



## STUDENT CONDUCT PROGRAMS OVERVIEW

In support of the missions of Presbyterian College and the Department of Student Life, Student Life conduct programs strive to hold students accountable for their actions, while learning, within the context of a nurturing and supportive environment, appropriate community-building behaviors that will help prepare them for living and working in the broader society beyond PC.

To achieve this mission, Student Life conduct programs provide preventive, educational programs to all students through the various offices in Student Life; a fair hearing process for any student charged with a violation of the Code of Conduct or other Student Life policies; and sanctions, intentionally assigned to those found responsible for violations, that encourage individual reflection, growth, and commitment to improved behavior.

### **Responsibilities and Authority**

***The President*** – The President of Presbyterian College is responsible to the Board of Trustees for the total operation of the College. As the chief executive, he is vested with the authority to take independent disciplinary action or to set aside, to overrule or to modify the penalty imposed by a judicial body when in his judgment such action is required by the best interest of the College.

Appeals resulting from disciplinary actions taken by the President that have not been heard by the Appeals Board may be appealed to a committee appointed by the Board of Trustees. Judgment of that committee is not subject to additional review or appeal.

***Vice President for Student Life*** – The Vice President for Student Life is the chief student affairs officer and has overall supervision of the Department of Student Life. The Vice President has the authority to implement all judicial sanctions enumerated. As the chief student affairs officer, he is vested with the authority to take independent disciplinary action or to set aside, to overrule or to modify the penalty imposed by a judicial body within Student Life when in his judgment such action is required by the best interest of the College.

***Dean for Campus Life*** – The Dean for Campus Life is the second senior official in the department of student life behind the vice president. The Dean for Campus Life oversees campus judicial procedures, as well as other duties. The Dean has the authority to implement all judicial sanctions enumerated.

***Campus Police Officers*** – While Campus Police Officers are oriented primarily toward the safety and welfare of the students, they are empowered to detect and apprehend persons involved in breaches of the law and misconduct. Students are required to respond to instructions received from a campus police officer acting within her/his official responsibilities.

***Director of Residence Life and Greek Life***– The Director of Residence Life and Greek Life has primary responsibility for all resident-student housing and Greek Life activities. This includes monitoring the behavior of students in residential facilities and the behavior of those involved with Greek Life, establishing, revising, interpreting, and maintaining housing and Greek Life policies and procedures and

providing a safe, healthy and wholesome living environment in the residence halls. The Director has the authority to implement all sanctions enumerated, with the exception of suspension and expulsion. In addition, the Director has the authority to temporarily restrict housing privileges. In addition, the Director has the authority to temporarily restrict fraternity and sorority activities pending the outcome of IFC and Panhellenic hearings.

***Director of Multicultural Programs and Student Activities*** - The Director of Multicultural Programs and Student Activities has primary responsibility for monitoring the organizational behaviors of students involved with registered student organizations, establishing, revising, interpreting and maintaining RSO policies and procedures. The Director has the authority to implement all sanctions enumerated, with the exception of suspension and expulsion. In addition, the Director has the authority to temporarily restrict RSO activities pending the outcome conduct hearings.

***Residence Life Coordinators*** – Residence Life Coordinators (RLC) have special authority and jurisdiction within the residence halls, including conduct in these areas. Coordinators support the Resident Assistants in their work of implementing and upholding regulations. The Coordinators have the authority to implement all judicial sanctions, with the exception of probated suspension, probated expulsion, suspension and expulsion.

### **Overview of Student Life Conduct Process**

In most cases, when an alleged violation of the Code of Conduct occurs, a report is submitted from Campus Police, the Office of Residence Life and Summer Programs, Contract Security, or one of the other offices within the Department of Student Life. However, any member of the Presbyterian College community may report an alleged violation by contacting the Department of Student Life at extension 8378 or by submitting a written report to the Dean for Campus Life.

The Conduct Team, composed of the Vice President for Student Life, the Dean for Campus Life, the Director of Residence Life and Greek Life, the Director of Multicultural Programs and Student Activities, and the Area Coordinators, meets weekly as necessary to review all cases submitted in the previous week. After reviewing each incident, cases are assigned to the appropriate hearing officer for further action.

### **Procedures for Code of Conduct and Student Life Regulations and Policies Violations**

The Dean conducts administrative hearings for Code of Conduct and General Student Life Policies and Regulations violations. Appeals of the decisions in hearings conducted by the Dean are referred to the Vice President for Student Life. Contested violations and those involving possible suspension are referred to the Student Life Conduct Board (SLCB) at the discretion of the Dean for Campus Life, and appeals are referred to the Vice President for Student Life.

### **Procedures for Residence Hall Community Living Policy Violations**

The Coordinators in the Office of Residence Life and Greek Life administratively handle first-offense Residence Life Violations and minor violations. Appeals of cases handled by the Area Coordinators are referred to the Director of Residence Life and Greek Life.

The Director of Residence Life and Student Activities administratively handles second-offense residence life violations and more serious violations. Appeals of cases handled by the Director of Residence Life are referred to the Vice President for Student Life.

Contested violations or those involving possible suspension are automatically referred to the Student Life Conduct Board at the discretion of the Dean for Campus Life. Appeals are referred to the Vice President for Student Life.

### **Procedures for Student Organization Violations**

The Director of Multicultural Programs and Student Activities administratively handles violations in which an RSO is accused of violating the Code of Conduct. (Note: Individual members of the organization may also be sanctioned, in addition to the entire organization. In such cases, the individual members may be referred to other hearing officers, depending on the circumstances.)

Contested violations, violations involving possible suspension, or certain violations for which an entire organization is accused are automatically referred to the Student Life Conduct Board at the discretion of the Dean for Campus Life. Appeals are referred to the Vice President for Student Life.

### **Procedures for Greek Life Violations**

The Director of Greek Life administratively handles offenses in which individual members of Greek organizations are accused of violating the Code of Conduct during Greek organizational events. Appeals are referred to the Vice President for Student Life.

Contested violations or those involving possible suspension for individual members are automatically referred to the Student Life Conduct Board at the discretion of the Dean for Campus Life. Appeals are referred to the Vice President for Student Life.

The Panhellenic Council, for sorority chapter violations, or the Intrafraternity Council, for fraternity chapter violations, handles violations in which an entire chapter is accused of violating the Code of Conduct. Appeals are referred to the Vice President for Student Life.

### **Student Life Conduct Board**

The Dean for Campus Life or designee assigns SLCB members to each case and is responsible for convening the Board. The accused will have the opportunity to plead responsible or not responsible for the violation with which the accused has been charged. If the accused pleads responsible for a violation, SLCB will convene a hearing to determine the sanctions. If the accused pleads not responsible for a violation, SLCB will convene a hearing to determine responsibility. (If the accused fails to enter a plea, the SLCB will convene to determine responsibility.) If the SLCB finds the accused not responsible for a violation, the case will be dismissed. If the SLCB finds the accused responsible for a violation, SLCB will then convene to determine the sanctions. This sanctioning hearing may occur immediately following the initial hearing, or it may be scheduled for a later date.

Pre-Hearing - Once the Dean or designee has assigned a case to the SLCB, the Dean or designee will meet with the accused for a review of the charges being brought against the accused, as well as for an overview of the hearing process. During this meeting or at a time determined by the Dean or designee, the accused will indicate her/his plea. Soon after, the Dean will schedule the hearing and will officially notify the accused in writing. This notice will indicate the charges, the time of the hearing, and the witnesses who will testify on behalf of the College.

If the student admits responsibility, he/she can have a maximum of three character witnesses whose names must be submitted to the Dean or designee prior to the sanctioning hearing. If the accused is contesting the charges against him or her, the accused can have a maximum of five witnesses who can

speak to the incident during the initial hearing and/or a maximum of three character witnesses for the sanctioning hearing, if applicable. In either case, the accused must submit the names of the witnesses prior to the hearing.

If the accused feels that a member of the Board would be personally biased against him/her and be incapable of rendering an impartial decision, the accused may bring this to the attention of the Dean or designee prior to the hearing. The Dean or designee has the discretion on whether to reassign Board members to the case. Once the Dean or designee makes a final decision about the make-up of the Board or once the hearing has begun, the status of a Board member may not be challenged.

Hearing - The Chair of the SLCB or designee will conduct the hearing. At each hearing there will be three voting members making decisions about the case – two student representatives and one faculty/staff representative. The Dean for Campus Life or designee will serve as the representative for the College, and a member of the SLCB or designee will serve as the recorder for the hearing. Other members of the Board may be present but will have no vote in the proceedings.

During the hearing, the Dean or designee will have the opportunity to present the case against the accused, as well as the opportunity to present witnesses on behalf of the College. The accused will then represent her/himself and will have the opportunity to present her/his version of the facts related to the case. The accused will also have the opportunity to question the witnesses for the College, the witnesses for the accused, and the Dean. Similarly, the Dean and the voting members of the Board will have the opportunity to question the accused, the witnesses for the accused, and the witnesses for the College.

A student who has been charged with a violation of the Code of Conduct may be permitted, at the student's expense, to be accompanied by an attorney or representative for the sole purpose of advising the student during the student's presence in a hearing. The attorney or representative is merely to function as an advisor and is not to serve as an active participant in the proceeding. If the situation involves an alleged student victim, that student may have the same right to be accompanied by an attorney or representative. The Dean for Campus Life or designee reserves the right to ask any attorney or representative to leave the proceeding should that individual attempt to advocate for the student and thereby bypass the allowed role of advisor.

If the accused fails to appear for a hearing without ample notice as determined by the Dean for Campus Life, the hearing may proceed, a decision based on the evidence may be determined, and sanctions may be issued, if necessary.

Any record of a hearing, whether by written documentation or audio recording shall be the property of the College.

Post-Hearing - Should a student be found responsible for the charge(s) against her/him, the SLCB will issue the appropriate sanctions (see Sanction Overview). The SLCB Chair, the Dean for Campus Life or designee will provide information to the student about the finding, the sanctions, the timeline for fulfilling the sanctions, and the instructions for the appeals process. This may occur on the same day of the hearing or at a time designated by the Chair, Dean or designee.

### **Sanction Overview for Individuals**

The following sanctions may be imposed on any student found to have violated the Code of Conduct:

1. Warning – A notice in writing to the student that the student is violating or has violated institutional regulations

2. Probation – A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes that probability of more severe disciplinary sanctions if the student is found to be violating any institutional regulations and policies during the probationary period.
3. Loss of Privileges – Denial of specified privileges for a designated period of time (i.e., loss of social privileges, loss of membership/office in an organization, etc.)
4. Monetary Fines – Previously established and/or fines deemed appropriate for the situation may be imposed.
5. Restitution – Compensation for loss, damage or injury. This may take the form of appropriate service(s) and/or monetary or material replacement.
6. Discretionary Sanctions – Work Assignments, service to the College, research projects/ papers or other related discretionary assignments (such assignments must have the approval of the Dean for Campus Life or designee.)
7. Residence Hall Suspension – Separation of the student from the residence halls for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
8. Residence Hall Expulsion – Permanent separation of the student from the residence halls; this sanction may also lead to suspension from the College.
9. Interim Suspension – Administrative termination of student status pending completion of the disciplinary process. Interim suspension may be imposed to ensure the safety and well-being of the members of the College community or preservation of College property; to ensure the student’s own physical or emotional safety and well-being; or if the student poses a definite threat of disruption of or interference with the normal operations of the College. During the interim suspension, students may be denied access to the residence halls, to the campus (including classes) and/or all other College activities or privileges for which the student may otherwise be eligible.
10. Probated Suspension – Notice that further violations and subsequent findings of responsibility may result in immediate suspension from the College.
11. College Suspension – Separation of the student from the College for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
12. Probated Expulsion – Notice that further violations and subsequent findings of responsibility may result in immediate expulsion.
13. College Expulsion – Permanent separation of the student from the College.
14. Parental Notification – Parents of students may be contacted by the College to inform them of disciplinary investigations and sanctions in compliance with FERPA
15. Other Sanctions – Other sanctions may be imposed instead of or in addition to those above. In some cases of misconduct, such as acts involving drugs, alcohol, violence, and/or harassment may require an evaluation and/or treatment program by an approved counseling service, at the student’s expense. Such treatment may also be a condition of readmission to the College or a condition for remaining in the College. Violations deemed to be motivated by hate or prejudice may receive harsher sanctions at the discretion of the Dean for Campus Life. The Dean for Campus Life, DSL Hearing Officers, or designee may also consider previous conduct when issuing sanctions.

### **Sanction Overview for Organizations**

When a student organization engages in some act of misconduct, the College may take action not only against the student(s) involved, but also against the organization itself. A student organization shall accept responsibility for a member’s behavior when he/she is acting as a member of the organization, with or without official sanction from the organization, rather than as an individual student; an event is held officially or unofficially, in the name of the organization; and/or the association between or the action of

the individual(s) is under such circumstances that draw attention to the organization rather than to the individuals. The liability for the behavior of its members and guests shall extend to responsibility for making certain that members do not violate federal, state, and local laws, as well as College regulations and policies in their associations with the organization. Note: A group of individuals functioning together does not have to be a Registered Student Organization (RSO) through SGA to be considered an “organization” under this section.

The following sanctions may be imposed upon groups or organizations:

1. The same sanctions listed for individuals may also be applied to organizations.
2. Contact of Organizational Sponsors – The contacting of organizations which sponsor or fund organizations on campus. If this occurs, the College will enforce whatever sanctions are issued to that organization by its sponsor.
3. Suspension – Loss of all privileges, including College recognition, for a specified time.

### **Diversion, Counseling, and Involuntary Withdrawal**

A student accused of violating the College’s expectations may be diverted from the normal disciplinary process if it is believed by College officials that the student’s behavior may be influenced by some mental or emotional issue. In such an event, the Vice President for Student Life, the Dean for Campus Life or designee may refer a student for evaluation, at the student’s expense, by a licensed psychiatrist or psychologist selected by the student and approved by the Vice President for Student Life, the Dean for Campus Life or designee. Any pending disciplinary action may be withheld until the evaluation is completed. A student who fails to cooperate and complete the evaluation may be withdrawn, receive an immediate interim administrative withdrawal, be referred for disciplinary action, or any combination of these options. An involuntary withdrawal of a student under these circumstances is not a disciplinary action. The Dean for Campus Life or designee may also require a student to secure counseling or therapy as a condition of continued enrollment.

### **Appeal**

Findings of responsibility issued by a hearing board, the Dean for Campus Life, The Director of Residence Life and Student Activities, The Director of Greek Life may be appealed to the Vice President for Student Life, and, likewise, decisions issued by the Vice President for Student Life may be appealed to the final arbitrator, the College President. Findings of responsibility issued by Area Coordinators may be appealed to the Director of Residence Life and Student Activities, then if necessary to the Vice President for Student Life.

Written notice of the appeal and the ground for the appeal must be presented to the appropriate party as outlined above within 72 hours (3 business days) of receiving formal notification of the sanction(s).

Appeals should be based on one of the following reasons, and such reason(s) should be clearly stated in the appeal document:

1. Appeal of the Finding – finding not supported by the information or issued in an arbitrary manner;
2. Appeal of the Penalty – penalty is overly harsh or not supported by the facts;
3. Appeal based on Procedure – failure to abide by stated policy listed in an official document, failure to give notice of charges or failure to provide an opportunity for presentation of one’s version of the incident; or

4. New Evidence – need to consider new information that is sufficient to alter the decision or other relevant facts not brought out in the initial decision, because such information and/or facts were not known to the person appealing at the time of the original decision.

The appropriate parties as outlined above may review all documents gathered in the initial resolution of the issue and interview parties, even those not contacted before, in making a determination on the appeal.

The appropriate parties may issue the following determinations on the appeal:

1. Uphold the finding of responsibility and the sanction(s) issued;
2. Uphold the finding of responsibility but adjust the sanction(s) according to that individual's discretion; or
3. Find that the initial finding of responsibility was inappropriately applied due to circumstances.