

# Disciplinary Action

College disciplinary action addresses conduct which adversely affects the pursuit of the objectives of the educational community. It is the student's responsibility to become familiar with the rules and regulations governing the entire College and the specific rules governing the residence hall for students living there. Failure to know the rules does not excuse the student from any policy established by the College. The College reserves the right to dismiss any student whose conduct and behavior is undesirable or harmful to the College, its students or employees.

## Disciplinary Procedure

College disciplinary procedures assure the student's right to procedural and substantive due process and safeguard personal and confidential information concerning the student. The College disciplinary procedures need not conform to the strict behavior of a civil courtroom; however, student(s) shall be treated fairly and shall be given the opportunity to respond to accusations. Procedures and rules have been developed to ensure fair hearing and appeal.

The Associate Dean of Students makes disciplinary decisions at the administrative level and refers appropriate appeals to the College Disciplinary Committee where the fundamental elements of due process are followed through a fair and reasonable hearing. The Dean may remove a student from campus at any time pending a formal hearing if, in his/her opinion, the presence of a student on campus would seriously disrupt the normal operation of the College. The Associate Dean of Students is responsible for coordinating all disciplinary procedures and maintaining appropriate records of student conduct and disciplinary actions. Incident Report Forms should be completed for all non-academic violations. The forms can be obtained from the Campus Police or accessed from the Campus Police's link on the college's website and submitted online.

Alleged violations of College regulations, with the exception of those related to academic matters, must be filed in writing with the Campus Police or the Associate Dean of Students in order to initiate disciplinary review. Alleged violations of an academic nature must be filed in writing with the Dean of Academics. Any member of the College community may report an alleged violation against a student or group of students for non-academic misconduct affecting the College or its operations.

An administrative meeting will be scheduled. During this meeting the Associate Dean of Students and the student will discuss the student's involvement in the incident.

Specifically, the student will be:

1. Informed of the incident or allegation(s) made against them;
2. Informed of the College policy(ies) or campus regulation(s) allegedly violated;
3. Provided the opportunity to give their response to the report(s), and offer additional information that might help with resolution of the case.
4. Informed of their right to an appeal. (See Procedure for Appeal.)

Based on the outcome of the administrative meeting, the Associate Dean of Students will determine the student's involvement in the incident, and if the student(s) is responsible for violating policy(ies). The Associate Dean of Students may choose to take no action if it is determined that the initial report lacks information, is unsupported based on new information or falls outside the purview of the Southern Union policies applying to campus activities, organizations, and students, or find the student guilty and apply the appropriate sanction(s), or refer the case directly to the College Disciplinary Committee. After being notified in writing of the decision, the student(s) may either consent to the decision and imposed sanctions or appeal to the Disciplinary Committee.

## Procedure for Appeal

A student accused of non-academic misconduct may appeal the decision of the Associate Dean of Students to the Disciplinary Committee by following the procedure explained below.

The accused must appeal the decision, in writing, to the Associate Dean of Students, who will forward the appeal to the Disciplinary Committee. The appeal must be submitted within 48 business hours following written receipt of the decision of the Associate Dean of Students. The accused must demonstrate to the Committee that (a) certain relevant evidence was not reviewed; (b) new evidence is available; or (c) the penalty was too harsh in relation to the infraction. During the appeals process, the student has the right to maintain all student rights and privileges, including but not limited to, their housing assignment, meal plan and class schedule. The Associate Dean of Students will then have 48 business hours to refer the case to the Disciplinary Committee. The Committee will conduct a hearing under the guidelines specified in "Hearing Procedures," and will submit its decision in writing to the Associate Dean of Students.