

# Polk State College Procedure

Subject	Reference	Date	Number
Student Code of Conduct: Sanctions and Assignment of Penalties for Violations	Board Rule 4.01	7/01/2014	5028

## I. Purpose

The purpose of this procedure is to outline the process the College will follow concerning complaints against students that are charged with violating the Student Code of Conduct and explain the disciplinary use of sanctions and penalties the College authorizes in response to violations. The administration of student discipline shall be flexible and consistent with the philosophy and educational objectives of Polk State College. In those cases not likely to result in termination of a student's enrollment at the College, the campus Dean of Student Services or designee shall have the responsibility for the administration of student sanctions and may impose varying degrees of disciplinary sanctions as outlined in this procedure. This includes cases that involve group or organization violations, sexual misconduct, and a disruption within the classroom. The Student Disruption Discipline Report form should be used in reporting all cases of classroom disruption. Cases in which possible sanctions may include expulsion or suspension from the institution will be heard before the Student Services Discipline Committee. This does not include a violation of Academic Dishonesty. Procedures, sanctions, and penalties for Academic Dishonesty are described in College Procedure 5026.

For limited admission programs, refer to each program's procedures manual or student handbook for specific rules and procedures pertaining to the Student Code of Conduct and sanctions.

## II. Student Conduct Review Procedures and Due Process

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

## III. Sanctions

One or more of the following penalties, which are listed in order of decreasing severity, may be imposed for unacceptable conduct.

- A. Expulsion: Permanent separation of the student from the College. Notification will appear in the student's transcript. The student will also be barred from the college

premises. If a student comes onto campus without permission from the Dean of Student Services or designee, said student is subject to arrest.

- B. Suspension: Separation of the student from the College for a specified period of time. Permanent notification may appear on the student's transcript. The student shall not participate in any college-sponsored activity and may be barred from the college premises. Conditions for readmission will be specified.
- C. Withdraw Without Refund: Withdraw without refund is administratively imposed. Withdrawal could be from the College or a particular class or group of classes as deemed appropriate.
- D. Discretionary Sanctions: Work assignments, service to Polk State College, or other related discretionary assignments.
- E. Disciplinary Probation: The student shall not represent the College in any extracurricular activity or run for or hold office in any student group or organization. Additional restrictions or conditions may also be imposed. Notification will be sent to appropriate college offices, including the Office of Student Activities. A meeting with the Dean of Student Services or designee will be required at the end of the probationary period.
- F. Warning: A notice in writing to the student that he/she is violating or has violated the Student Code of Conduct and institutional regulations. This warning will be placed in the student's record but will not be 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: for example, limitation on the student's participation in club activities.
- H. Restitution: The 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: Student may be required to pay fines incurred (i.e. parking, library) or outstanding obligations as one of the conditions for complying with the sanction imposed.

Other than suspension and expulsion from the institution, disciplinary sanctions shall not become part of the student's permanent academic record, but shall become part of the student's confidential record. Upon graduation, the student's confidential records may be expunged of all disciplinary actions, excluding suspension and expulsion, upon request by the student to the Dean of Student Services or designee. Cases involving the imposition of sanctions other than suspension or expulsion from the College shall be expunged from the student's confidential record five (5) 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 designee, after reviewing the evidence and meeting with the witness and accused student, may impose sanctions outlined in this Procedure. The student will be notified of all sanctions in writing.
- B. Violations of the Student Code of Conduct, as stated in Polk State College Board of Trustee Rule 4.01, may result in expulsion from the institution or lesser penalty.
- C. Repeated or aggravated violations of any section of this code 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 this code shall be punished to the same extent as completed violations.

#### **V. Interim Suspension**

The Dean of Student Services or 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 to himself/herself, to others, or to the stability and continuance of normal college functions. Before an interim suspension is implemented, the Dean of Student Services or designee will 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 or to others or to the stability and continuance of normal college functions.

#### **VI. Processing of Appeals for Imposed Sanctions**

- 1) A student, student organization, or complainant may appeal the sanctions imposed by the Dean of Student Services or designee to the Vice President for Student Services for referral to the Discipline Committee. Such appeals shall be in writing and delivered to the Vice President for Student Services within five (5) school days of the receipt of the sanctions from the Dean of Student Services or designee.
- 2) If the student appeals the decision of the Dean of Student Services or designee, the Dean of Student Services or designee shall decide if sanctions will be put into 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 another serious condition exists, the Dean of Student Services or designee may suspend the student or student organization immediately and have the student(s) escorted from any campus facility.
- 3) Once the appeal is received by the Vice President for Student Services, the case will be referred to the Discipline Committee for a hearing, and Procedure 5025 will be followed.

### History

Adopted: December 23, 1974.

Revised: July 28, 1976; May 28, 1984; September 23, 1991; May 23, 1994 and August 28, 2007; February 28, 2012; July 1, 2014

### Distribution

All Holders of Polk State College DBOT Rules Manual

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Executive Responsible for Procedure	Date	President's Staff Member's Approval	Date
<i>Eileen Holden</i>			<i>7-7-14</i>
President's Approval			Date