Judicial Affairs Officer shall advise the student in writing of his/her determination and of the sanction(s) imposed, if any, with copies to the appropriate instructor, Department Head, and Division Dean.

#### **APPEALS PROCEDURE**

- a.) If the matter remains unresolved and the student wishes to appeal, he/she may petition the Student Appeals Committee to hear the case and resolve it. A petition form can be obtained from an Appeals Advisor or from the Office of the Dean of Students.
- b.) The Appeals Committee shall arrange a hearing no later than ten (10) school weekdays from the date of receiving the petition. The Appeals Committee shall provide a copy of the petition to the appropriate faculty member, Department Head, Division Dean, and the Judicial Affairs Officer.
- c.) The Appeals Committee shall receive all written materials from all previous steps in the process, prior to the scheduled hearing, and shall listen to the student's arguments as well as relevant witnesses, seeking to ascertain whether there is clear evidence that the student has violated the Student Code of Conduct.
- d.) The Appeals Committee shall convey its decision to the student in writing within five (5) school weekdays of the date the appeals hearing is held. The Appeals Committee shall send copies of its decision to the appropriate instructor, Department Head, Division Dean, and the Judicial Affairs Officer.
- e.) If a matter remains unresolved after an appeals hearing and the student wishes to further appeal, then the student must submit a written request within ten (10) school week days of the Appeals Committee's decision. A meeting with the Vice President for Academic and Student Success will be arranged. In attempting to resolve the matter, the Vice President for Academic and Student Success shall request the presence of the involved parties and seek information from them about the claim, evidence, and proposed solutions generated in previous steps of the process. Within fifteen (15) school weekdays of the student's request for an appeal, the Vice President for Academic and Student Success shall report his/her resolution of the matter to the student in writing, with copies to the appropriate instructor, Department Head, Division Dean, and the Judicial Affairs Officer.
- f.) The decision of the Vice President for Academic and Student Success shall be final.

#### **4. Violation of Law and College Discipline**

- a.) If a student is charged only with an off-campus violation of federal, state, or local laws, but not with any other violation of this Code, disciplinary action may be taken and sanctions imposed for misconduct which demonstrates flagrant disregard for the College community.
- b.) College disciplinary proceedings may be instituted against a student charged with violation of a law which is also a violation of this Student Code, for example, if both violations result from the same factual situation, without regard to the pendency of civil litigation in court or criminal arrest and prosecution. Proceedings under this Student Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus.
- c.) When a student is charged by federal, state or local authorities with a violation of law, the College will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also the subject of a proceeding before a judicial body under the Student Code, however, the College may advise off-campus authorities of the existence of the Student Code and of how such matters will be handled internally within the College community. The College will cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions

imposed by the criminal courts for the rehabilitation of student violators. Individual students and faculty members, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

## **ARTICLE IV: JUDICIAL POLICIES**

### **1. Charges and Hearings**

- a.) Students are expected to abide by College rules and regulations both inside and outside the classroom. The College believes that a strong system of disciplinary procedures that includes both formal and informal approaches will facilitate reporting, and resolution of, complaints.
- b.) Any member of the College community may file charges for misconduct against any student. Charges should be submitted as soon as possible after the event takes place, preferably within 24 hours of the occurrence. Unless warranted by exceptional circumstances, the submission of charges shall not exceed 30 days after occurrence.
- c.) The Judicial Affairs Officer may conduct an investigation to determine whether the charges have merit and/or whether they can be disposed of administratively by mutual consent of the parties involved through an informal disciplinary procedure. Such disposition shall be final and there shall be no subsequent proceedings. If the charges cannot be disposed of by mutual consent, the Judicial Affairs Officer may later submit the case to the Judicial Hearing Committee for a formal hearing.
- d.) In the event of a major incident, the Office of Security should be contacted immediately. Security shall investigate the incident to determine the best course of action. Security shall submit an incident report as soon as possible after the event takes place, preferably within 24 hours of notice of the occurrence.
- e.) All charges shall be presented to the accused student in writing. A time shall be set for a hearing, normally, not less than five (5) or more than fifteen (15) school weekdays after the student has been notified. The time limits for the scheduling of hearings may be extended at the discretion of the Judicial Affairs Officer. A student may request to waive the minimum time limit of five (5) school weekdays in order to have a hearing sooner, but must do so in writing.

### **2. Informal Disciplinary Procedures**

- a.) Informal disciplinary procedures are appropriate when all parties involved voluntarily agree to engage in a conciliation and mediation process.
- b.) Informal procedures shall include resolution of the incident, including appropriate sanctions.
- c.) When a resolution is reached that is satisfactory to all concerned parties (Complainant, the charged student, and Judicial Affairs Officer), the disciplinary process shall be terminated. However, if a case cannot be resolved satisfactorily through the informal disciplinary procedures, it shall be forwarded to the Judicial Hearing Committee for a formal hearing.
- d.) Whenever appropriate, minor violations committed on College property or during off campus college-sanctioned events shall be dealt with through an informal disciplinary process.
- e.) Depending on the incident, the Judicial Affairs Officer may either meet with the Complainant and the charged student to resolve the issue or refer the student to a member of the Community College of Philadelphia counseling staff for mediation.

### **3. Formal Hearings**

- a.) Formal hearings shall be conducted by the Judicial Hearing Committee according to the following guidelines:

- i. In hearings involving more than one accused student, the Chairperson of the Judicial Hearing Committee, at his or her discretion, may permit the hearings concerning each student to be conducted separately.
  - ii. The accused student, the Complainant, and any other College witnesses will be informed of the date and time of the hearing through College email. Hearings shall be conducted in private. The Complainant, the accused students, and their advisors, if any, shall be allowed to attend the Hearing (excluding any deliberations). The Complainant and the accused have the right to be assisted by any advisor they choose, including designated advisors from the College. The advisor may be an attorney; in such cases, the individuals engaging such advice are responsible for any expenses that they incur. Whenever the Complainant and/or the accused decide to have representation at the hearing, he/she must inform the Judicial Affairs Officer at least seventy-two (72) hours prior to the scheduled hearing. The Complainant and/or the accused is responsible for presenting his/her own case and, therefore, advisors are not permitted to speak or to participate directly in any hearing before a judicial body. If the advisor attempts to directly participate in the hearing, the advisor shall be directed to leave. If he/she refuses, the hearing shall be discontinued and adjudication left to the discretion of the Judicial Hearing Committee, as applicable. (In the event an alleged victim of sexual assault, dating or domestic violence, or stalking, is not also the Complainant in the case, the victim will be afforded the same procedural rights as a Complainant).
  - iii. The Complainant and the accused shall have the privilege of presenting witnesses and engaging in reasonable examination by directing questions to the Chairperson at the judicial hearing. Members of the Judicial Hearing Committee may also engage in the questioning of the parties and witnesses and may also consider evidence from other witnesses and interested parties.
  - iv. The accused student will not be compelled to answer questions, and no inference may be drawn from the accused student's failure to answer questions. No person will be compelled to answer questions that could incriminate themselves.
  - v. Pertinent records, exhibits and written statements may be accepted as evidence for consideration by the Judicial Hearing Committee at the discretion of the Chairperson.
  - vi. All procedural questions are subject to the final decision of the Chairperson of the Judicial Hearing Committee.
  - vii. The Judicial Hearing Committee may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the accused student, Complainant, alleged victim, or other witnesses during the hearing by providing separate facilities, permitting participation by telephone, video conferencing or other means.
  - viii. After the hearing, the Judicial Hearing Committee shall determine whether the student has violated each section of the Student Code which the student is charged with violating.
  - ix. The Judicial Hearing Committee's determination shall be made on the basis of whether it is more likely than not that the accused student violated the Student Code.
- b.) Except in the case of a student charged with failing to obey the summons of the Judicial Affairs Officer or College official, no student may be found to have violated the Student Code solely because the student failed to appear before a judicial body. In all cases, the evidence in support of the charges shall be presented and considered.

#### 4. Sanctions

- a.) Any one or more of the following sanctions may be imposed upon any student found to have violated the Student Code:
- i. **Warning** – A notice in writing to the student that the student is violating or has violated institutional regulations.
  - ii. **Probation** – A written reprimand for violation of specified regulations. Probation lasts for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any institutional regulation(s) during the probationary period.
  - iii. **Loss of Privileges** – Denial of specified privileges for a designated period of time.
  - iv. **Restitution** – Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
  - v. **Discretionary Sanctions** – Work assignments, service to the College or other related discretionary assignments (Such assignments must have the prior approval of the Judicial Affairs Officer).
  - vi. **Academic sanctions assigned by faculty.**
  - vii. **College Suspension** – Separation of the student from the College for a designated period of time, after which the student may apply for readmission to the College. Conditions for readmission may be specified.
  - viii. **College Expulsion** – Permanent separation of the student from the College. Expulsion requires the approval of the College President.
- b.) More than one of the sanctions listed above may be imposed for any single violation.
- c.) **Progressive Discipline** – Students who violate the Student Code of Conduct on separate occasions are subject to more severe sanctions with each repeated offense, whether or not the violations may be similar in nature.
- d.) Other than College expulsion, disciplinary sanctions shall not be made part of the student's permanent academic record, but shall become part of the confidential disciplinary record. Cases involving the imposition of sanctions other than College suspension or expulsion shall be expunged from the student's confidential disciplinary record five (5) years from graduation or last date of attendance.
- e.) The following sanctions may be imposed upon groups or organizations:
- i. Those sanctions listed above in Section 4a.) i. through v.
  - ii. Deactivation and loss of all privileges, including College recognition, for a specified period of time.
- f.) In each case in which a Judicial Hearing Committee determines that a student has violated the Student Code, the sanction(s) shall be determined and imposed by the Judicial Affairs Officer.
- g.) In cases in which persons other than, or in addition to, the Judicial Affairs Officer have been authorized to serve as the judicial body, the recommendation of all members of the judicial body shall be considered by the Judicial Affairs Officer in determining and imposing sanctions. However, the Judicial Affairs Officer is not limited to imposing the sanctions recommended by the judicial body.



- h.) Following the hearing, the Judicial Affairs Officer shall advise the accused in writing of his or her determination and of the sanction(s) imposed, if any, within five (5) school weekdays. At the same time, the student shall be informed of his/her right to appeal and provided with: (1) Appeals Form A; (2) written information about the appeals procedures; (3) and the names and College locations and telephone numbers of the Student Appeals Advisors.
- i.) Where the conduct involved a charge of a crime of violence, as defined by the Family Educational Rights and Privacy Act ("FERPA"), the Judicial Affairs Officer will also provide written notice to the accuser of the final outcome and any sanctions (after any appeals). (Crimes of Violence include arson, assault offenses, burglary, criminal homicide, destruction/damage/vandalism of property, kidnapping/abduction, and sexual offenses.)
- j.) Where the conduct matter involved a charge of sexual assault, domestic violence, dating violence, or stalking, the alleged victim will be notified in writing at the same time as the accused student of: (a) the outcome of any disciplinary proceedings arising from the accusation(s) and the rationale for the decision; (b) the procedures to appeal the outcome, if so desired; any changes to the outcome prior to the outcome becoming final; and the final determination and sanction, if any, following any appeal or when the appeal period elapses.
- k. Complainants who are College Officials, including Faculty, and are determined to have a legitimate educational interest in learning the final outcome of a disciplinary matter may be advised of the final outcome. A legitimate educational interest arises where the College Official has a need to know information in order to fulfil his/her/their professional responsibilities.

## **5. Interim Suspension**

In certain circumstances, the Vice President for Academic and Student Success, or a designee, may impose a College suspension prior to the hearing before a Judicial Hearing Committee.

- a.) Interim suspension may be imposed only: a) to ensure the safety and well-being of members of the College community or preservation of College property; b) to ensure the student's own physical or emotional safety and well-being; or c) if the student poses a definite threat of disruption of or interference with the normal operations of the College.
- b.) During the interim suspension, students shall be denied access to the campus (including classes) and/or all other College activities or privileges for which the student might otherwise be eligible as the Vice President for Academic and Student Success or the Judicial Affairs Officer may determine to be appropriate.

## **6. Informal Procedures for Handling Disruptive Behavior and Obstruction of Teaching in the Classroom**

Any behavior that threatens or disrupts the normal academic process must be discouraged and stopped. Interference with faculty of the College in the performance of their duties must be regarded as unacceptable and a disregard for the rights of other students in the class. When such behavior occurs in the classroom, it will be managed promptly following these procedures:

- a.) The student shall be asked and given an opportunity by the instructor to stop the specific disruptive behavior immediately. This may include asking the responsible student to step outside the classroom for a brief, private conversation to explain that such disruptive behavior will not be tolerated.
- b.) If the disruptive behavior persists, the instructor may ask the responsible student to leave class for that class period. When necessary, the College's security personnel will be called to escort the student out of the classroom. Faculty may also consult with the respective Department Head for assistance in managing the behavior.

- c.) If upon return to the subsequent class session the student continues to exhibit disruptive behavior, the instructor may for a second time ask the responsible student to leave the class. When necessary, the College's security personnel will be called to escort the student out of the classroom.
- d.) Following a second removal from class, the instructor shall immediately complete a Behavioral Reporting Form, which will be forwarded to the Judicial Affairs Officer. In the report, the instructor may request an interim period of removal from class.
- e.) When the nature or severity of an incident makes it inappropriate to allow a student to return to a classroom, as determined by the Judicial Affairs Officer, the student may be subject to an interim period of removal from class pending the outcome of formal hearing.

## **7. Disciplinary Records**

All records of disciplinary action shall remain confidential and separate from academic records. Such records shall be maintained in the Office of the Dean of Students and shall not be available to unauthorized persons on campus or to any person off campus, without the student's expressed written permission. Exceptions shall be made only under the conditions specified in the Family Education Rights and Privacy Act of 1974, as amended, by the Clery Act, Title IX, the Violence Against Women Act, under a court order or subpoena, or as otherwise required by law. All records of case decisions shall be maintained by the Office of the Dean of Students for five (5) years from graduation or last date of attendance.

# **STUDENT APPEALS PROCEDURE**

## **1. Student Appeals Committee**

In the interest of due process for students, the College has established and maintains a Student Appeals Committee and an appeals process.

- a.) The Student Appeals Committee shall be composed of four students appointed by the recognized Student Government Association or such office or committee as represents the interest of all Community College of Philadelphia students; four faculty members shall be appointed by the Faculty and Staff Federation; and four administrators shall be appointed by the President of the College.
- b.) In appointing representatives to the Appeals Committee, the three appointing bodies named above will consider College-wide balance. The intention is to have a Committee dedicated to the fair administration of the appeals process, and able to grasp collectively a full range of academic and disciplinary appeals issues. The principle of balance may place members on the Committee from a range of disciplines and fields of study.
- c.) The three appointing bodies are encouraged to appoint alternates, as well as members, to the Appeals Committee and draw upon the pool of active alternates in appointing new members. Active alternates are those who have gained perspective and experience by attending hearings and meetings of the Committee.
- d.) Terms of office for Student Appeals Committee members will be as follows: members will serve four-semester terms, staggered so that the term of one of the four delegated members will end each semester and, except in the case of reappointments, a new member will begin each term.

## **2. Appeals Advisors**

In consultation with the Division Deans, Appeals Advisors will be assigned to assist students with the appeals process. Student Appeals Advisors will lend orientation and assistance to students wishing to make use of the College appeals process. It will be the work of an Appeals Advisor to help the student evaluate his or her case, inform the student about preparing his or her supporting materials, and act as an advisor, but not an advocate, during any hearings held for the student. The student may be accompanied to a hearing by a Student Appeals Advisor or another consultant of his/her choice. Appeals Advisors are not permitted to participate in appeals hearings.

### **3. Appeals Hearings**

- a.) Appeals hearings will generally be held with at least five (5) school weekdays' advance notice to the parties concerned.
- b.) Appeals Committee members will be given time to read written appeals materials before hearing the student and other witnesses.
- c.) All documents generated in earlier stages of an appeal will be made available to the Committee.
- d.) Hearings will be informal, without sworn testimony or active participation of advisor, legal counsel or other consultant, but with full opportunity for the student and others concerned in the case to present relevant arguments and information.
- e.) The Appeals Committee may schedule more than one hearing date and time if it is presented with new evidence for which the student appellant, legal counsel, or the concerned faculty members or administrators may need time to prepare an appropriate response. If necessary, Committee deliberations may be continued on another day.
- f.) Administrative support will be given to the Student Appeals Committee as needed, for correspondence, copying, and controlled distribution of documents and maintenance of records.

### **4. Appeals Procedure for Disciplinary Matters**

- a.) When a student has been informed of a disciplinary decision in his/her case, the student may abide by the decision or, within five (5) school weekdays, complete and submit Appeals Form A to the Student Appeals Committee, through the Office of the Dean of Students. Appeals Form A encompasses the student's appeal and the rationale for the appeal, including an attached narrative which describes in detail the circumstances that led to the disciplinary action. In filing Form A, the student also makes a commitment to attend the interview or other hearings that shall be held on the appeal. In circumstances of sexual assault, domestic violence, dating violence, and/or stalking, the alleged victim has the same right to appeal the Judicial Hearing Officer's decision or respond to the accused student's appeal. An accused student will have five days to respond to the alleged victim's appeal in such cases.
- b.) In cases involving a reprimand or probation, the Student Appeals Committee will arrange and hold a hearing not later than ten (10) school weekdays after receiving the student's (or alleged victim's) written appeal. When the College's disciplinary action involves suspension or expulsion, the Student Appeals Committee will arrange and hold a hearing for the student not later than five (5) school weekdays after receiving the student's written appeal, with the following exceptions:
  - i. If the Vice President for Academic and Student Success chooses to allow a suspended student to attend classes pending the outcome of an appeal, the hearing will be held within ten (10) school weekdays after the Student Appeals Committee receives the student's written appeal.
  - ii. If the student intends to submit additional supportive documentation so extensive that Student Appeals Committee members cannot fairly evaluate it during a hearing, the student may expect a hearing to be scheduled as much as three (3) school weekdays later than the day such documentation is received by the Committee.
- c.) The Student Appeals Committee, in conducting a hearing, will consider all information submitted by the student appellant, the College, the Complainant, and the relevant witnesses, and will inform the student and the Judicial Affairs Officer of its decision promptly and informally, as well as in writing within five (5) school weekdays. Where the conduct involved a charge of sexual assault, sexual violence, domestic violence, dating violence, or stalking, the alleged victim will be notified at the same time as the accused student and provide the rationale for its decision.

- d.) If the student disputes the decision of the Student Appeals Committee, the student may, within ten (10) school weekdays after a decision has been rendered, petition the President of the College or his designee for a review of that decision. Where the conduct involved a charge of sexual assault, sexual violence, domestic violence, dating violence, or stalking, the alleged victim may, within ten (10) school weekdays after a decision has been rendered, petition the President of the College or his designee for a review of the decision. The other party may respond to the other's appeal within five (5) school weekdays. The decision of the President shall be final.
- e. Where the conduct involved a charge of a crime of violence, as defined by the Family Educational Rights and Privacy Act ("FERPA"), the President or his designee will also provide written notice to the accuser of the final decision and any sanctions.
- f). Where the conduct matter involved a charge of sexual assault, domestic violence, dating violence, or stalking, the alleged victim will be notified in writing at the same time as the accused student of the final determination and any sanctions (and the rationale for the decision).
- g). Complainants who are College Officials, including Faculty, and are determined to have a legitimate educational interest in learning the final outcome of a disciplinary matter may be advised of the final outcome. A legitimate educational interest arises where the College Official has a need to know information in order to fulfil his/her/their professional responsibilities.

**5. Appeals Procedures for Final Grades or Faculty Recommendations for Administrative Withdrawal Alleged to have been Conferred in a Prejudiced or Capricious Manner.**

A student may appeal a final grade if he or she believes the grade has been conferred in a prejudiced or capricious manner. The responsibility of the burden of proof rests with the student, including producing any documentation used for calculating the final grade. In situations where the instructor has maintained possession of documentation relating to a final grade, the instructor will be responsible for producing this documentation.

A student may also appeal a recommendation by the faculty in a specific curriculum for an administrative withdrawal from a course/curriculum on the basis of a claim that the faculty's withdrawal recommendation was capricious or prejudiced.

See Students Rights section of the College's Student Code of Conduct, the "Appeal Rights."

The student must then follow all steps for appeal in these categories. The procedure shall be as follows:

- a.) The student may initiate an appeal of a final grade or administrative withdrawal no later than one (1) semester (not counting summer sessions) beyond the completion of the course for which a disputed grade/faculty recommendation was given. If the student meets the time frame for initiating an appeal, the student must discuss the case with the instructor or recommending faculty in an attempt to resolve the dispute.
- b.) If the student and the instructor or recommending faculty are not able to resolve the matter, the student may consult an Appeals Advisor at this point and throughout the appeals process. This step is strongly endorsed by the Appeals Committee, but is not required.
- c.) If the student is dissatisfied with the outcome of his/her discussion with the instructor or recommending faculty and wishes to further the appeal, the student must submit a letter to the Department Head requesting an interview and attach it to an Appeal Form (available in the Division Offices). The student must contact the Department Head within ten (10) school weekdays of the meeting/discussion with the instructor or recommending faculty. The Department Head will reply in writing confirming an appointment. Within ten (10) school weekdays of receiving the student's letter and Appeal Form, the Department Head will hear the student's complaint; investigate the claims and attempt to resolve the matter with the instructor or recommending faculty; and send a concluding letter to the student with copies to the instructor or recommending faculty and the Division Dean.

- d.) If the matter remains unresolved and the student wishes to further the appeal, the student must submit a letter to the Division Dean requesting an interview. The student must contact the Division Dean within ten (10) school weekdays of the previous decision. The Division Dean will reply in writing confirming an appointment. In attempting to resolve the matter, the Division Dean will hear the complaint, will seek information from the instructor or recommending faculty, Appeals Advisor and Department Head, and may arrange a conference with the student, the Department Head and the instructor or recommending faculty. The Division Dean will send a concluding letter to the student, with copies to concerned parties. This step must be completed within fifteen (15) school weekdays of the student's request to the Division Dean.
- e.) If the matter remains unresolved and the student wishes to further the appeal, the student must submit a letter to the Vice President for Academic and Student Success. The student must contact the Vice President for Academic and Student Success within ten (10) school weekdays of the previous decision. The Vice President for Academic and Student Success will request the presence of the involved parties; seek and be given full information from them about the claim, evidence, and proposed solutions generated in previous steps of the process; and attempt to resolve the matter. The Vice President for Academic and Student Success will send a concluding letter to the student, with copies to concerned parties. This step must be completed within fifteen (15) school weekdays of the student's request to the Vice President for Academic and Student Success.
- f.) If the matter remains unresolved and the student wishes to further the appeal, the student must petition the Student Appeals Committee to hear the case and resolve it. The student must contact the Appeals Committee within ten (10) school weekdays of the previous decision. A petition form can be obtained from an Appeals Advisor. In filing this petition, the student makes a commitment to attend the interview and/or other hearing that shall be held on the appeal.
- g.) The Appeals Committee must arrange a hearing no later than ten (10) school weekdays from the date of receiving the petition. A copy of the petition will be given to the instructor or the recommending faculty, the Department Head, the Division Dean and the Vice President for Academic and Student Success by the Chairperson of the Appeals Committee at least three (3) school weekdays prior to the Appeals hearing.
- h.) The Appeals Committee will request a review of all written materials from all previous steps and hearings in the appeals process, prior to the scheduled hearing, and will listen to the student's arguments and to relevant witnesses, seeking to ascertain whether there is clear evidence that the instructor or recommending faculty assigned the challenged grade/recommendation for withdrawal capriciously or with prejudice. If there is no such evidence, the Appeals Committee will deny the appeal, and the decision with respect to the grade/recommendation made at the previous steps will be considered final. If the Appeals Committee decides that the student has been subjected to a capricious or a prejudiced faculty decision, the Committee will recommend that the instructor/recommending faculty re-evaluate the student's performance/record without caprice or prejudice. The Appeals Committee will convey its decision to the student in writing within (5) school weekdays of the date the decision is reached, with copies to concerned parties.
- i.) The instructor or recommending faculty will respond to the Appeals Committee within (5) school weekdays, advising the student in writing of the decision either to hold the original grade/recommendation, or to change the grade/recommendation. The instructor or recommending faculty will also in form the Department Head of his/her/their decision in writing, attaching a copy of the correspondence to the student. The Department Head will inform the Division Dean, the Vice President for Academic and Student Success and the Student Appeal Committee.

- j.) If still dissatisfied, the student may, if he/she acts within (5) school week days after receipt of the instructor's or recommending faculty's letter regarding his/her/their decision, and again appeal to the Appeals Committee. The Appeals Committee, within ten (10) school weekdays, and working through the Department Head, will select and charge faculty members in the department within the appropriate discipline as a committee to develop criteria and procedures to re-evaluate the student's academic performance.
- k.) Within five (5) school weekdays, the Departmental Committee described above will either:
  - i. re-evaluate the student's performance, make a decision, and assign the appropriate grade for the course; or
  - ii. re-evaluate the student's performance and recommend, but not require that the student complete additional academic work within a mutually agreed time span, and then make a decision and assign the appropriate grade for the course.
- l.) After receiving the evaluation and the grade conferred by the Departmental Committee, the student may, if he/she files a request within five (5) school weekdays, indicate his/her dissatisfaction with the grade and request that the Appeals Committee authorize the Director of Records and Registration to remove the course and the grade from the student's record.
- m.) Upon receipt of such a request from the student, the Appeals Committee will meet and decide whether to direct the Director of Records and Registration to delete the course and grade from the student's record. The decision of the Appeals Committee shall be final.

#### **6. Appeals Procedure for Matters in the Classroom**

The purpose of the following procedure is to resolve as fairly, and as quickly as possible, any matter in which a student claims that his/her academic rights in the classroom have been violated. (Students whose claims might more appropriately be pursued with the Affirmative Action Officer or other agencies will be so advised.)

- a.) The student who wishes to lodge a complaint under this procedure should do so in order to ensure that if the complaint is valid, a practical remedy will be available. In any case, such complaints may be lodged no later than one (1) semester beyond the completion of the course in which the student alleges a violation of his/her academic rights has occurred.
- b.) As a first step, the student must seek to discuss the case with the instructor and to resolve the dispute.
- c.) If the student is not able to resolve the matter with the instructor, the student may consult with an Appeals Advisor. This step is strongly endorsed by the Appeals Committee, but is not required.
- d.) If the matter remains unresolved and the student wishes to further the appeal, the student must write a letter to the Department Head requesting an interview within ten (10) school days of the previous decision. The Department Head will reply in writing to confirm the appointment. Within ten (10) school weekdays of receiving the student's letter, the Department Head will hear the student's complaint, investigate the claims, attempt to resolve the matter with the instructor, and send a concluding letter to the student with copies to the instructor and Division Dean.
- e.) If the matter remains unresolved and the student wishes to further the appeal, he/she must write to schedule an appointment to discuss his/her grievance with the Division Dean within ten (10) school days of the previous decision. The Division Dean will reply in writing to confirm the appointment. The Division Dean will hear the complaint; will seek information from the instructor, Appeals Advisor and Department Head; may arrange a conference with the student, the Department Head and the instructor; and will attempt to resolve the matter. The Division Dean will send a concluding letter to the student, with copies to concerned parties. Step E should be completed within fifteen (15) school weekdays of the student's request to the Division Dean.

- f.) If the matter remains unresolved and the student wishes to further the appeal, then, at the student's written request within ten (10) school days of the previous decision, a meeting with the Vice President for Academic and Student Success will be arranged. In attempting to resolve the matter, the Vice President for Academic and Student Success will request the presence of the involved parties and seek information from them about the claim, evidence and proposed solutions generated in previous steps of the process. The Vice President for Academic and Student Success will report his/her resolution of the matter to the student in writing, with copies to concerned parties. Step F should be completed within fifteen (15) school weekdays of the student's request to the Vice President for Academic and Student Success.
- g.) If the matter remains unresolved and the student wishes to further the appeal, he/she may petition the Student Appeals Committee to hear the case and resolve it. A petition form can be obtained from an Appeals Advisor or from the office of the Vice President for Academic and Student Success.
- h.) The Appeals Committee must arrange a hearing no later ten (10) school weekdays from the date of receiving the petition. A copy of the petition will be given to the instructor, Department Head, Division Dean and Vice President for Academic and Student Success by the Chairperson of the Appeals Committee.
- i.) The Appeals Committee will be supplied with and will receive all written materials from all previous steps and hearings in the Appeals process, prior to the scheduled hearing, and will listen to the student's arguments and to relevant witnesses, seeking to ascertain whether there is clear evidence that the student's academic rights in the classroom were violated.

The Appeals Committee shall convey its decision to the student in writing within five (5) school weekdays of the date the hearing is held and the conclusion reached. Copies should be sent to concerned parties. The decision of the Appeals Committee shall be final unless the student appeals. The student may, within ten (10) school weekdays after the decision has been rendered, petition the President for a review of that decision.