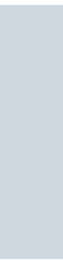


# **Student Code of Conduct**



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## Philosophical Statement

Central to the mission of Southern State is a commitment to education that promotes academic excellence, personal and professional growth, free and unbiased thought and expression, tolerance, a strong sense of social responsibility, civility, and a lasting, life-long appreciation of learning. Students attending Southern State are expected to conduct themselves in a manner that supports the academic atmosphere of the College, that respects the rights of other students and employees of the College, and that follows the policies and procedures of the College as outlined in this College Catalog.

## Definition of Terms

**Alleged:** an event that is said to have taken place but which has not yet been verified

- **Breach of Peace:** failure to maintain peace in a situation

- **Charged:** a complaint has been filed against an individual and an investigation will follow

- **Civility:** politeness or courtesy extended to members of the College community

- **College Community:** includes all faculty, staff, administration and students who are fully affiliated with the College

- **College Official:** any individual employed by the College, performing assigned administrative or professional responsibilities

- **Complainant:** an individual who makes a complaint or files a formal charge

- **Disciplinary Proceedings:** the process in which the College is involved during the investigation or hearing of a violation of the Student Code of Conduct

- **Disposition:** a final settlement between all parties and the Vice President of Student Affairs

- **Due Process:** ensuring that procedures are fair to the accused student

- **Hazing:** an act that endangers the mental or physical health or safety of a student or which destroys or removes public or private property

- **Hearing:** a session in which evidence from both parties is investigated or testimony is taken from witnesses

- **Judicial Authority or Body:** any individual(s) authorized by the Vice President of Student Affairs to determine whether a student has violated the Student Code of Conduct and to recommend appropriate sanctions

- **Policy:** written regulations of the College as found in, but not limited to the SSCC Catalog

- **Sanctions:** the penalties for not complying with the regulations set forth in the Student Code of Conduct

- **Student:** includes all individuals currently enrolled in credit and noncredit classes at the College who do not have a break of one or more semesters

- **Student Code of Conduct:** the College's expectations for students' behavior and the procedures when students have failed to follow these expectations

- **Working days:** days when the College is open for normal business operations

## Authority

Authority rests with the Division of Student Affairs. The Dean of Student Affairs is responsible for the administration and operation of this Student Code of Conduct.

1. Jurisdiction of the College and discipline extends to conduct which occurs on College premises, or which adversely affects the College community and/or the pursuit of its objectives. A student or organization will be subject to this Student Code of Conduct for any action found in violation of this Code which occurs on College property, at College-sponsored events, or off campus if the action adversely affects the College community and/or the pursuits of College objectives.

### 2. Operation of the Judicial System

- A. The Dean of Student Affairs shall develop policies for the administration of judicial program and procedural rules for the conduct of hearings that are consistent with the provisions of the Student Code of Conduct.
- B. The Dean of Student Affairs shall determine the type and composition of the Student Disciplinary Committee and shall designate the chairperson of the Student Disciplinary Committee.
- C. The Dean of Student Affairs shall notify the student or organization of the sanction that is imposed.

### 3. Violation of Law and College Discipline

- A. If a student is charged 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 where there is a preponderance of the evidence and sanctions imposed for misconduct which impacts 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 of Conduct if both

violations result from the same factual situation, without regard to pending civil litigation or criminal arrest and prosecution. The College will determine whether disciplinary proceedings under this Student Code of Conduct will 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 Student Disciplinary Committee under the Student Code of Conduct, however, the College may advise off-campus authorities of the existence of the Student Code of Conduct and of how such matters will be handled internally.

## Conduct - Rules and Regulations

The welfare of the student is the primary interest and concern of Southern State Community College. The College endeavors to provide all students a college environment that is conducive to academic pursuit, social growth, and individual self-discipline. That students are both citizens and members of the academic community is recognized. As individual citizens, students have the same freedoms and rights guaranteed constitutionally for all members of our society. As members of the academic community, students hold rights of participation in the learning process of the institution while realizing responsibilities for conduct in accordance with the law, regulations of the College, observable social mores, and the rights of other citizens.

Students who do not meet these expectations on College premises or at any College sponsored activity held on or off-campus, may be subject to disciplinary action. Any student alleged to have committed the following misconduct is subject to the disciplinary sanctions outlined in the section dealing with Disciplinary Sanctions. Misconduct includes but is not limited to the following:

1. Acts of dishonesty, including but not limited to the following:
  - a. Furnishing false information to any College official, faculty member or office personnel.
  - b. Forgery, alteration, or misuse of any College document, record, or instrument of identification.
  - c. Tampering with the election of any recognized student organization.
2. Disruption or obstruction of teaching, administration, disciplinary proceedings, other College activities, including its public-service functions on or off campus, or other authorized non-College activities, when the act occurs on College premises.
3. Physical abuse, verbal abuse, threats, intimidation, harassment, coercion and/or other conduct which threatens or endangers the health or safety of any person.
4. Attempted or actual theft of and/or damage to property of the College or property of a member of the College community or other personal or public property.
5. Hazing for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization.
6. Sex-based discrimination of any type against a person or group of people because of their sex, gender, pregnancy related conditions, sexual orientation or gender identity.
7. Failure to comply with direction of College officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
8. Unauthorized possession, duplication or use of keys to any College premises or unauthorized entry to or use of College premises.
9. Use, possession or distribution of narcotic or other controlled substances except as expressly permitted by law.
10. Use, possession or distribution of alcoholic beverages on campus.
11. Being under the influence of alcohol, narcotics, or other controlled substances while on College premises or while participating in College connected activities at off campus locations.
12. Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on College premises.
13. Participation in a campus demonstration which disrupts the normal operations of the College and infringes on the rights of other members of the College community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area; intentional obstruction which unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus or at College sponsored or supervised functions.
14. Conduct which is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on College premises or at functions sponsored by the College.

15. Theft or other abuse of computer and technology resources, including but not limited to:
    - a. Unauthorized access of a file, account, or record, to use, read, or change the contents, or for any other purpose.
    - b. Unauthorized transfer of a file or data.
    - c. Unauthorized use of another individual's identification and password.
    - d. Use of College computing resources to interfere with the work of another student, faculty member or College official.
    - e. Use of College computing resources to send threatening or harassing communications, or to view pornography.
    - f. Use of College computing resources to interfere with normal operations of the College's computing systems.
  16. Violation of federal, state or local law on College premises or at College sponsored or supervised activities.
  17. Violation of published College policies, rules or regulations.
5. The Dean of Student Affairs or designee may conduct an investigation to determine if the charges have merit and/or if they can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the Dean. Such disposition shall be final and there shall be no subsequent disciplinary proceedings. If the charges cannot be disposed of by mutual consent, the student is entitled to due process and a hearing before the Student Disciplinary Committee. The Dean of Student Affairs may later serve in the same matter as a member of the Student Disciplinary Committee.
  6. The Dean of Student Affairs shall present all charges in written form to the accused student. A time shall be set for a hearing, neither less than five (5) working days nor more than fifteen (15) working days after the student/ students have been notified. Maximum time limits for scheduling of hearings may be extended by mutual written consent of the Dean of Student Affairs and the student.
  7. Hearings shall be conducted by a Student Disciplinary Committee according to the following guidelines:
    - a. Hearings shall be conducted in private and proceedings should not be discussed with individuals outside the committee.
    - b. In hearings involving more than one accused student, the chairperson of the Student Disciplinary Committee, at his or her discretion and with written consent of students, may hold hearings jointly. The chairperson of the Student Disciplinary Committee may permit the hearings concerning each student to be conducted separately.
    - c. The complainant and the accused have the right to be assisted by any advisor they choose, at their own expense. The advisor may be an attorney. The complainant and/or the accused is responsible for presenting his or her own case and, therefore advisors are not permitted to speak or to participate directly in any hearing before a Student Disciplinary Committee. At the discretion and direction of the Committee chair, an advisor may be allowed to ask specific questions or make clarifying statements to promote overall fairness.
    - d. The complainant, the accused and the Committee shall have the privilege of presenting witnesses, subject to questions from the other participants (complainant, accused, or committee).
    - e. The Committee at the discretion of the chairperson may accept pertinent records,

## Institutional Procedures for Handling Student Misconduct

The College expects that all students will act as responsible adults, however, action may be taken against a student when his or her conduct interferes with the mission of the institution and its additional responsibility to provide a safe environment for others. The Student Code of Conduct contains regulations for dealing with the alleged student violations of the code of conduct in a manner consistent with the requirements of due process.

1. Any member of the College community has authority to call for immediate emergency assistance (police, fire, life squad, etc.) as deemed appropriate.
2. Any member of the College community may file charges against any student for misconduct.
3. Charges shall be prepared in writing (complaint forms are available on each campus in the Director's Office) and directed to the Dean of Student Affairs or designee or in the Student Affairs office at Central Campus.
4. Charges should be filed as soon as possible after the alleged event takes place so as not to cause an unnecessary delay in the judicial process. Except in situations deemed by the Dean of Student Affairs or designee to warrant an extension, no complaint shall be accepted beyond fifteen (15) working days following the date of the alleged violation.

- exhibits, and written statements for consideration.
- f. All procedural questions are subject to the final decision of the chairperson of the Committee.
  - g. After the hearing, the Committee shall determine by majority vote in a closed session, whether the student has violated the section of the Student Code of Conduct for which the student is charged with violating.
  - h. There shall be a single verbatim record, such as a tape recording of all hearings before the Student Disciplinary Committee. The record shall be the property of the College. Accused students may, at their expense, request a copy of the record for purposes of appeal.

## Student Disciplinary Sanctions

The following sanctions may be imposed upon any student found to have violated the Student Code of Conduct:

1. Warning – A notice in writing to the student that the student is violating or has violated institutional regulations.
2. Probation – A written reprimand for violation of specified regulations. Probation is 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.
3. Loss of Privileges – Denial of specified privileges for a designated period of time. In addition to a warning or probation period there may be a loss of privileges which would include, but not be limited to, the following:
  - a. Denial of the right to park or operate motor vehicle on campus.
  - b. Denial of eligibility, for a specified period of time, for election to a student office or opportunity to represent the College.
  - c. Denial, for a specified period of time, of the privilege of participating in athletics or other student activities.
4. Restitution – Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
5. Service – Work assignments which offer service to College-oriented projects (such assignments must have prior approval of the Dean of Student Affairs).
6. Educational – Assignments, which are designed to educate a student, related to the effect of their behavior on the College environment. Examples of such assignments might be attending a specific workshop, writing a research paper on a specific topic, awareness or sensitivity training, recommendation to seek personal counseling at the College Counseling Center or other designated individual/agency.
7. College Suspension – Separation of the student from the College for a definite period of time, after which the student is eligible to return. Suspension may range from one semester to three years.
8. College Expulsion – Permanent separation of the student from the College.

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

In each case in which the committee determines that a student has violated the Student Code of Conduct, the sanction(s) shall be determined and imposed by the Dean of Student Affairs or designee. The Dean of Student Affairs or designee in determining and imposing sanctions shall consider the recommendation of all members of the committee. The Dean of Student Affairs or designee is not limited to sanctions recommended by members of the committee. Following the hearing, the committee and Dean of Student Affairs or designee shall advise the accused in writing of its determination and of the sanction(s) imposed, if any.

## Interim Suspension

In certain circumstances, the Dean of Student Affairs or designee may impose a College suspension prior to the hearing before the Committee.

1. Interim suspension may be imposed by the Vice President of Student Affairs or the President, in consultation with other appropriate professionals, 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 or interference with the normal operations of the College.
2. 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 College official may determine to be appropriate.
3. At the time of notification of an interim suspension, the student will receive written notification of the alleged violation(s) and



pending disciplinary hearing. A hearing will be held within five (5) working days and will follow procedures as stated in the Institutional Procedures for Handling Misconduct section of this policy.

4. A hearing will be held by the Dean of Student Affairs or designee within five (5) College working days of the interim suspension to determine if the suspension should continue until a hearing is held on the charge of misconduct.



## Appeals

A decision reached by the Committee or a sanction imposed by the Dean of Student Affairs or designee may be appealed by accused students or complainants to the President within five (5) working days of the decision. Such appeals shall be in writing and shall be delivered to the President and copy to the Vice President of Academic and Student Affairs or designee.

Except as required to explain the basis of new evidence, an appeal shall be limited to review of the verbatim record of the initial hearing and supporting documents for one or more of the following purposes:

1. To determine whether the original hearing was conducted fairly in light of the charges and evidence presented and in conformity with prescribed procedures giving the complaining party a reasonable opportunity to prepare and present evidence that the Student Code of Conduct was violated, and giving the accused student a reasonable opportunity to prepare and to present a rebuttal of those allegations.
2. To determine whether the decision reached regarding the accused student was based on a preponderance of the evidence, that is, whether the facts in the case were sufficient to establish that a violation of the Student Code of Conduct occurred.
3. To determine whether the sanction(s) imposed were appropriate for the violation of the Student Code of Conduct that the student was found to have committed.
4. To consider new evidence, sufficient to alter a decision, or other relevant facts not brought out in the original hearing, because the person appealing did not know such evidence and/or facts at the time of the original hearing.

In cases involving appeals by students' accused of violating the Student Code of Conduct, review of the sanction by the President may not result in more severe sanctions for the accused student. Instead, following the appeal, the President may, upon review of the case, affirm or reduce, but not increase, the sanctions imposed by the Dean of Student Affairs or designee. The decision of the President shall be final and binding.

## Disciplinary Records

With the exception of the College suspension or expulsion, disciplinary sanctions shall not be made part of the student's permanent academic record, but shall become part of the student's disciplinary record. Cases involving the imposition of sanctions other than College suspension or expulsion shall be removed from the student's disciplinary record seven (7) years from the year in which the offense occurred.