

Polk State College Procedure

Subject	Reference	Date	Number
Student Code of Conduct: Sanctions and Assignment of Penalties for Violations	DBOT Rule 4.01	11/5/2019	5028

I. Purpose

The purpose of this procedure is to outline the process the College follows concerning complaints against a student charged with violating the *Polk State College Student Code of Conduct* and to explain the disciplinary use of sanctions and penalties the College authorizes in response to such a violation. The administration of student discipline must be flexible and consistent with the philosophy and educational objectives of Polk State College.

In cases not likely to result in termination of a student's enrollment at the College, the Campus Dean of Student Services (or his or her designee) has responsibility for the administration of student sanctions and may impose varying degrees of disciplinary penalties as outlined in this procedure. This includes cases that involve group or organization violations, activities involving sexual misconduct, and classroom disruptions.

The *Student Disruption Discipline Report Form* should be used in reporting cases of classroom disruption. Cases in which possible sanctions may include expulsion or suspension from the institution are presented to the Student Services Discipline Committee. This does not include violations of academic dishonesty; procedures, sanctions, and penalties for these situations are described in Polk State College Procedure 5026: *Student Code of Conduct Violation: Academic Dishonesty*.

For limited-admission programs, procedures and sanctions related to violations of the *Polk State College Student Code of Conduct* are written in the specific program's manual or student handbook.

II. Student Conduct Review Procedures and Due Process

Any person may refer a student suspected of unacceptable conduct to the Campus Dean of Student Services (or his or her designee). A person making such a referral is requested to provide information pertinent to the case and is normally expected to appear in subsequent proceedings as the complainant. Any charge(s) should be submitted as soon as possible after the incident takes place (i.e., preferably within 48 hours, but no later than ten working days).

III. Sanctions

One or more of the following penalties may be imposed for unacceptable conduct (listed in order of decreasing severity):

- A. **Expulsion:** This involves a permanent separation of the student from the College. Notification of expulsion appears on the student's transcript. The student is also barred from the College premises. If a student comes onto campus without permission from the Dean of Student Services (or his or her designee), the student is subject to arrest.
- B. **Suspension:** This involves a separation of the student from the College for a specified period of time. Permanent documentation of Suspension may appear on the student's transcript. The student cannot participate in any College-sponsored activities and may be barred from College premises. Conditions for readmission are to be specified within the Suspension Letter.
- C. **Withdrawal-Without-Refund:** This is an administratively imposed sanction in which the student may be withdrawn from the College, a particular class, or group of classes as deemed appropriate. No compensation is provided for the loss of enrollment.
- D. **Discretionary Sanctions:** Discretionary Sanctions involve work assignments, service to Polk State College, or other related discretionary assignments that are a mandatory condition of remaining enrolled in (or permission to re-enroll at) the College.
- E. **Disciplinary Probation:** The sanction of Disciplinary Probation means that the student is not eligible to represent the College in any extracurricular activity, run for office, or hold office in any student group or organization. Additional restrictions or conditions may also be imposed. Notification of Disciplinary Probation is sent to appropriate College offices, including the Student Activities and Leadership Office (SALO). A meeting with the Campus Dean of Student Services (or his or her designee) is required at the end of the probationary period.
- F. **Warning:** A Warning involves a notice in writing given to the student who is violating (or has violated) the *Polk State College Student Code of Conduct* and institutional regulations. This warning is placed in the student's permanent record, but it is not noted on the student's transcript. Results of this warning may be introduced at future proceedings if needed.
- G. **Other lesser sanctions** may be imposed instead of, or in addition to, those specified above (e.g., limitation of the student's participation in club activities, a stern verbal warning).
- H. **Restitution:** This is when a student is required to make payment to the College or to other persons, groups, or organizations for damages incurred as a result of unacceptable conduct.
- I. **Fines and Obligations:** A student may be required to pay fines incurred (e.g., parking, library) or other outstanding obligations as one of the conditions for complying with the sanction imposed.

Other than Suspension and Expulsion from the institution, disciplinary sanctions do not become part of the student's permanent academic record, but instead become part of the student's confidential record. Upon graduation, the student's confidential record may be expunged of all disciplinary actions, excluding Suspension and Expulsion, upon request by the student to the Campus Dean of Student Services (or his or her designee).

Cases involving the imposition of sanctions other than Suspension or Expulsion from the College are expunged from the student's confidential record five years after the final disposition of the case. Polk State College has the right to release disciplinary records to any institution to which the student applies as long as the student's record has not been expunged.

IV. Assignment of Penalties

- A. The Dean of Student Services (or his or her designee), after reviewing the evidence and meeting with the witness and accused student, may impose sanctions outlined in this Procedure. The student is notified of all sanctions in writing.
- B. Violations of the *Polk State College Student Code of Conduct*, as stated in Polk State College District Board of Trustee Rule 4.01, may result in Expulsion from the institution, or a lesser penalty.
- C. Repeated or aggravated violations of any section of this *Polk State College Student Code of Conduct* may also result in Expulsion or Suspension, or in the imposition of such lesser penalties as may be appropriate.
- D. Attempts to commit acts prohibited by the *Polk State College Student Code of Conduct* are punished according to the same policies as violations that are carried out.

V. Interim Suspension

The Dean of Student Services (or his or her designee) may suspend a student for an interim period pending disciplinary proceedings or medical or psychological evaluation. Interim suspensions are indicated whenever there is reason to believe that the continued presence of the student on the College campus poses a possible threat that student personally, to others, or to the stability and continuance of normal College functions. Before an interim suspension is implemented, the Dean of Student Services (or his or her designee) must contact the student for the purpose of conducting an informal hearing on the following issues only:

- A. The reliability of the information concerning the student's conduct, including the matter of the student's identity.
- B. Whether the conduct and surrounding circumstances reasonably indicate that the continued presence of the student on the College campus poses a possible threat to the student, to others, or to the stability and continuance of normal College functions.

VI. Processing of Appeals for Imposed Sanctions

- A. A student, student organization, or complainant may appeal the sanctions imposed by the Dean of Student Services (or his or her designee) to the Vice President for Student Services for referral to the Discipline Committee. Such appeals must be delivered in writing to the Vice President for Student Services within five school days of the receipt of the sanctions from the Dean of Student Services (or designee).
- B. If the student appeals the decision of the Dean of Student Services (or his or her designee), the Dean (or designee) must decide if sanctions are placed in effect immediately or pending the outcome of the appeal process. If the student or student organization poses a threat to any person; is unruly, disruptive, uncontrollable;

damages or threatens to damage any property; or there is evidence of another serious condition, the Dean of Student Services (or his or her designee) may suspend the student or student organization immediately and have the student(s) escorted from any campus facility.

- C. Once the appeal is received by the Vice President for Student Services, the case is referred to the Discipline Committee for a hearing, and Polk State College Procedure 5025: *Student Appeals Hearing Protocol* is followed.

History: Adopted: December 23, 1974.
Revised: July 28, 1976; May 28, 1984; September 23, 1991; May 23, 1994; August 28, 2007; February 28, 2012; July 1, 2014; and November 5, 2019

<i>Reginal T. Wehl</i>	<i>11/18/19</i>	<i>Reginal T. Wehl</i>	<i>11/18/19</i>
Executive Responsible for Procedure	Date	President's Staff Member's Approval	Date
<i>[Signature]</i>			<i>11/18/19</i>
President's Approval			Date