



ADMINISTRATIVE PROCEDURE

TITLE: Student Discipline

ADMINISTRATIVE PROCEDURE # 5520

RELATED TO POLICY # 5500 STANDARDS OF STUDENT CONDUCT

Introduction:

Umpqua Community College's Student Code of Conduct helps ensure the safety and security of our community. This document informs students and organizations of their rights and responsibilities within the conduct process and upholds the integrity and values of Umpqua Community College. When students choose to enroll at Umpqua Community College, they are expected to respect its values.

The Student Code of Conduct is more than a collection of College regulations to be abided by – it seeks to promote the College's values and to educate students.

I. **DISCIPLINARY PROCESS**

For all cases, except those:

(a) involving academic integrity violations (AP 5506)

(b) subject to Board Policy 3433: Prohibition against Sexual Harassment under Title IX

A. If there are parallel criminal and Conduct investigations, UCC will cooperate with the external law enforcement agency and will coordinate to ensure that the Conduct process does not hinder legal process or proceedings.

B. Any College community member may submit a complaint alleging a violation of the Student Code of Conduct. College community members may also submit a complaint on behalf of another person. All complaints shall be reported to the Office of Student Conduct.

C. Regardless of whether the reported incident occurred on campus or elsewhere, the College will analyze and may choose to respond or, in instances involving sexual harassment, sexual assault, domestic violence, dating violence, or stalking, may have an obligation to respond.

D. Once a complaint has been received, a Conduct Officer determines next steps which could include:

1. No action taken due to insufficient information.

2. No further action needed (Such as a report that is informational in nature or where appropriate action has already been taken).
 3. Open a case and conduct an inquiry.
- E. If an inquiry is deemed necessary, the Conduct Officer will notify the respondent of the alleged violations, their rights and responsibilities, and resources.
- F. The Conduct Officer will initiate an inquiry which may include meetings with the responding student, the complaint party, witnesses, and any other involved individuals. The accused student and complaint party will be given written notice of meeting time(s) and any other necessary information as determined by the Conduct Officer.
1. In order to help ensure a timely process, the complainant and responding party are expected to respond to requests to meet in a timely manner. If either, or both, do not respond to such requests to meet within 5 business days it may be determined that they are electing not to participate in the conduct process and the process may continue without their participation.
 2. If a student refuses to comply with the disciplinary process, or withdraws from college during the disciplinary process, the College reserves the right to finalize the process without the student's participation.
 3. A student for whom a violation has been alleged, which may result in separation from the College, and who withdraws prior to the receipt of inquiry notice, the College reserves the right to determine next steps which could include:
 - a. Proceeding with the disciplinary process
 - b. Placing a hold on the student's account for registration (with the stipulation that the process be finalized prior to the hold being released)
 - c. Or other processes that the College deems appropriate based on the circumstances of the charge.
- G. At the conclusion of the inquiry there will be a determination of finding. Findings may include:
1. Not Responsible
 2. Responsible
- H. The Conduct Officer writes a finding letter, which provides the student with written notification that includes the complaint, the given charges, and the finding of responsibility. This letter may include recommended sanctions and/or a referral to a Review Panel.
1. If the finding is not responsible the finding letter will be delivered to the respondent and the case will be considered closed.

2. If the finding is responsible, with recommended sanctions which do not involve separation from the College, the finding letter will be delivered to the respondent who will then have the opportunity to appeal the finding and/or sanction/s.
 - a. If the finding is responsible, and the charge is of a nature which could include separation from the College, the finding letter will be presented to a Review Panel to determine sanctions.
 - b. Once sanctions have been determined, sanctions will be added to the finding letter and delivered to the respondent, who will then have the opportunity to appeal the finding and/or sanction/s.
- I. The Review Panel will consist of 3 trained College employees and a chair. Panel members could include Faculty, Classified, or Administrative employees, and a student. At least 3 individuals need to be present for a quorum. In the case of a tie the chair will vote.

II. **INTERIM ACTIONS**

A. Interim Actions

1. Pending the decision and/or outcome, the status of a student should not be altered, or their right to be present on the campus and to attend classes suspended, except in circumstances where the Vice President of Student Services (or designee) deems such action necessary to protect the safety and/or wellbeing of students, other members of the campus community, College property, and/or operations. In certain cases, when interim measures may be necessary, they may include, but are not limited to housing, class reassignments, campus ban, participation in athletics, involvement in clubs and organizations, and/or temporary suspension. The College retains the right to impose interim protective measures in its sole discretion.
2. A student who has had interim measures against them may request to meet with the Vice President of Student Services (or their designee). This meeting is only to appeal the interim measures.
3. The Vice President of Student Services (or their designee) may affirm the interim measures, alter them, or remove them.

III. **SANCTIONS**

- ### A. Disciplinary sanctions are imposed when students are found in violation of Student Code of Conduct. Sanctions for misconduct will be determined on a case-by-case basis, utilizing six main criteria:
1. The nature of the offense.
 2. The precedent established by previous sanctions.
 3. The previous disciplinary history of the student.

4. Aggravating or mitigating circumstances.
5. The developmental needs of the student.
6. The safety and well-being of the community

B. Possible sanctions could include:

1. Disciplinary warning: A warning that further misconduct may result in more severe disciplinary action (generally given in cases of minor misconduct).
2. Disciplinary probation: The student is placed on probation for a defined period of time and is notified that further violations of the Student Code of Conduct may result in more severe sanctions, up to and including suspension or expulsion from the College. Forfeiture of privileges or other sanctions may also be enacted for further violations.
3. Restitution: The student or organization is required to pay for damages or reimbursement resulting from a violation of this code.
4. Disciplinary suspension: Given for serious misconduct when it is believed that the student should be removed from the College for a specified period of time. Upon readmission, the student will be placed on disciplinary probation for a minimum of one term.
5. Disciplinary expulsion: Given for serious misconduct when it is the judgment of the College that the student should never be permitted to reenter or otherwise be affiliated with the College.
6. Mandatory assessment: The student may be required to complete a mandatory assessment by a licensed professional or agency, and provide proof of this assessment to include treatment recommendations (Unless otherwise indicated, the student is expected to comply with all treatment recommendations following the assessment and will provide proof of compliance). If expenses are incurred, they are the responsibility of the student.

IV. APPEAL PROCESS

- A. The respondent will have 5 business days, from receipt of finding letter, to submit an appeal along with any supporting documentation.
- B. The Respondent may appeal the finding, any sanctions, or both.
- C. Failure to submit an appeal within the given time frames will render the decision final and conclude the disciplinary process.
- D. Appeals may be made based on the following reasons:
 1. A procedural error occurred during the process that had a direct impact on the outcome;

2. New evidence has come to light that has a direct impact on the outcome which could not have been discovered through proper diligence before or during the original proceeding;
 3. Allegations of bias that may have substantially impacted the fairness of outcome, process, and/or sanctions.
- E. Once an appeal is received the Conduct Officer will forward the appeal, any supporting documentation, and their written response to the Chair of the Appeal Panel.
- F. The Chair will determine whether the appeal meets one of the aforementioned criteria, and will either deny the appeal or convene the Appeal Panel to review the appeal.
- G. A trained Appeal Panel will consist of 2 College employees, a student, and a chair. Employees should include a Faculty member and either a Classified or Administrative employee. At least 3 individuals need to be present for a quorum. In the case of a tie the chair will vote.
- H. The outcome of the appeal process may include:
1. Affirm or change any findings.
 2. Affirm or change any sanctions.
 3. Remand the decision back to the conduct office to reopen or review the case.
- I. The Chair of the Appeal Panel will notify the respondent and Conduct office of the final determination of the panel. This decision is final.

REFERENCES:

- NWCCU Standard 2.C.3 (updated 3/19/2021)
- HB 3415

RESPONSIBILITY:

The Vice President Student Services is responsible for implementing and updating this procedure.

NEXT REVIEW DATE: 2024-2025
DATE OF ADOPTION: 4/21/2020 by CC
DATE(S) OF REVISION: 4/5/2023 by CC
DATE(S) OF PRIOR REVIEW: