

COLUMBUS STATE COMMUNITY COLLEGE
POLICY & PROCEDURES MANUAL

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Effective July 9, 2019

(1) PROHIBITED CONDUCT

Misconduct for which students are subject to disciplinary action include, but is not limited to:

- (a) Abuse of the College conduct system:
 - (i) Attempting to discourage an individual's participation in, or use of the College conduct system;
 - (ii) Failure to attend meetings scheduled for conduct purposes;
 - (iii) Failure to provide information, destroying or hiding information during an investigation of an alleged policy violation;
 - (iv) Failure to comply with sanctions imposed by the College;
 - (v) Influencing or attempting to influence another person to abuse the College conduct system;
 - (vi) Verbal or physical harassment and/or intimidation of a member of a College conduct body prior to, during, and/or after a College conduct proceeding.
- (b) Abuse of prescriptions: abuse or misuse of prescriptions or over-the-counter medications.
- (c) Acts of dishonesty/deception:
 - (i) Alteration or misuse of any College document, record or instrument of identification;
 - (ii) Altering or producing a duplication of a document or signature;
 - (iii) Furnishing false information to any College official, department or office;
 - (iv) Tampering with an election process of any registered student organization.
- (d) Animals on campus: having animals on campus except as may be required for a class, or for use of guide or support animals as outlined in College Policy 13-03.
- (e) Assist in a violation: action or inaction by a student who is in collusion which fails to discourage a violation of College policy or law.

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- (f) Cause harm: threatening or causing physical harm, verbal abuse, or other conduct which threatens or endangers the health or safety of any person, whether done intentionally or by failure to exercise reasonable care.
- (g) Cheating: possessing or using open textbooks, notes, electronic devices, other assistance, or collaborating with another person while completing academic requirements, except those that have been authorized by the instructor or College official.
- (h) Controlled substances:
 - (i) Use (including odor emanating from one's person), possession or distribution of a narcotic, inhalant or other controlled substances, as well as drug paraphernalia, except as expressly permitted by law;
 - (ii) Use (including public intoxication), possession, or distribution of an alcoholic beverage, except when sanctioned by the College;
 - (iii) Use of tobacco products while on College-operated property. Tobacco is more fully defined in College Policy 13-13, Section B.
- (i) Dating violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant. The existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship.
- (j) Disruption: obstruction of teaching, research, administration, or other College activities or services, on or off campus.
- (k) Domestic violence: Felony or misdemeanor crimes of violence on the basis of sex committed by a current or former spouse or intimate partner of the complainant, by a person with whom the complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, or by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction. Domestic violence also includes felony or misdemeanor crimes of violence committed by any other person against an adult or youth complainant who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

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- (l) Failure to comply:
 - (i) Action or inaction that fails to comply with the directions of College officials acting in the performance of their duties;
 - (ii) Failure to comply with Columbus State process(es).
- (m) Fire safety: failure to follow fire safety procedures such as:
 - (i) Failure to exit a building when the fire alarm sounds;
 - (ii) Intentionally or recklessly causing a fire which causes or could cause damage to College or personal property, or which causes or could cause injury to any member of the community;
 - (iii) Intentionally or recklessly obstructing a fire exit in any College building;
 - (iv) Misusing, damaging or tampering with fire safety equipment.
- (n) False report of emergency: initiating a false report or warning of fire, explosion, bomb threat, or other emergency.
- (o) Gambling: conducting, organizing, or participating in any activity involving games of chance or gambling except as permitted by law.
- (p) Harassment: verbal, written, or physical conduct that has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creates an intimidating, hostile, or offensive working or educational environment.
- (q) Harassment of a discriminatory nature: unwelcome verbal, non-verbal or physical conduct based on a protected class which is sufficiently severe, persistent or pervasive that it unreasonably interferes with, denies, or limits a person's ability to participate in or benefit from the College's educational programs and/or activities, including a person's ability to perform their job duties. See College Policy 3-43 for additional details.
- (r) Hazing: behavior that endangers the mental, physical, or emotional health of a student as a condition for initial or continued affiliation with any group regardless of either the lack of intent to endanger the student or the student's own willingness to participate. The express or implied consent of the victim will not be a defense. Apathy or acquiescence in the presence of hazing is also a violation of this policy.

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- (s) Hostile environment pursuant to sexual harassment (Type A): Unwelcome conduct on the basis of sex determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to the College's education program or activity. See also Procedure 3-44 (A), Section 6.
- (t) Intimidation/coercion: implied threats or pressuring another unreasonably until an act is not truly voluntary.
- (u) Lewd/obscene conduct: behavior to include, but not limited to:
 - (i) Disrobing in a public space or streaking;
 - (ii) Possession or distribution of obscene materials;
 - (iii) Public urination/defecation;
 - (iv) Sexual acts performed in public or on College premises.
- (v) Misconduct in College enrichment experience: inappropriate behavior of students enrolled in apprenticeships, clinical training, practicum, co-op work experiences, internships, field experiences, directed practice, research lab, College-sanctioned travel and workforce training programs, including but not limited to:
 - (i) Behaving unethically based on College or professional standards;
 - (ii) Failing to abide by policies and procedures of the training site, including privacy and confidentiality;
 - (iii) Jeopardizing the safety and/or welfare of self and/or others, including clients, patients, customers, and co-workers;
 - (iv) Sexual or other harassment as defined by the Student Code of Conduct.
- (w) Misuse of computing resources: misuse of College computing facilities, equipment, network, passwords, accounts or information. Students who connect their personal computing device(s) to the College network will be held responsible for any violation of this Policy that originates from that computing device(s). See College Policy 15-01. Examples include but not limited to:
 - (i) Anonymous or forged network news articles or e-mail messages;

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- (ii) Making copies of or distributing copyrighted materials (i.e. music, movies, computer software, books, etc.) when no written authority to copy the materials has been granted;
- (iii) Storage usage over the allotted limit without prior approval;
- (iv) Unauthorized access to a file or personal or group account;
- (v) Unauthorized transfer of a file;
- (vi) Use of another individual's identification and password or sharing of your own identification and/or password;
- (vii) Use of computing facilities to interfere with normal operation of College computer system;
- (viii) Use of computing facilities to interfere with the work of other community members;
- (ix) Use of computing facilities to send or share harassing or abusive messages, videos, images or any other form of communication that is abusive or harassing.
- (x) Misuse of College name: misuse or unauthorized use of College or organizational names, representations and/or images.
- (y) Pattern of misconduct: involvement in multiple alleged violations in close proximity of time or a series of similar allegations over an extended period of time.
- (z) Plagiarism: acts to include, but not limited to:
 - (i) Knowingly permitting one's own work to be submitted by another student as if it were the student's own;
 - (ii) Presenting as one's own the ideas, organization, or wording of another person without acknowledgment of sources;
 - (iii) Submitting an assignment purporting to be the student's original work which has been wholly or partly created by another person;
 - (iv) Submitting an assignment as original work which has been copyrighted or published, without acknowledgement of previous submission, except those which have been authorized by the instructor;

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- (v) Submitting an assignment as original work which has been wholly or partially submitted in another course, except those which have been authorized by the instructor.
- (aa) Property damage:
 - (i) Damage or destruction of College property, including but not limited to littering, driving on lawn or premises without permission, and vandalism;
 - (ii) Damaging items rented, leased or placed on the campus at the request of the College;
 - (iii) Damage to property or services of others on College premises.
- (bb) Retaliation: any intimidating, threatening or coercive conduct against a person who reports an allegation or participates in an investigation. See College Policy 3-43, Section G and Procedure 3-44 (A), Section 16, for additional details as they relate to discrimination and sexual harassment/sexual violence.
- (cc) Sexual assault: A forcible or non-forcible sex offense as defined by the Uniform Crime Reporting system used by the Federal Bureau of Investigation pursuant to 20 U.S.C. 1092(f)(6)(A)(v), including rape, sodomy, sexual assault with an object, fondling, incest and statutory rape. These definitions prohibit the following behaviors:
 - (i) Vaginal, anal or oral sexual intercourse with a person without their consent;
 - (ii) Touching the private body parts of another person for the purpose of sexual gratification without their consent;
 - (iii) Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. In Ohio, Revised Code Section 3101.01(A) provides that individuals nearer of kin than second cousins may not marry;
 - (iv) Sexual intercourse with a person who is under the statutory age of consent. In Ohio, Revised Code Section 2907.02(A)(1)(b) provides that no person may have sex with a child under the age of thirteen. Ohio Revised Code Section 2907.04(A) provides that no person over the age of eighteen may have sex with a child under the age of sixteen.

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- (dd) Sexual contact, non-consensual: a type of sexual assault defined as any intentional sexual touching or any other intentional bodily contact in a sexual manner, however slight, with any object, of a person upon another person that is without consent. Sexual contact includes intentional contact with the breasts, buttocks, groin or genitals or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.

- (ee) Sexual exploitation: When someone takes non-consensual or abusive sexual advantage of another for their own advantage or benefit, or to the benefit or advantage of anyone other than the person being exploited. Examples of sexual exploitation include, but are not limited to:
 - (i) Prostituting another person;
 - (ii) Using electronic devices or technology (e.g., cell phone, camera, email, internet sites or social networks) to record or transmit nudity or sexual acts of another person without that person's consent;
 - (iii) Intentionally observing nudity or sexual acts of another person without that person's consent; and
 - (iv) Inducing incapacitation for the purpose of facilitating sexual assault.

- (ff) Sexual harassment: pursuant to sexual harassment (Type B) (see Procedure 3-44(A), Section 6) – Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when one of the following occurs:
 - (i) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or access by the individual to aid, benefits or services;
 - (ii) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual or access by the individual to aid, benefits or services; or
 - (iii) Such conduct has the purpose or effect of being severe or pervasive to the extent that it unreasonably interferes with an individual's job performance or learning ability or creating an intimidating, hostile, or offensive educational, athletic or working environment.

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- (gg) Sexual intercourse, non-consensual: a type of sexual assault defined as any sexual intercourse, however slight, with any object or body part of a person upon another person that is without consent. Intercourse includes vaginal or anal penetration by a penis, object, tongue or finger, and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.
- (hh) Stalking: engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.
- (ii) Theft: taking of property or services belonging to the College or others, including but not limited to:
 - (i) Knowingly possessing stolen property;
 - (ii) Selling or attempting to sell items unless the seller is the owner of the item or has the permission of the owner to do so;
 - (iii) Taking, attempting to take, or keeping items belonging to the College or items used for display.
- (jj) Threat/cause harm: see “cause harm.”
- (kk) Unauthorized entry or use of College property:
 - (i) Unauthorized or attempted unauthorized entry into any building, office, construction site, or other College facility;
 - (ii) Unauthorized possession, use, or duplication of keys or other methods of controlled access such as ids, access cards or codes.
- (ll) Violating course rules: violating course rules or department policies as contained in the course syllabus, other rules and regulations provided to the student, including those of off-campus training sites, or other information provided to the student.
- (mm) Violation of College policy or procedures: Violations of documented policies and procedures as outlined in the College catalog, policies and procedural manual or posted rules on College premises.
- (nn) Violation of law: allegation, arrest or charge of a violation of federal, state, or local law.

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- (oo) Violation of position of authority: violations of positions of trust or authority within the College community.
- (pp) Weapons: possession and/or use of firearms, explosives, other weapons (including, but not limited to BB/pellet guns, slingshots, and sharp edged instruments, such as pocket knives when used as weapons, or any item used as a weapon or in a threatening manner), or dangerous chemicals while on campus, unless properly authorized.

(2) NOTICE

Written notice of the alleged policy violation(s) will be provided to the accused student. This notice will include: (1) the nature of the complaint; (2) the alleged violation(s) of the Student Code of Conduct; and (3) the date, time and location of the hearing, or directions to schedule a hearing. A hold will be noted on the accused student's record which will restrict the adding or dropping of classes or obtaining transcripts until the conduct matter is resolved. Notice will include copies of the applicable procedures that will be used to resolve the allegation. All notices are considered delivered when sent by the College.

When scheduling hearings, the College gives priority to cases of sexual misconduct, physical violence, safety and allegations of discriminatory conduct based on protected class to ensure the College provides a prompt response.

(3) ACADEMIC MISCONDUCT PROCEDURE

Instructors are encouraged to work with students to address concerns of academic expectations. When possible, instructors should meet with students and attempt to address concerns that may not rise to the level of a policy violation (i.e. improper formatting/citation, attendance, etc.). In these instances, informational reports may be submitted to the Office of Student Conduct.

In instances where the instructor recommends formal actions for alleged violations of academic misconduct (i.e. cheating, plagiarism, etc.) the following process will occur:

- (a) The instructor/college representative will notify the student of the alleged violation when possible.
- (b) The instructor/college representative will provide a full report of the incident to the Office of Student Conduct, and concurrently to the appropriate chain of authority of the reporting party, which will include the date, time, place and nature of the behavior of concern, alleged violation and any documents or statements of witnesses relative to the alleged misconduct.

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- (c) The Office of Student Conduct will notify the student of the specific policy alleged to be violated as well as the options to respond.
- (d) If the student wishes to contest the allegation of academic misconduct, a hearing will take place to determine the level of responsibility and sanctions, if applicable.
- (e) If the student admits responsibility for the violation, sanctions will be enacted. Possible sanctions include:
 - (i) Sanctions for first-time violations include receiving zero credit on the assignment in question, required participation in an educational experience, and a formal warning of the progressive discipline process through the Office of Student Conduct. Mitigating and/or aggravating circumstances are reviewed in partnership with the instructor/reporting party to determine if sanctions should be adjusted.
 - (ii) Sanctions for second violations may include required participation in an educational experience (i.e. workshop, reflection exercise, etc.), receiving zero credit for the assignment in question (or failing grade for the course for multiple violations within the same course), and probationary status with the College, as appropriate. Factors used to determine the appropriate educational sanction will include: type of violation, similarity to previous violation(s), length of time between violations, and any extenuating circumstances. The Office of Student Conduct in partnership with Academic Affairs will determine if the alleged violation may warrant suspension or expulsion, in which case the matter will be referred to the Student Conduct Hearing Board as outlined in Section g, part 5 of this Procedure.
- (f) Incidents involving a student with three or more allegations of academic misconduct will be referred to the Student Conduct Hearing Board, without the option for the administrative hearing.

(4) ADMINISTRATIVE HEARING PROCEDURE

When the alleged violation does not warrant suspension or expulsion from the College, an administrative hearing is used to review allegations and determine if the student is responsible for the policy violation(s). Administrative hearings are one-on-one conversations with a conduct officer to determine responsibility for alleged violations of the Student Code of Conduct and review behavioral impact to the community. Witnesses may be called. When it is determined that a violation is likely, students are given the option to:

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- (a) Accept responsibility for the violation without having an administrative hearing and accept the sanction recommended by the conduct officer, or
- (b) Complete an administrative hearing where the hearing officer will make a decision of responsible or not responsible based on a preponderance of the evidence.

If a student is found responsible and does not accept the recommended finding of the hearing officer, the matter will be resolved by the Student Conduct Hearing Board. No appeal will be permitted from an administrative hearing.

(5) INTERIM MEASURES

- (a) The College may temporarily suspend a student or issue other interim measures pending the scheduling of a campus hearing when allegations include arrest, criminal investigation, and/or charges when there is reasonable cause due to safety concerns or continued negative impact to the individual, College, or community. See Procedure 3-44 (A), Section 11 for information regarding emergency removals related to allegations of sexual harassment/sexual violence.
- (b) The College will schedule a meeting with the student as soon as possible to determine whether the interim measure should continue until a formal resolution is reached.

(6) STUDENT CONDUCT HEARING BOARD PROCEDURE

- (a) The Student Conduct Hearing Board (SCHB) is composed of six (6) members: one (1) representative from the Office of Student Conduct who serves as the non-voting facilitator, two (2) faculty members, one (1) non-academic employee, and two (2) students selected from a pool of trained volunteers from the College. Any member of the Columbus State community may apply to become a representative of the SCHB. Individuals must be in good standing with the College and are required to participate in annual training to remain active. Efforts will be taken to avoid any conflict of interest to ensure that board members can conduct responsibilities without bias.
- (b) The accused student has the right to be assisted by a support person of their choosing. This support person does not have to be affiliated with Columbus State, but the individual will be required to review expectations of the role with the facilitator.

A support person may provide counsel and support to the student but is not permitted to speak to the hearing board or to participate directly in the hearing. If the support person does not observe this restriction, they can be removed from the hearing. No replacement support person will be permitted.

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- (c) All reporting and alleged parties will be provided an opportunity to provide a list of witnesses to present pertinent information to the hearing board. Witnesses must be confirmed through the Office of Student Conduct a minimum of three (3) business days prior to the scheduled hearing. Witnesses will provide information to and answer questions from the hearing board. Questions suggested by the accused student must be directed to the facilitator rather than to the witness directly. The facilitator will determine if questions are relevant and/or permissible to ask during the hearing process.
- (d) In hearings involving more than one student in the same situation, the Office of Student Conduct may permit the hearings to be conducted jointly.
- (e) Supporting documentation, including pertinent records, exhibits, and written statements may be accepted as information for consideration at the discretion of the facilitator. All documentation must be submitted to the Office of Student Conduct a minimum of three (3) business days prior to the hearing.
- (f) Statements of a party's character are not permitted during the proceedings except in the rare case that the facilitator determines such information to be highly relevant in determining whether the policy has been violated.
- (g) The accused student, and the support person, if any is selected, will be allowed to attend the entire hearing, excluding deliberations of responsibility and sanctioning. Admission of any other person to the hearing will be at the discretion of the facilitator.
- (h) All procedural questions are subject to the final decision of the facilitator.
- (i) Formal rules of process, procedure, and/or technical rules of evidence that are commonly applied in civil or criminal court are not used in these proceedings.
- (j) If an accused student who has been given notice does not appear before the SCHB, the information submitted about the alleged violation(s) will be presented and considered in the student's absence. If no explanation of events is provided by the alleged, it is reasonable for the SCHB members to infer that no explanation is available.
- (k) The SCHB will use a majority vote to determine whether the student is responsible for violating each section of the Student Code of Conduct of which the student is accused. The SCHB's determination will be made on the basis of the preponderance of the evidence, i.e. whether it is more likely than not that the student violated the Student Code of Conduct. If a student is found to be in violation of the Student Code of Conduct, the SCHB will then deliberate on what sanction(s) it will recommend to the designee appointed by the Chief Student Affairs Officer.

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- (l) SCHB hearings, excluding deliberations, will be audio recorded for the purpose of appeals.
- (m) The facilitator will complete and submit a written form to the SCHB reviewer, detailing the finding, the majority vote, and the information cited by the SCHB in support of its finding. This form must be submitted to the SCHB reviewer within 48 hours after the end of deliberations. The SCHB reviewer will implement the final determination which the party or parties will receive in writing.

(7) VOLUNTARY WITHDRAWAL AGREEMENT

In cases where a student's continued enrollment may adversely affect their well-being or the College, the Chief Student Affairs Officer, or designee, and the student may sign a written withdrawal agreement. This agreement will outline any processes for removing the student from courses and criteria for returning to the College.

(8) ADMINISTRATIVE DISENROLLMENT

- (a) A student may be disenrolled from the College, prohibited from all or any portion of College premises, College-related activities or registered student organization activities, and/or permitted to remain only under specified conditions when the Chief Student Affairs Officer, or designee, finds that there is clear and convincing evidence that:
 - (i) The student's continued presence poses a significant risk of substantial harm to the health or safety of themselves or others, or to property, or to College operations, or
 - (ii) The student, as a direct result of an apparent health condition, is engaged in substantial, continuing disruption of teaching, learning, research, administration, or other College-related activities.
- (b) Before making such a determination, the Chief Student Affairs Officer, or designee, shall notify the student in writing of the reasons that disenrollment is being considered, provide the student with an opportunity to respond, and consult with appropriate College personnel. The Chief Student Affairs Officer, or designee, may also consult with any other persons who are deemed appropriate under the circumstances.
- (c) The Chief Student Affairs Officer, or designee, may request the student to undergo a specified and appropriate examination to determine whether any health condition or disability as defined by the Americans with Disabilities Act exists that may be addressed through reasonable accommodation to reduce the risk or disruption and whether any such accommodation is possible.

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If the student fails to undergo such an examination, and if the other available evidence supports administrative disenrollment, the Chief Student Affairs Officer, or designee, shall, to the extent reasonably possible, take the least restrictive measure or combination of measures necessary to resolve the risk or disruption.

- (d) A student who has been disenrolled, prohibited from College premises, prohibited from College-related activities or registered student organization activities, or permitted to remain only under specified conditions may petition the Chief Student Affairs Officer, or designee, in writing for revision of that status. The petition must include supporting documentation or evidence that:
 - (i) The conditions identified as the basis of the separation no longer exist and will not recur, and
 - (ii) The student meets all usual and appropriate College requirements for admission and enrollment, including resolving any outstanding violations of the Student Code of Conduct.
- (e) Upon receipt of such a petition, the Chief Student Affairs Officer, or designee, shall evaluate the evidence and may consult with the student, any appropriate College personnel, and any other persons deemed appropriate. The petition may be granted in whole or in part, granted in whole or in part under specified conditions, or denied.

(9) **SPECIAL PROVISIONS FOR SEXUAL HARASSMENT/SEXUAL VIOLENCE AND OTHER SENSITIVE ISSUES**

College Procedure 3-44 (A) will supersede Procedure 7-10 (G) when the College receives notice of sexual harassment, sexual assault, dating violence, domestic violence, stalking and other types of prohibited conduct as defined in Procedure 3-44 (A). The College will use the following process to address sexual harassment/sexual violence and other prohibited conduct as defined by Procedure 3-44 (A) when the prohibited conduct does not meet criteria for a Title IX hearing as described in Procedure 3-44(A). The following process also may be used to address other conduct of a sensitive nature.

In this section, the following provisions are used with regard to notification of parties and the hearing board procedure:

- (a) Complainants/victims are notified when written notices of the allegation(s) of the hearing are delivered to the respondent/accused student.

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- (b) Due to the sensitive nature of sexual misconduct, these hearings will be closed to the public and at the sole discretion of the Office of Student Conduct, only those who have a legitimate reason to be present will be permitted to attend the hearing.
- (c) In cases of alleged sexual violence (such as domestic violence, dating violence, sexual assault, and sex or gender-based stalking), both parties may be assisted by an advisor of their choice who may be internal or external to the College.
- (d) Witnesses who are included in the investigative report will not be permitted to testify at the hearing unless they are presenting new information that was not available prior to the completion of the investigative report as determined by the Office of Student Conduct.
- (e) Throughout the hearing process, the complainant/victim and the respondent/accused student are to have no communication with each other.
- (f) Hearing board members for sexual misconduct cases receive additional, specialized training for these hearings. For these hearings, the board will consist of three (3) employees, where at least one member will be a faculty member, in addition to a non-voting facilitator from the Office of Student Conduct.
- (g) Each party has the right to be present for all testimony and questioning. Deliberation is conducted in closed-session without the parties present.
- (h) Each party will be given the opportunity to present an impact statement to the SCHB which explains a brief perspective of the incident, how it has affected them and/or any personal growth that has resulted from participating in the investigation and hearing processes. The statement must be submitted to the facilitator for review a minimum of three (3) business days prior to hearing.
- (i) Questions from hearing board members, complainant/victim or the respondent/accused student will be submitted to the Student Conduct Facilitator for approval. Approved questions will be asked by the facilitator on behalf of the submitting party.
- (j) Both the complainant/victim and the respondent/accused student will be informed in writing of the following:
 - (i) The outcome of the investigation completed by the Office of Equity and Compliance (see College Procedure 3-44 (A));
 - (ii) Any subsequent hearing that arises from a violation of sexual violence;

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- (iii) The procedures for parties to appeal the results of the SCHB;
- (iv) For reports of sexual violence, both parties will be sent written notification of the outcome simultaneously.
- (v) For reports of sexual misconduct, other than sexual violence, both parties will be sent written notification of the outcome contemporaneously.
- (k) The SCHB may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the complainant/victim, respondent/accused student, and/or witnesses during the hearing by providing separate facilities, using a visual screen, and/or permitting participation by telephone, videophone, closed circuit television, video conferencing, video recording, audio recording, written statement, or other means as determined by the Office of Student Conduct to be appropriate.

(10) SANCTIONS

- (a) The following sanctions may be imposed by the Office of Student Conduct upon any student found to have violated the Student Code of Conduct:
 - (i) Educational sanctions – including work assignments, essays, community service, behavioral contracts, administrative referrals, or other related educational assignments.
 - (ii) Expulsion from Columbus State – the student is permanently separated from the College, may not be present on College property, or in attendance at College-sponsored events. Permanent notification will appear on the student’s transcript. The Chief Student Academic Affairs Officer in partnership with the Chief Student Affairs Officer, or designees, shall review all recommendations of expulsion.
 - (iii) Facility expulsion – the student has lost the privilege of entering or using a particular facility or building at any time.
 - (iv) Facility suspension – the student no longer has the privilege of entering or using a particular facility or building for a specified period of time or until specific conditions are met.
 - (v) Formal warning – a notice issued to the student that further proven violations of the Student Code of Conduct will result in progressive sanctions.
 - (vi) Loss of privileges – denial of specified privileges for a designated period of time.

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- (vii) Probation – the student is not in good standing for a designated period of time and is notified that further proven violations of the Student Code of Conduct may result in suspension or expulsion from Columbus State, particularly if the incident occurs during the probationary period.
 - (viii) Removal from class – the student is barred from attending a particular class or may be reassigned to a different section of the same class. Details will be coordinated between the Office of Student Conduct, or designee, and the appropriate faculty member/academic unit.
 - (ix) Restitution – compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
 - (x) Revocation of admission – the student loses admitted status to Columbus State. A permanent notation will be made on the student’s transcript indicating that the admission was revoked and the date of the action. The Chief Academic Affairs Officer in partnership with the Chief Student Affairs Officer, or respective designees, shall review all recommendations for admission revocation.
 - (xi) Revocation of degree – the student loses the right to claim a degree from Columbus State. Awarding of the degree will be removed from the student’s transcript and a permanent notation will be made on the transcript indicating the revocation, the degree involved, and the date of the action. The Chief Academic Affairs Officer in partnership with the Chief Student Affairs Officer, or respective designees, shall review all recommendations for degree revocation.
 - (xii) Suspension from Columbus State – the student is issued a conditional separation from Columbus State activities, services, facilities, and grounds. Suspension may be based on terms or conditions as follows:
 - 1. Term suspension will be for a specified time, after which the suspended student may return to the College.
 - 2. Conditional suspension will stipulate that reentry to the community will be granted upon the fulfillment of certain conditions by the student. Subject to fulfillment of the stipulated conditions, the suspension will be indefinite.
- (b) More than one of the sanctions listed above may be imposed for any single violation.
- (c) Any sanction imposed will be in effect at all campuses/sites or functions sponsored by or under the supervision of the College.

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- (d) Where there is reasonable cause to believe that a student has intentionally selected a person or persons to victimize or selected property to damage, or violated other provisions of the Student Code of Conduct because of a person's perceived or identified membership in a protected class, sanctions may be increased.
- (e) If a student is found responsible for one or more violations of the Student Code of Conduct, the student's prior conduct record will be taken into consideration and may result in progressive sanctions because of a pattern of behavior. While previous conduct violations by the accused student are not generally admissible as information about the current alleged violation, the Office of Student Conduct may supply information to the SCHB in pattern-offense situations, such as stalking, relationship violence, or sexual misconduct, only if:
 - (i) The accused was previously found to be responsible;
 - (ii) The previous incident was substantially similar to the present allegation;
 - (iii) Information indicates a pattern of behavior and substantial conformity with that pattern by the accused student.
- (f) All conduct records are kept by the Office of Student Conduct for seven (7) years from the date of the incident, and then destroyed, except in the case of expulsion from the College, as these records are maintained indefinitely.

(11) APPEALS

- (a) A student who is found responsible for violating the Student Code of Conduct may petition within 10 calendar days of the notice of the written decision for review of a decision reached or a sanction imposed. Such petitions must be in writing and shall be submitted to the Chief Student Affairs Officer and may be reviewed in partnership with the Chief Academic Affairs Officer, or their respective designees. Appeals are not permitted in administrative hearings as the cases are resolved through agreement between the hearing officer and the alleged student.
- (b) If the Chief Student Affairs Officer, or designee, determines that the appeal may be reviewed, the matter will be returned to the original hearing body, when possible, to allow reconsideration of the original determination and/or sanction(s). The Chief Student Affairs Officer, or designee, serves as the final level of review in a conduct matter.
- (c) An appeal will be limited to review of the verbatim record of the initial hearing and supporting documents for one or more of the following purposes:

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- (i) New and compelling evidence that was not available at the time of the investigation and any following proceedings, or
 - (ii) Procedural error that substantially impacted the findings.
- (d) Every opportunity should be taken to return the allegation to the original hearing body for reconsideration. Where this is not possible, the Chief Student Affairs Officer, or designee, may decide the appeal directly. The Chief Student Affairs Officer, or designee, may support or change a decision or modify a sanction. The Chief Student Affairs Officer will be deferential to the original decision maker, making changes to the finding only where at least one of the grounds for appeal in Section 11 (c) of this procedure is met, and to the sanction only if a compelling justification to do so exists.

*No Current Procedures for Policy 7-10 (effective June 2000) - Rescinding Procedures 7-11 (A), 7-12 (B).
New Procedures*

Last Effective Date(s): July 1, 2010

**August 14, 2020: Administrative changes made to reflect updated Title IX regulations made by the
USDOE.*