



**Cochise College
Administrative Policy**

**Category: Students
Policy Number: 4006
Title: Social Standards**

The Dean of Student Services or designee shall make available a Student Handbook. Social Standards of the College shall be included in the handbook. Responsibilities for upholding the College Social Standards shall be vested in the Office of the Dean of Student Services, which shall adjudicate incidents of misconduct and violation of Social Standards. Note: Academic Appeals are administered through Policy 3011 Academic Appeals.

**Procedure 4006.1
Purpose**

The purpose of this policy is to provide an orderly, stable College community in which the freedoms and responsibilities of its members may be protected. This policy will allow the College to accomplish its primary purpose and to carry out its normal activities without obstruction.

Further, the intent of Social Standards is to set forth in a clear, concise and uniform manner the rights and responsibilities of the members of the College community. The College prohibits any student behavior or activity which has the potential for degrading or creating harm to any student or interferes with the educational process. It specifies administrative procedure whereby those who are accused of violating College rules may be afforded due process and, if evidence warrants, a speedy, fair and just hearing.

A College disciplinary hearing is not a criminal proceeding. There is no legal basis for any claims of double jeopardy or right of immunity. A violation by a member of the College community of criminal law, which brings the College into disrepute, seriously affects or disrupts the ability of the College to carry out its normal activities, or which endangers other members of the College community, or their property, shall be considered of legitimate interest to the College.

**Procedure 4006.2
Due Process**

Due process is a series of procedures involving protection of the rights of an individual while determining his/her liability for wrongdoing and the applicability of punishment. As the punishment should fit the offense, so must the process protect an accused person from arbitrary, capricious adjudication procedures and sanctions.

The accused student, in the case of an administrative hearing held by the Dean, shall be entitled to:

1. Written notification of the time and place of the hearing with sufficient time provided for preparation of a defense. Such notification shall be given within 48 hours after the Dean of Student Services is notified of the incident unless circumstances dictate otherwise. In the absence of the Dean of Student Services, a designee may be assigned.
2. Written statement of charges outlining time, place, date, nature of offense, and names of witnesses and complainants.
3. Not appear at the formal hearing, but if he/she chooses not to appear, the formal hearing shall proceed to consider the case.
4. An advisor of his/her choice to assist in his/her defense. The advisor can help advise the student but cannot take part in the formal hearing.
5. Testify on his/her own behalf, but that he/she is not required to do so.
6. The opportunity to admit or deny the allegation.
7. Two persons of his/her own choice present at the hearing as observers.
8. Ask questions of the hearing officer or body and witnesses present at the hearing.
9. An explanation of the procedure and reasons for any judgment rendered, and the appeals procedures.
10. A reasonably expeditious hearing of his/her case.

**Procedure 4006.3
Complaint, Incident Report, Charges**

The Vice President for Instruction/Provost delegates responsibility for administering Social Standards to the Dean of Student Services. All alleged violations of Social Standards should be referred to the Dean of Student Services. The Dean shall review complaints and reports pertaining to the alleged violation(s) and take one or more of the following courses of action:

1. Dismiss the allegation.
2. Proceed administratively as described herein.
3. Refer the matter to another disciplinary board.

Pending final action on charges, including appeals, the student's status at the institution shall not be altered except in cases, which, in the judgment of the Dean of Student Services, his/her continued presence on campus constitutes a serious threat to the College community, or to property of the College.

If a student is charged with violation of a local, state or federal law, said alleged violation occurring off campus, any action by the College shall be postponed until the courts have adjudicated the matter, unless the act committed by the student presents a clear and present danger to the College or College property.

The College reserves the right, in cases in which it is decided that persons, property, or peace be seriously endangered, to take its own action. The Dean of Student Services shall make such a decision.

Procedure 4006.4

Administrative Action - Dean of Student Services

1. The results of any administrative action will be communicated to the student through written notification by the Dean of Student Services. The student will be responsible for obtaining all notifications at the respective campus security office or College Center office. The student will be given a date and time when the notification will be available at the campus security office or a College Center office by the Dean of Student Services at the conclusion of any administrative action. The student will also be given a written affidavit from the Dean of Student Services indicating the period available to file a written appeal of the administrative action, and when and where to pick up the written notification of the administrative action. The student will be required to sign and date an affidavit signifying acknowledgement of the appeal period and responsibility to obtain the written notification. Failure to follow these guidelines will result in forfeiture of the right of appeal. (See appeal procedure 4006.6)
2. Informal Discussion – A method of informal discussion, questioning and advising, particularly in cases where the incident and subjects of the incident are not clearly defined or if the incident is of an especially minor nature. Should such measures prove to be ineffective, or through discovery yield more pertinent information on the incident, the Dean may proceed with a formal administrative hearing or refer the matter to another disciplinary board.
3. Administrative Hearing - The Dean, after reviewing the complaint or incident report, may choose to hear the matter administratively. Following all elements of due process and after hearing from all individuals involved in the case, the Dean shall either dismiss the case or render an oral judgment with sanctions. Proceedings of an administrative hearing shall not be open to the public unless requested by the student and shall involve only those individuals summoned by the Dean or requested by the student, including a recording secretary. All testimony, including the judgment and sanctions, shall be held in strict confidence. All written documents pertinent to the case shall be held in a confidential discipline file until the student terminates attendance at Cochise College. There shall be a single verbatim record, such as a tape recording, of all administrative hearings. The record shall be the property of the college and/or District. A letter of record delineating disposition of the case and any imposed sanction shall be sent to the student within 5 working days after completion of the hearing. The letter shall also describe the appeal procedure.
4. Social Standards Board - The Dean may choose to form a Social Standards Board. This board will generally hear cases involving any activity, which is severe enough to place the

student in jeopardy of serious disciplinary action, such as suspension or dismissal from the College. The three to five-member board shall include the Dean, to serve as chairperson, faculty members and at least one student.

- a. A voting quorum of three board members shall be required for the hearing to be conduct.
- b. The chairperson shall record accurate minutes of the proceedings.
- c. The proceedings of the Social Standards Board shall not be open to the public or the press, and all attending the meeting shall hold discussions in strict confidence.
- d. After hearing from all involved with the case, the Board shall deliberate in private to determine a recommended action.
- e. The student and his/her representative shall be recalled to the hearing room, and the recommended action shall be presented to the student by the chairperson of the Board.
- f. The Dean shall be responsible for implementing the sanction(s) of the Social Standards Board.

Procedure 4006.5 Residence Hall Administrative Hearings

The Director of Residential/Student Life shall conduct hearings involving resident student violations within and around the residence halls. The Director of Residential/Student Life may administer hall probation, fines or other appropriate sanctions (i.e., community service). The Director of Residential/Student Life may also suspend or dismiss a student from the residence halls.

Procedure 4006.6 Appeal Procedure

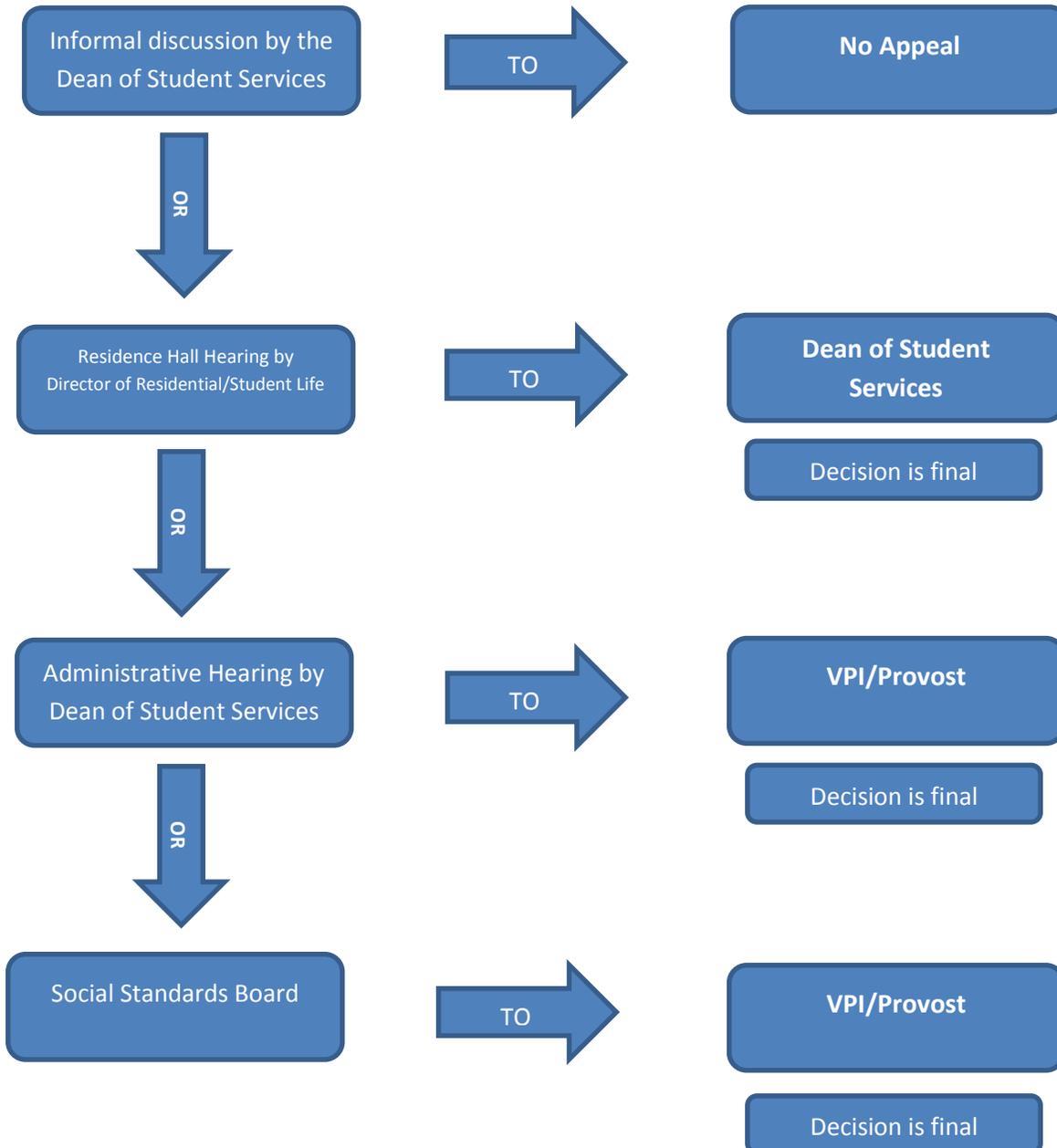
1. A student shall have the right to appeal the sanctions of a hearing body or Dean of Student Services. The Student has three (3) college working days upon receipt of the administrative action to provide written request of appeal. The appeal must be based on one or more of the following:
 - a. Denial of due process.
 - b. Discrimination.
 - c. Denial of constitutional or statutory rights.
 - d. Clearly unreasonable, arbitrary, or capricious methods used in the adjudication of the matter.

- e. Excessively severe sanction. This criteria is based on sanctions(s) being inconsistent with sanctions applied to previous hearing of similar infractions/offenses. The VPI/Provost will determine to grant or deny an appeal after examining the consistency of sanctions applied by the Dean of Student Services.
 - f. Newly discovered evidence, which, with reasonable diligence, could not have been produced at the hearing.
2. Appeals of decisions made by the Residence Hall Hearing shall be made to the Dean of Student Services. The Dean of Student Services' decision is final with no recourse of appeal.
3. Appeals for a new hearing will not be granted unless one or more of the criteria is satisfied.
4. Appeals from the Social Standards Board or Dean of Student Services are appealed to the VPI/Provost.
5. Appeals that are denied require a written statement of rationale to the student.

ADMINISTRATIVE ACTION AND APPEALS MATRIX CHART

ACTION

APPEALS



**Procedure 4006.7
Disciplinary Sanctions**

The following sanctions may be imposed by:

1. Residence Hall Hearing Chair / (Director of Residential/Student Life)
 - a. Admonition - An oral statement to a student that he/she is violating or has violated institutional rules or regulations.
 - b. Warning - A written notice that continuation or repetition of misconduct may result in more severe disciplinary action.
 - c. Restitution - A written notice ordering reimbursement, which may include work assignments, for damage to, misappropriation of, or misuse of College property.
 - d. Loss of Privileges - A written notice stating loss of specific privileges, such as visitation privileges in the residence hall, cafeteria usage, parking on campus, or attendance at College functions, and removal from the residence hall.
2. Social Standards Board/ (Dean of Student Services)
 - a. Disciplinary Probation - Written notice for violation of specific regulations, including the probability of more severe disciplinary sanctions, which can result in suspension or dismissal in the event of finding of a violation of any institutional regulation within a stated period of time.
 - b. Suspension - Exclusion from class, or other activities or privileges as set forth in the notice for a definite period of time not to exceed one year.
 - c. Expulsion - Termination of student status within the institution.
3. Disciplinary action, including suspension for a time period commensurate to the circumstances, may be taken immediately in an emergency situation without advance notice or a College hearing if the welfare of the individual, other persons, or College property is endangered or if disruption of educational activities is threatened or is in progress. In the event of such suspension or expulsion, the student shall have the right to a hearing to appeal this action if he/she indicates a desire for such hearing, in writing, to the Vice President of Instruction/Provost within five working days after receiving notification that the suspension or expulsion has occurred. Otherwise, the student's right to appeal shall be waived and the original decision shall stand pending a hearing.

**Procedure 4006.8
Medical Withdrawals**

1. Voluntary Medical Withdrawal – A student, in conjunction with the Dean of Student Services may choose to withdraw due to medical issues resulting in aberrant or serious student behavior.
2. Involuntary Medical Withdrawal – The Dean of Student Services, in conjunction with the College Behavioral Intervention Team (C.B.I.T.) may initiate the withdrawal process when student behavior is of a serious nature.
 - a. The Dean of Student Services, in conjunction with the College Behavioral Intervention Team (C.B.I.T.) can withdraw any student, including students with disabilities, from one or more classes or from the College when the student poses a direct threat to self or others, when the behavior is disruptive to the educational or learning environment, or when other behavior related to a medical or disability condition interferes with the educational processes of the College.
 - b. The C.B.I.T. will consist of a Dean, the Dean of Student Services, a representative from the Student Development Center, Assistant Dean of Student Services, the Head of Security and a faculty or staff member.
3. Readmission from Voluntary or Involuntary Withdrawal - A student who voluntarily withdraws or is involuntarily withdrawn from College must make an application for readmission to the Dean of Student Services and the C.B.I.T. which allows them to:
 - a. Require a letter from the student's treating physician(s), psychiatrist(s) or other professional(s) indicating current treatment and that the student is ready and able to return to and benefit from enrollment in the College. Additionally, documentation should include any needed terms, conditions, or limitations for continued College enrollment and specify prescribed medications, their purpose and effect.
 - b. Consult with the student, his/her physician, and/or with persons knowledgeable about the student's medical or psychological condition and its probable manifestations.
 - c. Consult with a qualified professional of its choice to help assess current medical evidence as to the student's readiness for reentry to the College and of his/her ability to attend classes without disruptive behavior or substantial risk of harm to the health and safety of self or others.
 - d. Require the student to provide additional documentation, or to be examined by a qualified professional(s) of the College's selection and at the College's expense.
 - e. Require other current information reasonably calculated to assist in making an appropriate decision regarding readmission.

- f. Set certain requirements for readmission and continued enrollment based upon the information presented. Any breach of the readmission requirements may result in immediate involuntary withdrawal of the student.
- g. A student may submit a written appeal for any decision of the C.B.I.T. to the VPI/Provost using the following policy. The student has three (3) college working days upon receipt of the administrative action to provide written request of appeal. The appeal must be based on one or more of the following:
 - i. Denial of due process, constitutional or statutory rights.
 - ii. Discrimination.
 - iii. Clearly unreasonable, arbitrary, or capricious methods used in the decision of the matter.
 - iv. Excessively severe sanction.
 - v. Newly discovered evidence or information which, with reasonable diligence, could not have been produced for the C.B.I.T.
4. Appeal consideration will not be granted unless one or more of the criteria is satisfied. The student will receive a written statement of the rationale for denying the student's request of appeal from the VPI/Provost.
5. Appeals considered by the VPI/Provost may require a meeting with the student to gather new information. The VPI/Provost may confer with the Director of Disability Services. Appeals that are granted require a written statement of rationale to the student and the C.B.I.T.
7. There is no appeal of the VPI/Provost's decision.

**Procedure 4006.9
Social Standards Violations**

A student shall be subject to appropriate disciplinary sanctions if found to be in violation of any of the following:

1. Violation of local, state and federal laws.
2. Failure to comply with a lawful direction of a College official acting in the performance of his/her duties.
3. Engaging in acts of cheating or plagiarism, as these terms are commonly defined.
4. Violation of College traffic rules and regulations.
5. Failure to comply with housing regulations.

6. Failure to make satisfactory settlement with the College for any and all debts to the College.
7. Forgery, counterfeiting, alterations, or misuse of any College record, document, or identification card.
8. Possession or consumption of alcoholic beverages on campus.
9. Unlawful possession, use, distribution, or sale of any narcotic or dangerous drug as defined by the statutes of the State of Arizona.
10. Participating in illegal gambling activities in College-owned or controlled property or at a function identified with the College.
11. Possession, use, or storage of any firearms, incendiary devices, explosives, or dangerous weapons on the College campus.
12. Reporting the presence of a bomb, explosive, or incendiary device or fire on the College campus without good reason to believe the facts are true.
13. Theft of College property or property of any member of the College community or a campus visitor.
14. Unwarranted damage of property belonging to the College or to a member of the College community.
15. Action which deprives the members of an audience of their right to see, hear, and enjoy, in peace and with safety to themselves, all College-sponsored functions.
16. Entering or attempting to enter any athletic contest, dance or social function without the credentials for admission, e.g., ticket, identification card, or invitation, or in violation of reasonable qualifications for attendance as established by the sponsors.
17. Engaging in violent, abusive, indecent, profane, boisterous, or similarly disorderly conduct, which infringes upon the privacy, rights, or privileges of others, disturbs the peace or the orderly process of education on campus.
18. Obstruction, disruption, or interference with the normal activities of the College including, but not limited to, teaching, research, service, class attendance, administration, disciplinary procedures, or other College authorized function, event or activity.
19. Occupation, seizure, or detention of any College building, facility, or portion thereof for use which is inconsistent with the customary and normal use of such premises by those persons for whom and to whom such space is assigned.
20. Failure to leave any College building, facility, or portion thereof after normal closing hours after being asked to leave by authorized personnel.

21. Participating in any crowd, assembly, parade, demonstration, sit-in, or similar event, which substantially interferes with or disrupts the normal activities of the College.
22. Changing, without consent of an authorized College official, the position of the flag of the United States or the flag of the State of Arizona while being displayed by the College.
23. Failure to comply with lawful direction of a classroom instructor in maintaining good order.
24. Actual or threatened physical injury to any person or his/her property on College-owned property or to any member of the College community on or off campus.
25. Obstructing and substantially interfering with the normal flow of pedestrian traffic on College-owned property in a manner, which substantially interferes with the normal activities of the College.
26. Actively encouraging, aiding, inciting, or conspiring with any other person or persons to commit any act herein declared to be an offense.
27. Unauthorized possession, reproduction, distribution, or sale of a key to any College facility.
28. Failing to obey an order to appear issued by a College Board or committee or authorized College official within the stated time limit.
29. The exhibition, distribution, or sale of obscene or indecent materials, pictures, or writings on College-owned or controlled property.
30. The conspiring by two or more members of the College community, or a member with a non-member(s) of the College community, to commit any of the above listed offenses.
31. Misconduct, not otherwise included among the above offenses, that affects or disrupts the ability of the College to carry out its normal activities or achieve its purpose and goals.

The violation of other College rules and regulations not included herein.