



AP 5520 Student Discipline Procedures

References:

ORS 341.290(2)

AP 3430 – Prohibition of Discrimination and Harassment

AP 3435 - Discrimination and Harassment Reports and Investigations

AP 5500 – Standards of Student Conduct

BP 5500 – Standards of Student Conduct

AP 3310 – Records Retention and Destruction

Purpose

The purpose of this procedure is to provide a prompt and equitable means to address alleged violations of the Standards of Student Conduct. This procedure guarantees to the student, or students, involved the due process rights guaranteed them by state and federal constitutional protections. This procedure will be used in a fair and equitable manner, and not for purposes of retaliation. It is not intended to substitute for criminal or civil proceedings that may be initiated by other agencies.

These administrative procedures are specifically not intended to infringe in any way on the rights of students to engage in free expression as protected by the state and federal constitutions and will not be used to punish expression that is protected.

Definitions:

Day – Working days when Rogue Community College (RCC) is open for operations including days the college is open between terms.

Direct Resolution – An attempt by any RCC employee to resolve an issue which they believe to be a violation of the standards of conduct.

Disciplinary Probation - Specific conditions or restrictions while in attendance at RCC, in addition to the Student Code of Conduct, for a specified period of time. The Compliance Coordinator will communicate the specific behavior leading to this sanction and the specific conditions or restrictions imposed for the specified period of time to the student, in writing. The student will sign the document provided by the College and agree to abide by its terms or forfeit all rights to continue attendance at RCC.

Educational Sanction – A student may be assigned academic work that reflects on the impact of their actions and/or educates them about how to avoid similar behavior in the future.



Expulsion – Termination of student status and denial of further college privileges. Conditions of readmission, if any, will be listed in the letter of expulsion given as a notice to the student by the Compliance Coordinator.

Instructor – Any academic employee of RCC in whose class a student subject to discipline is enrolled.

Suspension – Exclusion of the student by the Compliance Coordinator, or designee, for good cause from one or more classes for the remainder of the school term, or from all classes and activities of the college for one or more terms. A student can also be removed – for good cause – from a particular program of study.

RCC Employee – Anyone engaged by RCC to perform educational, service, administrative, or other functions regardless of if this individual is compensated by RCC.

Removal from class – Exclusion of the student by an instructor for the day of the removal and the next class meeting.

Restitution - compensation or reimbursement for damage to or misappropriation of property, which may take the form of appropriate service to repair or otherwise compensate for damages. Conditions of restitution will be detailed in a letter to student.

Student – Any person currently enrolled as a student at any college or in any program offered by the college or a person taking steps to enroll or reenroll.

Written or verbal reprimand – An admonition to the student to cease and desist from conduct determined to violate the Standards of Student Conduct. Written reprimands will become part of a student's permanent record at the college. A record of the fact that a verbal reprimand has been given will become part of a student's record at the college for a period of up to one year.

Resolution Process

1. Direct Resolution

If any RCC Employee believes a student is engaged in conduct which violates RCC's standards of conduct – listed in AP 5500 - they are encouraged to attempt to resolve this issue directly with the student. RCC encourages direct resolution but it is not required. If personal safety is at risk please contact 911 or campus security as appropriate. If direct resolution is attempted please complete an incident report regardless of the outcome.

2. Compliance Coordinator

If direct resolution is inappropriate or unsuccessful the college employee should complete an incident report within 3 working days of the behavior in question. Within 7 working days of receiving the report the Compliance Coordinator, or designee, will contact the student and other involved parties.

The student who is accused of violating RCC's standards of conduct will be contacted to schedule a meeting with the Compliance Coordinator or designee. The Compliance Coordinator, or designee, may use multiple processes to help resolve the issue. The student will be informed of the behavior they are accused of and be allowed an opportunity to explain or deny the behavior.

The Compliance Coordinator, or designee, may – as necessary – conduct an investigation into the accused behavior including reviewing available evidence and speaking to witnesses. The Compliance Coordinator, or designee, will use the preponderance of the evidence standard in determining if a student's behavior violated RCC's standards of conduct.

If a student is found to have violated RCC's standards of conduct the Compliance Coordinator, or designee, may assign a sanction proportional to the student's conduct. Available sanctions are listed in this procedure under the heading Sanctions.

Students will be notified of the Compliance Coordinator, or designee's, decision and any sanction, as appropriate, in writing. When determining a sanction the Compliance Coordinator, or designee, may take a student's disciplinary history with RCC into account.

3. Appeal to the Vice President of Student Services

Students receiving a written notice of disciplinary action for a violation of RCC's standards of conduct have the right to appeal in writing to the Vice President of Student Services, or designee. Any appeal must be received within 7 working days of receiving the notice of disciplinary action.

Students may appeal based on:

- a) Failure to follow the process for resolving allegations of inappropriate behavior as outlined in this procedure;
- b) New evidence is available that was not available during the initial investigation; or



- c) The sanction imposed is disproportionate to the offense the student is found responsible for.

Within 10 working days of receiving an appeal the Vice President of Student Services, or designee, will review the initial report, the investigation process, the findings, and any sanctions. As part of this process they may consult with RCC administrators to insure consistency and fairness within the process. The Vice President of Student Services, or designee, will report their findings and conclusions to the student and the Compliance Coordinator. The decision of the Vice President of Student Services, or designee, is final.

Sanctions

If a student is found to have violated RCC's standards of conduct, they may face discipline from RCC. Disciplinary sanctions available to the Compliance Coordinator, or designee, are:

1. Verbal or written reprimand
2. Disciplinary probation
3. Educational Sanction
4. Suspension
5. Expulsion
6. Restitution
7. Other – including directives for behavior and plans of action.

Records Retention

Records of alleged student misconduct, documentation of those allegations, evidence used to determine if allegations are substantiated, and the resolution of those allegations will be maintained separate from a student's other educational records and retained in accordance with RCC policies and procedures on record retention.

Removal from Class or campus

Any RCC employee may order a student removed from campus for the day of the removal and the next day. This removal should be based on behavior that violates the standards of conduct, is causing a significant disruption, and is not corrected when challenged with direct resolution.

The employee shall immediately report the removal to the Compliance Coordinator using an incident report. The Compliance Coordinator, or designee, shall attempt to contact the student within 2 working days of receiving the report to set a meeting.



The purpose of this meeting will be to discuss the conduct that led to the removal from class, attempt to resolve the problem that led to the removal, and determine appropriate disciplinary action.

Rescinds Procedure Number: AP-003 (Section 9.2 and 9.3)

Approved: April 7, 2020