



STUDENT CODE OF CONDUCT PROCEDURE

Board Bylaw:
Policy Number: 5.1003
Subject Area: Student Services
Adopted: 07/24/2017
Revised: 02/26/2024

The following outlines the procedures related to the Student Code of Conduct including a listing of violations, explanation of discipline, and information regarding student appeals.

I. Code of Conduct Violations - Academic Integrity

A. Cheating

The improper use of any information or material, which shall be used to determine academic credit. Examples include, but are not limited to the following:

1. Copying from another student's test or homework paper
2. Allowing another student to copy from a test or homework assignment
3. Using unauthorized materials during a test, such as the course textbook, notebook, formula lists, notes, including those stored in electronic devices
4. Collaborating during a test with any other person by giving them or receiving information without authority
5. Having another individual write or plan a paper, including those purchased from research paper services
6. Submitting the same paper/project in more than one class

B. Plagiarism

The attempt to present the work of another, as it may relate to written or oral work, computer-based work, mode of creative expression (i.e., music, media or the visual arts), as the product of one's own thought, whether the other's work is published or unpublished, or simply the work of a fellow student.

When a student submits oral or written work for credit that includes the words, ideas, or data of others, the source of information must be acknowledged through complete, accurate, and specific references, and if verbatim statements are included, through the use of quotation marks as well. By placing one's name on work submitted for credit, the student certifies the originality of all work not otherwise identified by appropriate acknowledgments. A student will avoid being charged with plagiarism if there is an acknowledgment of indebtedness. Examples include:

1. Quoting using another person's actual words without quotation marks or documentation
2. Using another person's idea, opinion, or theory without documentation, even if it is completely paraphrased in one's own words
3. Drawing upon facts, statistics, or other illustration materials without documentation – unless the information is common knowledge

C. Misrepresentation

Any act or omission with intent to deceive an instructor for academic advantage. Misrepresentation includes using computer programs generated by another and handing it in as your own work unless expressly allowed by the instructor; lying to an instructor to increase your grade, lying or misrepresenting facts when confronted with allegations of academic integrity violations.

D. Fabrication

The use of invented or fabricated information, or the falsification of research or other findings with the intent to deceive for academic advantage; also, the falsification or misrepresentation of experimental data, and violating the professional ethics that are established in clinical activities, science labs, research projects, or internships. Examples include:

1. Citing information not taken from the source indicated
2. Listing sources in a Works Cited or reference not used in the academic exercise
3. Inventing data or source information for research or other academic exercises
4. Submitting any academic exercise as one's own (e.g., written or oral work, sculpture, computer program, etc.) prepared totally or in part by another, including online sources

5. Taking a test for someone else or permitting someone else to take a test for you

E. Collusion

The act of working with another person on an academic undertaking for which a student is individually responsible. Unless working together on an individual assignment has been previously approved, it is not allowed. On group projects, students must stay within the guidelines set by the instructor and this rule. If the instructor provides additional guidelines, they must be followed. Failure to do so also constitutes a violation of these policies and rules.

F. Academic Misconduct

The intentional violation of college policies by tampering with grades or taking part in obtaining or distributing any part of a test, quiz, or graded assignment. Examples include:

1. Stealing, buying, downloading, or otherwise obtaining all or part of a test and/or test answers
2. Selling or giving away all or part of an un-administered test and/or test answers or any graded work
3. Asking or bribing any other person to obtain a test or any information about a test
4. Misrepresenting the truth, including handing in computer programs or using computer programs generated by another as one's own work; lying to an instructor to increase a grade, and lying or misrepresenting facts when confronted with an allegation of academic dishonesty

G. Improper Electronic Device Usage

1. Examples of improper electronic device use include but are not limited to:

- a. Unauthorized access, modification, use, creation, or destruction of calculator-stored or computer-stored data and programs
- b. Selling or giving away all or part of the information stored electronically will be used as graded material

2. Improper online, web, and hybrid course use include:

- a. Having or providing unauthorized outside help with completing online quizzes or assignments
- b. Obtaining access to confidential test materials or questions before quizzes or assignments

H. Unauthorized Use of Artificial Intelligence (AI) in Academic Work

Kaskaskia College acknowledges the benefits and advancements of artificial intelligence (AI) in the educational domain. However, it emphasizes the importance of genuine, individual intellectual effort. As a result, the policy seeks to strike a balance between embracing technology and preserving academic integrity.

1. Definition and Context:

- a. The use of AI in academic work varies across courses. While some instructors may regard the use of generative AI as a form of plagiarism, others may permit or even encourage it.
- b. It remains the student's responsibility to read and understand each instructor's policy on the matter. This can often be found in the course syllabus or on assignment directions, or it can be clarified by directly approaching the instructor.
- c. Each instructor at Kaskaskia College has the discretion to decide if the use of AI fits within the boundaries of their course. Failing to adhere to an instructor's guidelines can lead to academic sanctions.
- d. Examples of AI include, but are not limited to, text and code generators (including large language models), image and video generators, voice synthesizers (such as text-to-speech or voice cloning technologies), computer vision systems, automatic translation tools, chatbots, virtual assistants, and automatic speech recognition systems.

2. Examples of Unauthorized Use of AI:

- a. Using AI technologies to generate or complete assignments, projects, or assessments without disclosing the use of AI or without instructor permission.
- b. Leveraging AI technologies to procure answers or assistance during exams, tests, quizzes, or other tasks where the use of such tools is not explicitly sanctioned.
- c. Manipulating AI systems or algorithms to sidestep security protocols, gain access to restricted data, or jeopardize the integrity of academic assessments.
- d. Presenting AI-generated content as one's original work, especially without suitable acknowledgment or correct citation.

II. Code of Conduct Violations - Social Misconduct

A. Violence

1. Physical abuse
2. Direct threat of violence
3. Bullying
4. Stalking
5. Sexual assault/rape

6. Harassment
7. Intimidation
8. Retaliation
9. Hazing (as defined by Illinois Revised Statutes)
10. Abusive or Disorderly Conduct
11. Intentional obstruction or substantial interference with any person's right to attend or participate in any college function
12. Participation in any activity to disrupt any function of the College by force or violence
13. Reckless behavior representing a danger to person(s)

B. Property Damage

1. Arson
2. Willful or malicious damage or destruction of property
3. Reckless behavior representing a danger to property

C. Weapons (unauthorized possession and/or use)

1. Firearms
2. Fixed-blade knives
3. Pellet guns, bb guns, and airsoft pistols
4. Explosives and/or explosive devices
5. Any type of arms defined as weapons in Chapter 38 code revised 720/CLS 5/24-1, Illinois Criminal Code Deadly Weapons

D. Disobedience

1. Disobedience, interference, resistance, or failure to comply with directions of an identified College Official acting in the line of duty
2. Trespassing
3. Unauthorized entry

E. Deception

1. Furnishing false information to the College with the intent to deceive
2. Forgery, alteration, or misuse of College documents, records, and identification cards
3. Forgery or issuing a bad check, e-check, or insufficient funding sources with intent to defraud
4. Unauthorized use of an ACH account or credit card account presented as a form of payment

F. Theft

1. Misappropriation or conversion of College funds, supplies, equipment, labor material, space, or facilities
2. Possession of stolen property

G. Safety

1. Intentionally entering false fire alarms
2. Bomb threats
3. Tampering with fire extinguishers, alarms, or safety equipment
4. Tampering with elevator controls and/or equipment
5. Failure to evacuate during a fire, fire drill, or false alarm

H. Cannabis or Illegal Drugs/Controlled Substances (as defined by Illinois Revised Statutes)

1. Manufacture
2. Sale or delivery
3. Unauthorized possession and/or use

I. Violations of other duly promulgated College policies or regulations, including but not limited to alcohol, demonstrations, service animals, smoking, solicitation, and guidelines for access to data and programs stored on the computer are adjudicated under this code.

J. Acts against the Administration of this Code

1. Initiation of a complaint or charge knowing that the charge was false or/ with reckless disregard of its truth

2. Interference with or attempt to interfere with the enforcement of this Code including, but not limited to, intimidation or bribery of hearing participants, acceptance of bribes, dishonesty, or disruption of proceedings and hearings held under this Code
3. Knowing violation of the terms of any disciplinary sanction or attached conditions imposed in accordance with this Code
4. Solicitation, aiding, abetting, concealing, or attempting conduct in violation of this Code

III. Students as Employees

Students functioning as employees of the College will be accountable to employee policies and accountable to the Student Code of Conduct.

IV. Student Organization Responsibility

A. Student organizations are expected to conduct themselves in a manner consistent with the College's function as an educational institution. Student organizations must observe all federal, state, local laws and College policies, including the Code of Conduct, both on and off campus. A student group will be responsible for the actions and conduct of its members when one or more of its members, acting in the capacity of their membership, commit a violation of the Code of Conduct. Student organizations found in violation of the Code of Conduct will be subject to student conduct procedures and sanctions in the same manner as individual students.

B. Any Notice of Complaint regarding alleged misconduct involving a student organization will be delivered to the Vice President of Student Services and to the organization's advisor. Student organizations are responsible for responding to all complaints and failure to respond may result in resolution of the matter in the absence of any representative of the organization.

C. A complaint filed against a student organization doesn't preclude the possibility of complaints being filed against any or all individual students involved in the alleged misconduct.

V. Reporting Code of Conduct Complaints

A. Academic Integrity

Determining whether the academic integrity violation is intentional will be left to the faculty's discretion. Upon suspicion of policy violation, the faculty member contacts the student and provides the student an opportunity to respond to the faculty allegations of violation of the academic integrity code. The faculty member may choose to only impose a Class-Level Penalty; however, the faculty member may choose to report the incident at the administrative level as an infraction. If the faculty member chooses to report to the administrative level, the process includes the following steps:

1. The faculty member observing or investigating the apparent academic integrity violation documents the act on the Academic Integrity Incident Report Form, found on myKC and submits the form to the faculty member's instructional dean.
2. The faculty member collects evidence, often by photocopying the plagiarized assignment and creating documentation of the incident. This documentation will be submitted with the Academic Integrity Incident Report Form.
3. The faculty member explains to the student the procedures and penalties for an academic integrity incident and provides the student with a copy of Kaskaskia College's Student Code of Conduct Policy and Procedure.
4. The incident report and related documentation are forwarded to the student's program Dean if this Dean was not in receipt of the information from the reporting faculty. The student's program instructional dean contacts the student to notify them that an Academic Integrity Incident Report has been filed. The dean will discuss the following:
 - a. Determination of their receipt of the Academic Integrity Incident Form and an opportunity to discuss the incident with the faculty member.
 - b. Dean will provide the student with an opportunity to describe the incident and listen to the student's explanation of the event in an informal hearing and may take steps to resolve conflicting information described by the student.
 - c. Dean will inform the student regarding the procedure for appeal.
 - d. Dean will enter an academic integrity hold on the student record using the incident date. Once student signs the Incident Report form, Dean will end-date the hold. If the program Dean is unable to reach student for meeting described above, the academic integrity hold will remain on the student's record and a meeting will be required prior to the student registering for subsequent semesters.
 - e. Dean will sign the incident form indicating the due process conversation has occurred. If the Dean is unable to establish contact with the student within a two week period, the Dean will note "no response" on the incident form and continue with the process.
 - f. Student will sign the Academic Integrity Incident form as an indication that the meeting between the instructional dean and the student has occurred.
 - g. Signed incident form will be emailed to Vice President of Instructional Services (for final signature), Instructional Services Coordinator, and cc to Administrative Assistant (AA) to Vice President of Student Services.
 - h. Instructional Services Coordinator will upload signed incident form to Maxient after the case is created.
 - i. AA to Vice President of Student Services processes the submitted documentation by creating a case in Maxient. This process provides notification to the Vice President of Student Services.
 - j. A formal notification letter regarding the Student Code of Conduct Academic Integrity violation is provided to the student from the Vice President of Student Services through the college's student conduct management system. Receipt of this notification is documented in this system. A copy of the student letter is also sent to the faculty who reported the incident so the faculty is aware of the final outcome.
5. If there is a second Academic Integrity code of conduct by a student, the student will be required to meet with the Vice President of Instructional Services following the submission of the incident report by the faculty. During this meeting, the student will be informed regarding the appeal process and that there is an ongoing academic hold on their account which requires a meeting with the VP of Instruction prior to registering for subsequent semesters.

B. Acts of Social Misconduct

Documents reporting social misconduct should include an email describing the incident and/or a completed Incident Report to be submitted by the reporter of the social conduct violation. Incident reports are also completed by security officers as a part of their routine duties. All reports of code of conduct violations shall be forwarded to the Vice President of Student Services.

VI. Hearing Procedures

A. Academic Integrity Violation

1. If the accused student contests the faculty member's decision, a formal appeal hearing may be requested in writing by the student to the Vice President of Student Services within 10 college business days of the time the dean and student meet to discuss the faculty generated Academic Integrity Incident Form. Written notices of a student appeal will be provided from the office of the Vice President of Student Services to all parties announcing the date, time, and location of the conduct appeal hearing.
2. A hearing requested by a student under this section is conducted by a Conduct Appeal Committee.
 - a. The Conduct Appeal Committee will consist of the following members:
 1. One (1) Instructional Services Dean or Associate Dean (represented by instructional area other than the area under appeal).
 2. One (1) Student Services Dean or Director
 3. One (1) Faculty (must not be the faculty member whose report is being appealed)
 4. One (1) student peer –appointed by the Vice President of Student Services
 5. One (1) advisor chosen by student bringing appeal. The advisor is a non-voting and non-presenting member of the appeal committee.
 - b. The Vice President of Student Services facilitates the appeal hearing process and is a non-voting member of the committee.
3. At the hearing, the faculty member and the student will not be present at the same time. The faculty will present information regarding the academic integrity incident to the committee and then the student will present their information to the committee. The student's advisor will only be present in the hearing when the student is present. Both, the faculty member and student will be asked to remain available in the event the committee has additional questions after hearing from both presenters.
4. If the student misses the hearing, the Conduct Appeal Committee may proceed with the process to completion.
5. Within 10 college business days of the hearing, the Vice President of Student Services sends written notification of the result to the student and faculty member, Instructional Dean, and Vice President of Instructional Services.
6. Within 10 college business days of the notification, the student may submit a written appeal to the Vice President of Instructional Services. The decision of the Vice President of Instructional Services is final.

B. Social Misconduct

1. The Vice President of Student Services has the authority to issue sanctions for Code of Conduct violations, up to suspension, without convening a student conduct board. In these cases, a student would have the option to appeal a decision to the Conduct Appeal Committee.
2. The Vice President of Student Services will determine the composition of the student conduct board and appeal committee and will determine which student conduct board and/or appeal committee will be authorized to hear each case. The student conduct board shall include representation from instructional and student services divisions of the college, the student, and an advisor if so desired, and a member of Student Congress or the Student Trustee.
3. The Vice President of Student Services will develop procedures for the administration of the student conduct program and rules for the conduct of hearings that are consistent with the provision of the Code of Conduct.
4. Decisions made by the student conduct board will be final unless the student initiates the appeal process.
5. A student conduct board may be designated as arbitrator/mediator of disputes within the student community in cases not involving a violation of the Code of Conduct. All parties must agree to arbitration/mediation and to be bound by the decision with no right to appeal.
6. In certain circumstances, the Vice President of Student Services may impose an interim suspension prior to a hearing before the student conduct board. Circumstances could include but are not limited to, theft or abuse of College property or students posing a danger to themselves or others.
7. Charges and Hearings
 - a. Any member of the College community may file a complaint against any student for misconduct. Complaints will be prepared in writing and directed to the Vice President of Student Services who is responsible for the administration of the college student conduct process. Any complaint should be submitted as soon as possible after the event takes place.
 - b. The Vice President of Student Services will (or will appoint a student conduct board who will) determine if the charges warrant an investigation. If the complaint is not found to warrant an investigation, the complaint will be dismissed.
 - c. If the charges cannot be disposed of by mutual consent, a student conduct board will be called to hear the charges. The Vice President of Student Services may be authorized to serve simultaneously as a student conduct administrator and member of a student conduct board. All charges will be presented to the accused student in written form by the Vice President of Student Services with a date of hearing regarding the charge. The hearing date will be set not less than three nor more than 10 college business days after the date of notice to the student. Maximum time limits for scheduling of hearings may be extended at the discretion of the Vice President of Student Services.
 - d. Any student may seek advice about the Code of Conduct, hearing procedures, and/or student rights and responsibilities from the Vice President of Student Services Office at any time.
 - e. Hearings are conducted by a student conduct board to provide the accused student an opportunity to respond directly to the alleged violation and to offer a response. The hearing is an educational forum designed to enable the student conduct board to determine if there

has been a violation of the Code of Conduct. Formal rules of process, procedure, and/or technical rules of evidence such as are applied in criminal or civil court are not used in the student conduct process. Hearings will be conducted according to the following guidelines.

1. Hearings normally will be conducted in private.
 2. Admission of any person to the hearing will be at the discretion of the student conduct board. Hearings are not considered open to the public.
 3. In hearings involving more than one accused student, the student conduct board may permit the hearings concerning each student to be conducted separately.
 4. The complainant and the accused student have the right to be assisted by any advisor they choose at their own expense. The complainant and/or the accused student is responsible for presenting his/her own case and therefore, while advisors may be present, they are not permitted to speak or to participate directly in any hearing before a student conduct board.
 5. The complainant, the accused, and the student conduct board may present witnesses. All witnesses are subject to questioning from the conduct board. Advisors may not, in any circumstances, question the complainant, accused student, or conduct board. Pertinent records, exhibits, and written statements may be accepted as information at the discretion of the student conduct board.
 6. All procedural questions are subject to the final decision of the student conduct board.
 7. At the conclusion of the hearing, the student conduct board will determine (by majority vote) whether the student violated each section of the Code of Conduct that the student was alleged to have violated.
 8. The student conduct board's determination will be made on the basis of preponderance of the evidence (whether it is more likely than not that the accused student violated the Code of Conduct.)
 9. For conduct hearings that involve sexual and gender-based misconduct, proceedings of the hearing will be modified to be in compliance with state and federal laws and the Prohibiting Sex-Based Misconduct Policy and Procedure.
- f. In each case in which a student conduct board determines that a student has violated the Code of Conduct, the sanction(s) will be determined and imposed by the Vice President of Student Services. In cases in which persons other than, or in addition to, the Vice President of Student Services have been authorized to serve as the student conduct board, the recommendation of all members of the student conduct board will be considered by the Vice President of Student Services in determining and imposing sanctions. The Vice President of Student Services is not limited to sanctions recommended by members of the student conduct board. Following the hearing, the student conduct board and the Vice President of Student Services will advise the accused in writing and/or orally of its determination and of the sanction(s) imposed, if any.
- g. There will be a record of all hearings maintained by the Vice President of Student Services. The record will be the property of the College.
- h. Except in the case of a student charged with failing to comply with a request to attend a meeting with a student conduct board, no student may be found to have violated the Code of Conduct solely because the student failed to appear. In all cases, if the accused student, with notice, does not appear at a hearing, the information in support of the complaint shall be presented and considered and the hearing will proceed in the student's absence.
- i. The student conduct board may accommodate concerns for the personal safety, wellbeing, and/or fears of confrontation of the complainant, accused student, and/or other witnesses during the hearing by providing separate facilities, video technology, telephone, or other means approved by the Vice President of Student Services.

VII. Disciplinary Sanctions

A. Academic Integrity Violations

The following are examples of sanctions that may be imposed by the faculty member for conduct violations related to Academic Integrity. The College allows the faculty member the option to impose the appropriate sanction(s) based on each individual case; however, the faculty should follow the established policies outlined in their course syllabus when imposing the sanction(s).

1. Class-Level Penalties:

a. Warning

b. Failure of an assignment, quiz, test, examination, or paper. A failing grade (F) may be assigned for the work in which the violation occurred.

c. Failure in the course: A failing grade (F) may be assigned for a course in which the violation occurred.

2. Institutional-level Penalties

In addition to the Class-Level Penalties outlined above, the College will impose Institutional-Level Penalties based on the individual situation or if the student is a repeat offender. These additional penalties include:

a. Disciplinary Reprimand (First Offense) - a written warning to the student that the cited behavior is not acceptable in the College community and that further misconduct will result in more severe disciplinary action. In addition, the student will be placed on "Academic Integrity Hold" that will remain on the student record for the remainder of the semester in which the policy violation occurred and through the time they register for their next semester. This hold will require the student to meet with an instructional dean prior to registering for classes.

b. Disciplinary Probation (Second Offense) - removes a student from good disciplinary standing. The probation shall last the entire time that the student is enrolled at the College. The student will continue to be placed on "Academic Integrity Hold." The student will be required to meet with the Vice President of Instructional Service prior to registering for subsequent semesters. The student will also be financially responsible for all costs incurred for the course in which the academic integrity incident was reported. Any misconduct during the probationary period will bring further disciplinary action and will result in suspension.

Note: Certain scholarship programs may impose additional sanctions, beyond the faculty and College sanction, for academic integrity incidents.

c. Disciplinary Suspension (Third Offense) - is an involuntary separation of the student from the College that will begin at the end of the academic term in which the academic integrity incident occurs. If the student is on scholarship, all scholarship funds will be revoked and the student will be financially responsible for all costs as a result of the loss of awarded institutional scholarships. This suspension will be for one calendar year, after which, readmission will be permitted. Disciplinary Suspension is entered on the student's transcript for the duration of the suspension. Upon readmission to the College, the student will be placed on "Academic Integrity Hold" and on Disciplinary Probation, which will remain on the student record while the student is enrolled at the College.

d. The student will be afforded the right to appeal the severity of the sanctions imposed by the established Conduct Appeal Committee and Procedures.

B. Social Misconduct

1. Sanctions for violations of College regulations or conduct that interferes with College affairs will be imposed by the College. Sanctions, up to and including dismissal from the College, may be imposed for failure to comply with the policies and regulations as outlined in this document. These sanctions will define whether, and under what conditions, the violator may continue as a student in the College. The College may impose sanctions independent of any action taken by civil authorities. The College may impose sanctions in response to actions taken by civil authorities on matters not involving the College if the civil actions bring negative attention to the College. In keeping with the educational purpose of the College, disciplinary actions are intended to be remedial rather than punitive.

2. The following are sanctions that may be imposed for a violation of this Code of Conduct. In addition, a condition may accompany a sanction. Conditions include, but are not limited to, restitution of damages, work projects, required counseling or therapy, required academic performance, etc. A condition may include loss of certain College privileges. If a condition accompanies a sanction, the condition must be related to the violation.

a. Disciplinary Reprimand – In cases of minor violations and when the student acknowledged the violation, a written reprimand may be issued by the appropriate vice president. The purpose of the reprimand shall be to call to the student's attention the responsibility of meeting certain minimal community standards. Since a reprimand is given only when the violation is acknowledged, the sanction may not be appealed

b. Disciplinary Censure – is a written warning to the student that the cited behavior is not acceptable in the College community and that further misconduct may result in more severe disciplinary action. The student may appeal the finding of a violation but may not appeal the severity of the sanction.

c. Disciplinary Probation – removes a student from good disciplinary standing. The probation shall last for a stated period of time and until specific conditions have been met, if imposed. Any misconduct during the probationary period will bring further disciplinary action and may result in suspension. Probationary status prevents the student from representing the College in extracurricular activities and may result in the loss of some types of financial assistance.

d. Disciplinary Suspension – is an involuntary separation of the student from the College for a stated period of time and until a stated condition is met, if imposed, after which readmission will be permitted. Disciplinary Suspension is entered on the student's transcript for the duration of the suspension.

e. Indefinite Suspension – is an involuntary separation of the student from the College for an unprescribed period of time and until a stated condition is met, if imposed. Any consideration for readmission requires a written petition to the appropriate administrative official before readmission will be considered. The Indefinite Suspension is entered on the student's transcript for the duration of the suspension.

f. Interim Separation – is imposed when the Vice President of Student Services has reasonable cause to believe that a serious and direct threat to the safety and wellbeing of the members and/or property of the College community will be present if an individual is permitted to remain an active member of the community. A preliminary hearing or the opportunity of a preliminary hearing shall be afforded. If it is impossible or unreasonably difficult to conduct a preliminary hearing prior to the Interim Separation, the individual shall be afforded the opportunity for such a preliminary hearing at the earliest practical time.

3. The purpose of the preliminary hearing is to determine if there is justification to invoke an Interim Separation. During the preliminary hearing, the student will be provided a statement of the reasons for Interim Separation and will be afforded an opportunity to rebut. Interim Separation is temporary and shall be enforced only until the completion of a full disciplinary hearing. A full disciplinary hearing shall be provided within a reasonable period of time.

4. During an interim suspension, students will be denied access to the campus, including classes, to college activities or privileges for which the student might otherwise be eligible, as the Vice President of Student Services determines appropriate. The interim suspension does not replace the regular student conduct processes, which will proceed on the normal schedule.

VIII. Appeals

A. A decision reached or a code of conduct sanction may be appealed by accused students to an appeals committee within ten college business days of receipt of the decision. Failure to respond within the five college business days after the receipt of the decision will result in the implementation of the recommended sanction(s).

B. Except when explaining the basis of new evidence, an appeal will be limited to a review of the record of the initial hearing and supporting documents for one or more of the following purposes.

1. To determine whether the original hearing:

a. Was conducted fairly in light of the charges and evidence presented

b. Conformed to prescribed procedures giving the complaining party a reasonable opportunity to prepare and present evidence that the Code of Conduct was violated

c. Gave the accused student a reasonable opportunity to prepare and to present a rebuttal of those allegations

2. To determine whether the decision reached regarding the accused student was based on the preponderance of the evidence, that is, whether the facts in the case were sufficient to establish that a violation of the Code of Conduct occurred

3. To determine whether the sanction(s) imposed was appropriate for the violation of the Code of Conduct, which the student was found to have committed

4. To consider new evidence, sufficient to alter a decision or other relevant facts not brought out in the original hearing because the person appealing did not know such evidence and/or facts at the time of the original hearing.

C. In cases involving appeals by students accused of violating the Code of Conduct, a review of the sanctions by an appeal committee may result in more severe sanctions for the accused students. An appeal to the Vice President of Student Services may not result in more severe sanctions for the accused students.

D. A decision reached by an appeal committee may be appealed by accused students or complainants to the Vice President of Student Services within five college business days of the decision. Such appeals will be submitted in writing to the Vice President of Student Services, or designee. Conditions to (D.2. a-d) apply.

E. The Vice President of Student Services may, upon review of the case, reduce, but not increase, the sanctions imposed by either the Vice President of Student Services and/or an appeal panel.

1. The Vice President of Student Services will notify the student of the appeals committee's decision in writing. This notification will include final charges, sanction(s), and/or instructions for a new hearing.

2. The decision of the Vice President of Student Services shall be final.

Note: The ACADEMIC INTEGRITY INCIDENT REPORT FORM link can be found on myKC under Miscellaneous.

Approval History: August 2, 2021, January 11, 2021, July 24, 2017, February 14, 2024