

# STUDENT CODE OF CONDUCT

Students are expected to maintain acceptable standards of conduct, as identified by the College, both on and off-campus. Students must observe the rules and regulations regarding student demonstrations, coeducational visitation in the residence halls, membership intake activities for fraternities and sororities, the use of illegal drugs, weapons, and conduct in college buildings and student activities.

## STUDENT CODE OF CONDUCT VIOLATIONS

### Code 1 Violations

The College deems the following acts unacceptable and will subject the violator to disciplinary action:

1. **Acts of Dishonesty:** include but not limited to:
  - a. Cheating, plagiarism or other forms of academic dishonesty
  - b. Furnishing false information to any College Official, faculty member or Office
  - c. Forgery, Alteration or Misuse of any College document, record or instrument of Identification. Includes signing of another student's name, using another student's identification card, credit card, or other personal documents, affixing the signature of a College official to any document circumventing the procedural process of the College or gaining an unfair advantage.
  - d. Misuse of the Student Identification Card: College-issued identification may be required to enter the dining hall or other designated facilities and events. This identification must be used by the person to whom it is issued, it is non-transferable and must be used for the purpose it was issued. Students are not allowed to use another student's identification card for any reason. If your card is lost or stolen, report it to the Office of Student Services immediately. Students are required to present their identification card when it is requested by any College official.
2. **Aiding and Abetting:** Knowingly, encouraging or assisting another to attempt or commit a Code (1) violation.
3. **Alcoholic Beverage Violations** include drinking or having in possession any alcoholic beverage in any College facility and on its property. JCC has zero tolerance for students using alcoholic beverages on campus. The possession and consumption of alcoholic beverages is controlled by Texas statues and College regulations. All members of the College community are expected to obey these laws and regulations. The College desires to provide an environment where driving while intoxicated or alcohol consumption by underage students is neither encouraged nor made available.
4. **Bearing False Witness:** Knowingly and falsely accusing another student of misconduct
5. **Breaching Campus Safety or Security** includes but is not limited to:
  - a. Unauthorized access to College facilities or unauthorized possession of, use of or duplication of master keys, or access cards to College offices or residential facilities; and unauthorized occupancy of or entry into locked or off-limit

College buildings. This includes burglary and trespassing. No propping open exterior residence facility doors is allowed.

- b. **Tampering with fire alarms, extinguishers and emergency safety systems.**  
This includes tampering with any emergency system, pulling alarms, using extinguishers and covering smoke detectors, all of which are prohibited.
- c. **Obstruction of the free flow of pedestrian or vehicular traffic on College premises or at College-sponsored or supervised functions.**
6. **Burglary:** Unlawful and/or forcible entry by a person or any physical object connected with the person's body into a building, office, room, vehicle, or coin-operated machine on the College campus with the intent to commit theft. Damaging or mutilating College property or the property of another person.
7. **Candles and Open Burning:** Use of fire within College facilities (particularly within residential units) endangers life and property and is viewed as a serious offense. Maximum penalties may be imposed for such violations. Because of the possible danger involved, the use of candles in student rooms is prohibited. Failure to observe this regulation will be considered a serious violation and if a fire occurs, the student(s) involved bears full liability and may be subject to dismissal from the College.
8. **Criminal Acts.** Students who are arrested by authorities because of violation of criminal law are subject to suspension until the matter is settled by the law enforcement agency or by the court. The nature of the offense and the settlement will determine what action, if any, will be taken by the College. The student may also be subject to the College's disciplinary process.
9. **Destruction of College Property.** Destruction, attempted destruction, moving, removing or damage to College property, property of the area surrounding the College, or property belonging to a member of the College community is strictly prohibited. Misuse of safety equipment, including fire extinguishers, smoke alarms, smoke detectors, etc. is violation of the College Code of Conduct and is subject to sanctions. Every person who shall maliciously destroy, disfigure, or cause to be destroyed, disfigured, or injured, property of another either real or personal, shall be subject to criminal prosecution.
10. **Disorderly Conduct, Inciting Riots and Disturbances** including but is not limited to conduct (physical, verbal, graphic, written, digital or electronic) that is sufficiently severe, persistent or pervasive so as to threaten an individual or limit the ability of an individual to work, study or participate in activities of the College. All students are required to exhibit good behavior and the highest moral standards are expected at all times to ensure an atmosphere of proper decorum and respect for the College community and its inhabitants.
11. **Discrimination:** Intentional unequal treatment of other persons in the College environment solely on the basis of race, color, national origin, religion, gender, age, marital status, genetic information sexual orientation, pregnancy, veteran's status, or disability.
12. **Disruptive Activity** that interferes with teaching, research, administration, disciplinary proceedings, other College processes or functions including public-service functions, or other College activities is prohibited. Disruptive activities may include but are not limited to:

- a. Any act that deliberately interferes with the academic freedom or the freedom of speech of any member or guest of the College community.
  - b. Classroom behavior that interferes with either (1) the instructor's ability to conduct the class or (2) the ability of other students to profit from the instructional program.
  - c. Leading or inciting others to disrupt scheduled or normal activities on College premises
  - d. Conduct that is disorderly, lewd or indecent.
13. **Drug Possession or Distribution:** Illegal manufacturing, distribution, sale, offer of sale, or possession on College property of any controlled substance or illicit drug. This regulation also includes violations on conveyances engaged in transporting students to and from College events. Any paraphernalia associated with the use and/or possession of a drug, narcotic, or controlled substances is prohibited
14. **Dumping and Littering:** No student shall deposit, dump, litter, or otherwise dispose of any refuse on College property except in duly designated refuse depositories.
15. **Endangerment:** JCC has zero tolerance for physical abuse.
- a. Physical violence toward another person or group.
  - b. Action(s) that endanger the health, safety or welfare of self or others.
  - c. Interference with the freedom of another person or group to move about in a lawful manner.
  - d. No student shall threaten or intimidate any member of the College community. If at any time students feel threatened or intimidated, they should report the incident to the proper authorities.
16. **Explosives, Fire Arms or Weapons possession** , storage or display on campus or at activities sponsored by the College is prohibited including explosives, pistols, revolvers, rifles, shotguns, bb or pellet guns, slingshots, martial arts devices, clubs, or any missile projecting weapon, knives, other bladed weapons (including those intended for ceremonial or decorative uses), dangerous chemicals, or explosive devices (including fireworks) of any description. Please note that a Handgun Carry permit does not allow the holder to possess a gun on-campus. College policy, as well as state and federal laws prohibits the possession of a gun on a College campus.
17. **Failure to Appear** for a College conduct proceeding, to respond to allegations or to appear as a witness when reasonably notified to do so is unacceptable. This includes Conduct hearings, College investigations and Appeal Hearings.
18. **Fighting.** Jarvis Christian College has a “zero tolerance policy” regarding fighting. Persons initiating the assault of a student, staff, faculty or administrator will be dismissed immediately from the College. Permission to return to the College will be decided on a case by case basis.
19. **False Reporting** includes, but not limited to, intentionally making a false warning of fire, explosion, bomb threat or other emergency when no emergency is present.
20. **Fraud:** Intentionally attempting by illegal schemes and techniques to avoid the payment of tuition or fees legally due the College or to obtain surreptitiously or under false pretext, money, goods, favors or services from persons at the College or in the name of the College.

21. **Gambling:** Gambling of any kind and for any purpose is prohibited on campus, at College-sponsored activities or in any vehicle retained by the College to transport students to and from College-related events.
22. **Harassment** is conduct (physical, verbal, graphic, written, digital or electronic) that is sufficiently severe, pervasive or persistent so as to threaten an individual or limit the ability of an individual to work, study or participate in the activities of the College. Harassment of employees or students violates an individual's rights and is inconsistent with the College's policies of equal employment and academic opportunity without regard to age, sex, sexual orientation, alienage or citizenship, religion, race, color, national or ethnic origin, disability, veteran or marital status.
  - a. **Sexual Harassment:** unwelcome sexual advances, requests for sexual favors **and other verbal or physical conduct of a sexual nature when the following occurs:**
    - Submission to such conduct is made either explicitly or implicitly a term, or condition of a person's employment or advancement.
    - Submission or rejection of such conduct by an employee is used as the basis for decisions affecting the employee or evaluation of the employee.
    - Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive work or learning environment.

***Examples of Prohibited Unlawful Harassment***

Sexual harassment may include, but is not limited to, the following behavior(s):

1. Verbal harassment, abuse, or actions such as slurs, derogatory comments or sexual jokes, epithets or unwanted sexual invitations, advances or comments;
  2. Visual conduct such as sexually-oriented, pornographic and/or derogatory photographs, posters, drawings, cartoons, gestures, e-mail or Internet sites;
  3. Physical harassment or actions such as unwanted or unwelcome touching, assault, blocking another's way or interference with work because of sex, race or any other protected category;
  4. Suggestions, threats or demands to submit to sexual advances or requests as a condition of continued employment, offers of employment benefits in return for sexual favors, implied or explicit threats concerning one's evaluation, job or etc., or to avoid some other negative employment action; and;
  5. Retaliation against any employee for making an allegation of harassment or for participating in such an investigation.
- b. **Racial and Ethnic Harassment:** any repeated conduct that is directed at a person or group of persons because of race, color, ethnicity or national origin. Even if the actions are not directed at specific persons, a hostile environment can be created when the conduct is severe, persistent or pervasive as to substantially interfere with the person's education, work or activities on campus.
  - c. **Retaliation:** harassment of a complainant or other person alleging misconduct, including, but not limited to, intimidation and threats.
  - d. **Stalking:** nonconsensual communication, including face-to-face, telephone calls, voice messages, electronic mail, texting, written letters/notes, unwanted gifts, etc.

23. **Hazing** is defined as prohibited acts committed for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization; or as part of any activity or a recognized student organization or student group.

Prohibited behavior includes any act that endangers the mental or physical health or safety of a student, or that destroys or removes public or private property; performing personal chores or errands, discomfort that may demean, disgrace or degrade a person regardless of location, intent or consent of participation and assisting, directing, or in any way causing others to participate in degrading behavior and behavior that causes ridicule, humiliation or embarrassment; engaging in conduct that tends to bring the reputation of the organization, group or College into disrepute for the purpose of initiation or admission into, affiliation with, or confirming any for affiliation or continued membership in a student organization regardless of an individual's consent to participate in the activity.

Previously relied upon "traditions,"( including any other group or organization activity, practice or tradition) intent or such acts, or coercion by current or former members of such groups or former students will not suffice as a justifiable reason for participation in such acts. It is not a defense that the person (or group) against whom the hazing was directed consented to, or acquiesced to, the behavior in question. The actions of either active or associate members (pledges) or an organization may be considered hazing.

Examples of such behavior include but are not limited to:

- Misuse of authority by virtue of one's class rank or leadership position
- Striking another student by hand or with any instrument
- Any form of physical bondage of a student
- Taking of a student to an outlying area and dropping him/her off
- Forcing a student into violation of the law or a College rule, such as indecent exposure, trespassing, violation of visitation, etc.
- Having firsthand knowledge of the planning of such activities or firsthand knowledge that an incident of this type has occurred and failing to report it to appropriate College officials is also a violation under this section.

The hazing rule is not intended to prohibit the following conduct:

- a. Customary public athletic events, contests or competitions that are sponsored by the College or the organized and supervised practices associated with such events; or
- b. Any activity or conduct that furthers the goals of a legitimate educational curriculum, a legitimate extracurricular program or a legitimate military training program as defined and approved by the College.

Hazing is also a violation of Texas state law. See the Texas Education Code, sections 37.151 and 51.936 and Appendix C

24. **Hindering, Obstructing or Interfering** with the implementation of the Code of Student Conduct is prohibited.

25. **Insubordination** includes failure to comply with oral or written instruction from duly authorized College officials acting within the scope of their job duties.

26. **Intentional Mental or Physical Harm:** Knowingly or recklessly causing or attempting to cause by acts and/or threats, mental or bodily harm to another person,

- including all forms of sexual assault where physical force, implied force, or fear is used.
27. **Misuse of Computing Resources** through Failure to Comply with Laws, Copyrights, License Agreements, and Contracts governing network, phone, software and hardware use is prohibited. Abuse of the College computer use policy includes but is not limited to:
- a. Any use deemed commercial or for-profit
  - b. Any use that likely, intentionally or negligently causes unauthorized network disruption, system failure, or data corruption including failure to protect your password or use of your account.
  - c. Any use related to achieving, enabling or hiding unauthorized access to network resources, JCC-owned software or other information belonging to JCC, either within or outside the JCC network.
  - d. Any use related to sending/receiving electronic mail that includes, but is not limited to, the following: solicitation or commercial use, forging any portion of an electronic mail message, spamming (bulk unsolicited e-mail), sending unwanted messages to unwilling recipients, or invasion or privacy. Additionally, willful and repeated harm inflicted through the use of computers, cellphones and other electronic or digital devices is prohibited. It can be referred to as “cyber bullying,” “electronic bullying,” “e-bullying,” “sms-bullying,” “mobile bullying,” “online bullying,” “digital bullying” or “Internet bullying.”
  - e. Use of another individual’s identification; network, e-mail or other college based account; or related passwords. Including charging any long distance telephone calls or messages to any telephone on College premises or College-related premises without proper authorization.
  - f. Unauthorized transfer or entry into a file, to read, use or change the contents; or for any other reason.
  - g. Use of computing facilities or network resources to send obscene, harassing, threatening messages or computer viruses or worms.
  - h. Any use that violates Jarvis Christian College policies, procedures and contractual agreements.
  - i. Any use that violates local, state or federal laws.
  - j. Illegal downloading, file sharing and digital piracy are prohibited. All of these activities are a violation of the Student Code of Conduct and students will be held accountable. These unethical acts are considered theft as well as a violation of our Acceptable Terms of Use Statement. Students involved could lose network privileges, face disciplinary sanctions and may be held criminally liable.
28. **Moral Turpitude** an act of baseness, vileness or depravity that brings shame to the College and is in contradiction to the letter and spirit of the College’s Code of Conduct, good citizenship and ethics is strictly prohibited. Violators will be subject to disciplinary action.
29. **Off-Campus Misconduct.** When a student is alleged to have violated this Student Code of Conduct by an offense committed away from College premises, the College reserves the right to investigate and adjudicate.

30. **Parking and Traffic Violations:** Failure to comply with College parking and traffic regulations; illegally registering or attempting to register an automobile and/or acquire or attempt to acquire a JCC parking permit.
31. **Pets.** To protect the interest and safety of students and employees, it is the policy of the college not to allow pets in any college building, including but not limited to administrative buildings, classroom buildings, residence halls, or dining facilities. “Pets” are considered animals, domestic or wild, in the company of a student, faculty member, guest, or visitor to the College, and does not apply to service dogs.
32. **Possession of Stolen Property:** Knowingly possessing stolen property on campus or at College sponsored activities or events.
33. **Providing False or Misleading Information** includes:
  - a. Lying, deceiving or furnishing false or misleading information for the purpose of causing another person or College official to act or refrain from acting. This includes giving a false address or failure to maintain a current mailing address.
  - b. Forgery, alteration or misuse of any document, record, material, file or instrument of identification, including falsification of College records.
  - c. Deliberately or purposefully providing false or misleading verbal or written information about another person that results in damage to the person’s reputation.
34. **Repeated Disciplinary Violations:** any violations of terms of any disciplinary sanction committed.
35. **Sexual Misconduct** is any act of a sexual nature perpetrated against an individual without consent or when an individual is unable to freely give consent regardless of personal relationship.
  - a. **Sexual Assault and Rape:** sexual assault is the oral, anal or vaginal penetration by sexual organ or another or anal/vaginal penetration by any means against the victim’s will or without his/her consent. An individual who is mentally incapacitated, unconscious or unaware that the sexual assault is occurring is considered unable to give consent. The type of force employed may involve physical force, coercion, intentional impairment of an individual’s ability to appraise the situation through the administering of any substance or threat of harm to the victim.
  - b. **Sexual Abuse:** attempting or making sexual contact, including, but not limited to, inappropriate touching or fondling against the person’s will, or in circumstances where the person is physically, mentally or legally unable to give consent.
36. **Smoking:** Smoking is not permitted in the auditoriums, classrooms, lecture rooms, offices, dining hall, residence halls, gymnasium or any other buildings at Jarvis Christian College.
37. **Student Election Fraud:** Tampering with a student election with the intent of influencing the outcome of the election
38. **Theft** – Taking material or immaterial property, goods, or services from a person, institution, or business without the consent of the owner or steward of the property, goods, or services.
39. **Unauthorized entry:** Unauthorized entry into buildings, facilities, or use of equipment or resources and possession of building keys.

40. **Unauthorized Living in Residence Facilities.** Students who are illegally residing in the residence hall will be charged a room and boarding fee and are subject to denial of housing, probation or dismissal from the College. They are also subject to arrest as a trespasser.
41. **Unauthorized Meetings and/or Other Activities:** Unauthorized meetings, musical presentations, and/or other activities involving the use of loud speakers, bull horns, or other amplification equipment except as approved by the Director of Student Activities at least 48 hours prior to their occurrence.
42. **Unauthorized Sales and Solicitations:** Unauthorized buying and/or selling of goods and products on the College campus or at College-sponsored events.
43. **Unauthorized Use of the College's Name:** Use of the name Jarvis Christian College for the purpose of soliciting funds without prior written approval from the Office of Institutional Advancement
44. **Violation of Laws:** Commission of an act, which violates local, state, or federal laws is prohibited. Violations off campus which constitute either an aggravated misdemeanor or felony will be presumed to affect the student's ability to function as a member of the College and the student will be subject to disciplinary action by the College. Jarvis Christian College has the right to sanction its students for off-campus violations and has the right to sanction each student violator regardless of court hearings, upcoming court dates, or outcomes of such hearings.
45. **Violation of Published College Rules** includes but is not limited to resident hall agreements, parking rules and regulations, rules relating to student identification cards, entry and use of College facilities and dining hall conduct.
46. **Violation of Residential Hall Policies** published in the Residential Hall Handbook is prohibited.
47. **Visitors or Guests of students** must adhere to the Student Code of Conduct and College policies. In instances where guests violate rules or policies, the student host may be held responsible.
  - a. Whether a visitor is a student, non-student or non-identified guest, the student host may be held responsible for violations of the Student Code of Conduct and College policies.
  - b. Responsibility under these rules may occur even if the host is not a participant in the activity or has left the visitor(s) alone.

**Please note that any three occurrences of Code (1) Violations in any one semester may lead to Code (2) disciplinary action up to and including suspension and or expulsion.**

### **Code (2) Violations**

It is the intent of Jarvis Christian College to provide all students with an excellent education in a safe and enjoyable environment. Jarvis Christian College has a "Zero Tolerance" toward fighting, aggravated assault, and threats to commit bodily harm to any student, faculty, or staff. In accordance to Code (2) Violations, any of the aforementioned violations will subject a student to immediate suspension or expulsion from the college. This notice is in effect immediately.



**Any violation of the following regulations will subject a student to immediate suspension from the College.**

- 1. Aggravated assault/Fighting.**
- 2. Any acts of hazing.**
- 3. Any act that threatens the security of others and/or poses danger to personal or College property.**
- 4. Criminal Acts. Felony violations of Texas or federal laws.**
- 5. Destruction of College Property.**
- 6. Dismantling and abuse of a fire extinguisher and other safety equipment.**
- 7. Sexual assault.**
- 8. The handling or possession of weapons, ammunition or other explosives.**
- 9. The sale, possession or use of a controlled substance.**
- 10. Theft-exceeding \$500.00.**
- 11. Threats, assault or verbal abuse of College employees.**
- 12. Triggering a false fire alarm.**

**Students who fail to leave the campus upon receiving a directive (written or verbal) to do so from College officials will be arrested for disturbing the peace and criminal trespass.**

## **ADMINISTRATION OF STUDENT CONDUCT**

### **Student Discipline**

The Assistant Vice President for Student Services reports to the President of the College and is the senior College Administrator responsible for the management and enforcement of the Student Code of Conduct. The Assistant Vice President for Student Services may take immediate interim action when he/she believes the presence of a student on campus poses a continuing danger to persons or property or presents a threat of disrupting the College environment.

Authority is delegated to the Student Conduct Investigator, who reports to the Assistant Vice President for Student Services, to investigate, consistent with the rules and regulations, violations of the Student Code of Conduct and after thorough review, render decisions that are consistent with approved disciplinary actions.

### **Conduct Standards**

Rules and regulations at the College are set forth in writing to give students notice of prohibited conduct. They should be read and are not designed to define prohibited conduct in exhaustive terms. Regulations may also be found in other College publications such as the catalog and residential life policies. When changes are necessary, they will be written, approved and the updated documents will be posted on the Student Services website.

Violations of any city ordinance, law of the state of Texas or law of the United States may result in disciplinary actions. Any disciplinary action imposed by the College may precede and may be in addition to any penalty that is imposed by any off-campus authority.

## **Due Process**

Procedures and rights in student conduct proceeding are conducted with fairness to all, but do not include the same protections of due process afforded by the courts. Due process, within these procedures, assures:

- Written notice;
- A hearing before an objective decision maker;
- A finding that the JCC Student Code of Conduct was violated will not be made without information showing that it is more likely than not that a policy violation occurred; and
- Sanctions will be proportionate to the severity of the violation.

## **Awareness of Policies**

Every student, including those who are participating in any program that is College-sponsored, on or off-campus, must abide by the rules and regulations governing student conduct. The rules and regulations listed here are available on the Student Services webpage or by contacting the Office of Student Services.

## **Jurisdiction of the Student Code of Conduct**

The JCC Student Code of Conduct shall apply to conduct that occurs on the College premises, at JCC-sponsored activities, and off-campus conduct that adversely affects the College community or the pursuit of its objectives. Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. The Student Code of Conduct shall apply to a student's conduct even if the student withdraws from school while a disciplinary matter is pending. The Student Conduct Investigator shall determine whether the Student Code of Conduct shall be applied to conduct occurring off-campus, on a case by case basis.

## **Notification of Outcomes**

The outcome of a hearing is part of the educational record of the accused student, and is protected from release under federal law, FERPA. However, Jarvis Christian College observes the legal exceptions as follows:

- Complainants in non-consensual sexual contact/intercourse incidents have an absolute right to be informed of the outcome and sanctions of the hearing and any subsequent appeals, in writing, without condition or limitation.
- Complainants in sexual exploitation/sexual harassment complaints have a right to be informed of information regarding sanctions that personally identifies and is directly pertinent to them, such as the imposition of a restriction on physical contact between the complainant and the accused student. Otherwise, information on the outcome and sanction cannot be shared.
- Jarvis Christian College may release publicly the name, nature of the violation and the sanction for any student who is found in violation of a JCC policy that is non-forcible sex offense or a "crime of violence," including: arson, burglary, robbery, criminal homicide, sex offenses, assault, destruction/damage/vandalism of property and kidnapping/abduction. JCC may release this information to the complainant in any of these offenses regardless of the outcome, but complainants are cautioned that FERPA does not permit them to re-release this information to others.

- The College may, in its discretion, send notice or copies of disciplinary documents to the parents or legal guardians of students involved in disciplinary matters. The College may also contact parents or legal guardians of students involved in alcohol or drug violations if the student is under 21 at the time of the violation.

## **STUDENT CODE OF CONDUCT PROCEDURES**

Sanctions may be recommended by the Residential Life Peer Committee, Pan-Hellenic Council, All Campus Disciplinary Hearing Committee, or imposed by the Assistant Vice President for Student Services and the President of the College. Violations of the Student Code of Conduct will result in disciplinary sanctions placed upon the students who are found to be in violation of the Student Code of Conduct. These sanctions for violations of disciplinary rules and regulations may consist of, but are not limited to the following:

- **EXPULSION:** Permanent involuntary separation from the College which prohibits a student from future enrollment in the College, and prohibits a student from being present on the campus without permission.
- **SUSPENSION:** Involuntary separation and withdrawal from the College which prohibits the student from being on the College campus without written permission. Suspension also involves the loss of the privilege of registration. A suspended student must petition the Assistant Vice President for Student Services for readmission; however, the petition does not necessarily mean that the student will be readmitted. Such a decision strictly lies with the Assistant Vice President for Student Services and the College President.

In the event that the student is allowed re-admittance, the student must remain on a probationary status for one semester. Following readmission, the student is required to adhere to all rules, regulations and policies adopted by the College and the Student Code of Conduct. Any violation of such rules, regulations, codes or policies may result in the immediate suspension and/or expulsion of the student.

- **TEMPORARY SUSPENSION:** When there is evidence that the continued presence of a student at JCC poses a substantial and immediate threat to him/herself or to others, or to the stability and continuance of normal College function, the Assistant Vice President for Student Services or authorized representative may impose such temporary sanctions as necessary, including exclusion from campus property. The temporary sanction shall become effective immediately without prior notice. Upon taking such action, The Assistant Vice President for Student Services shall immediately notify the All Campus Disciplinary Committee of the sanction.
- **DISCIPLINARY PROBATION:** Conditions imposed for a definite or indefinite period of time with or without loss of privilege(s). All sanctions requiring disciplinary probation are final and cannot be appealed. During this time the student's behavior is monitored and critically examined. Any misconduct while on disciplinary probation may result in more serious sanctions, suspension, or expulsion. Loss of Privilege(s) may include, but is not limited to, the following restrictions and/or removal:
  - a. Restriction from membership, participation or holding office in student organizations or elective office during the probationary period
  - b. Assignment of penalty work

- c. Assignment of a special project which may be, but is not limited to, writing an essay, attending a special class or lecture, attending counseling sessions, or performing penalty work service. The special project may be imposed only for a definite period of time
  - d. Restitution, whether monetary in the form of fines or by specific duties or reimbursement for damage to or misappropriation of College, student or employee property
  - e. Counseling referral
  - f. Denial of College representation in sports, organizations or intramural recreation
  - g. Restriction to the campus, College sponsored events, activities, other extracurricular activities, residence halls or living facilities, residential activities or athletics.
  - h. Expulsion/suspension from residential living facilities or disciplinary room charge
  - i. Expulsion/suspension from dining facilities.
  - j. Revocation of the right to represent Jarvis Christian College in any honorary position that includes but is not limited to the following: “ Mr. or Miss Jarvis,” Student Government Association officers, etc.
  - k. Restriction from using or driving an automobile on the campus for a designated period of time
  - l. Restriction from voting, campaigning for another student, or attending organization meetings during the probationary period.
  - m. Ineligibility for election to student office for a specified period of time;
  - n. Removal from student or organizational office for a specified period of time and/or prohibition from representing the College;
- **DISCIPLINARY WARNING:** An official written notice of unacceptable behavior, emphasizing the fact that further misconduct will result in a more serious disciplinary sanction or probation, suspension, or expulsion.
  - **DISCIPLINARY REPRIMAND:** An official written criticism for the first violation of the Student Code of Conduct when misconduct is less serious.
  - **PENALTY WORK:** The requirement of the student who has committed a disciplinary violation to complete a specified number of hours by working without wages within a specific area/department of the campus or community.
  - **COUNSELING:** Any enforcement of required counseling to a student as a result of the student’s violation(s) or misconduct according to the Student Code of Conduct. Lack of, failure to report for counseling, or the failure to complete the required counseling will result in more serious disciplinary sanctions which include, but are not limited to, probation, suspension, or expulsion.
  - **LOSS OF DINING PRIVILEGES:** Revocation of campus dining privileges as a result of disciplinary violation.
  - **LOSS OF CAMPUS PARKING PRIVILEGES:** Revocation of campus vehicle registration and forfeiture of a permit as a result of disciplinary violation.
  - **LOSS OF CAMPUS HOUSING PRIVILEGE:** Removal from College housing for disciplinary reasons.

- **OTHER SANCTIONS:** Any enforcement needed to administer a fair standard of discipline to a student as a result of student's violation(s) or misconduct, according to the Student Code of Conduct.

**All disciplinary sanctions imposed upon students are cumulative in nature and will be recorded in the student's disciplinary record.**

**Table of Offense and Fines**

<b>Prohibited Conduct</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>
Visitation/Unauthorized Entry	\$50	\$100.00 fine plus Service	Suspension from the College
Littering	Penalty Work or \$25.00 Fine	\$50.00 fine plus Penalty Work	Fine up to \$100.00 and disciplinary action.
Removal of Furniture/Fixtures	At cost of replacement of furniture/fixtures	At cost plus suspension	XXXXXXXXXXXX
Open flame devices, combustibles or hazardous chemicals	Penalty Work or \$25.00 Fine	\$50.00 plus Penalty Work	Fine up to \$100.00 and disciplinary action.
Pets	Penalty Work or \$25.00 Fine	\$50.00 plus Penalty Work	Fine up to \$100.00 and disciplinary action.
Alcohol Violations	Counseling or \$50.00 Fine	Counseling, \$50.00 fine plus penalty work service	Fine up to \$100.00 and disciplinary action.
Noise	Penalty Work Service or \$25.00 Fine	\$50.00 plus Penalty Work Service	Fine up to \$100.00 and disciplinary action.
Failure to Comply	Penalty Work Service or \$25.00 Fine	\$50.00 plus Penalty Work Service	Fine up to \$100.00 and disciplinary action.
Violation of Published Residence Hall Rules	Penalty Work or \$25.00 Fine	\$50.00 plus Penalty Work	Fine up to \$100.00 and disciplinary action.
Misuse of Institutional Property	At cost of replacement of property	Cost of replacement plus suspension	XXXXXXXXXXXX
Defacement of College Property	At cost of replacement of property	Cost of replacement plus suspension	Suspension from the College
Tampering with fire alarms, extinguishers and emergency safety systems	Housing Suspension, one semester; Deferred College Suspension; and \$200 fine or community restitution		

## **Disciplinary Withdrawals**

In the event that a student's inappropriate actions result in mandatory suspension/disciplinary withdrawal by the College, the student is held accountable for the full term and payments owed to the College for the semester in which the disciplinary action was taken.

## **Psychiatric or Medical Mandatory Withdrawals**

Students who prominently display (a) mental disorders, (b) emotional disorders, and (c) other psychological or physical disabilities which strongly suggest that the student may do serious harm to self and/or other persons in the College environment may be administratively withdrawn from the College under these conditions:

1. The student is unable to meet reasonable standards of conduct required by the College of all students.
2. The student continues to engage in behavior expressly prohibited by the Student Code of Conduct.
3. The student functions either by attempt or repeated threats in a consistent manner, which suggests suicide. Any student found in such circumstances, except in extreme emergencies, will be provided a statement indicating the type of behavior exhibited and the evidence, which indicates that the student has failed to meet reasonable College standards of academic or social conduct. The statement will indicate that because of these circumstances the student may be subjected to involuntary psychiatric withdrawal from the College. The student will be given an opportunity for a review of these circumstances by a psychiatrist or other mental health professional not employed by the College. The psychiatric review serves as a condition for readmission. If the evaluation of the psychiatrist or mental health professional supports withdrawal from the College, the student will be provided an informal hearing before an appropriate College administrator. A member of the student's immediate family and/or a faculty member in the student's major discipline may accompany the student to the hearing to act as an advisor. Any student withdrawn from the College for medical and/or psychological reason may return upon written application for readmission sent to the Assistant Vice President for Student Services. If the sanctions and conditions imposed for the negative behavior have been satisfied and the psychiatrist or mental health professional recommends in writing that the risk of threat to self or other persons by the student is sufficiently diminished or non-existent to the extent that the student's presence in the College environment is no longer dangerous to anyone, the student must then appear before the same individuals who were present at the informal hearing used to withdraw the student for the readmission hearing. A student may be readmitted with the understanding that any reoccurrence of similar behavior may reactivate the withdrawal process.

## **Temporary Suspension**

The Assistant Vice President for Student Services may suspend a student temporarily or for a specified period of time when the student violates the Student Code of Conduct to the extent that it appears that violence involving threat to life or property is imminent. Failure to respond to a summons may result in temporary suspension. A hearing will be conducted by the All-Campus Disciplinary Committee within a 7-day period of time.

### **Restrictions During Suspension**

No student who has been suspended for disciplinary reasons will be permitted on the College campus during the period of suspension without the prior written approval of the Assistant Vice President for Student Services.

### **Students Rights to Challenge Impartiality**

An accused student may challenge the impartiality of an individual involved in the disciplinary process at any time prior to the introduction of any evidence. The Assistant Vice President for Student Services shall be the sole judge of whether the member can serve with fairness and objectively or will assign a substitute.

### **Process for Resolving an Incident of Harassment**

Any student who becomes aware of an incident of harassment has a duty to report it to the Assistant Vice President of Student Services as soon as possible. Members of the College community may assert a claim of alleged harassment either informally or formally.

1. The Informal Process: This process is designed to achieve resolution of the alleged incident informal. The informally process has no set structure of protocol, and is intended to be flexible in order to reach an acceptable solution. While a written statement from the complaint is helpful, it is not required to initiate or pursue the informal process.
2. The Formal Process: in the formal process, a written complaint is required. The formal process requires that the victim sign a written statement of the alleged incident. The Assistant Vice President for Student Services will investigate the incident and determine if there are grounds for continuing the process, the incident may be referred to the All Campus Disciplinary Hearing Committee for a formal hearing. If the accused is found guilty, the College will take appropriate disciplinary actions.

### **Disciplinary Procedures**

Anyone may file a written complaint charging a student with a violation of the Student Code of Conduct. The complaint must be filed with the relevant evidence to substantiate the charge by completing an Incident Report form. The Incident Form will list the following:

- Date, location and approximate time of the incident
- The specific location
- Names and i.d. numbers of persons involved
- Names of all witnesses
- Actions taken

### **Notice of Complaint**

Upon receipt, the Assistant Vice President for Student Services or his/her designee will immediately initiate some combination of the following:

- a. Notify, send or cause to be sent to the student's address of record a notice directing the student to appear before the Assistant Vice President for Student Services and Student Conduct Investigator at a specified time and date.

- b. The Assistant Vice President for Student Services or his/her designee will determine the validity of the complaint.
- c. When the complaint is determined to be valid, the Assistant Vice President for Student Services and his/her designee will inform the student. The student may or may not dispute the facts in the complaint. The student also has a choice to reserve the right to waive his/her right to a formal hearing before the All Campus Disciplinary Committee and have the appropriate Student Services administrator to hear the case and accept the disciplinary sanctions (if any) imposed according to the violation, the severity of the offense, and the student's current status. Waiver of the right to a hearing must be in writing and must be signed by the student. The Assistant Vice President for Student Services or his/her designee will inform the student in writing of any sanctions imposed.

The Assistant Vice President for Student Services or his/her designee will initiate the following hearing procedures in a formal hearing presented before the All-Campus Disciplinary Committee:

- a. Proceed (if necessary and applicable) with a disciplinary hearing or meeting at that time after citing the specific charges or allegations or provide the student with written notice at least 48 hours prior to the scheduled hearing citing the specific charges and the date, time and place of the hearing.
- b. Provide the alleged student offender with possible disciplinary sanctions that may be imposed if the alleged student offender is found guilty.
- c. Provide notice advising the student of his/her right to present evidence and witnesses in support of his/her position.
- d. Provide notice informing the student of the right to select an advisor as long as that advisor is not a trained lawyer, legal paraprofessional, or a witness to the alleged incident.

When a student is charged with a violation of the Student Code of Conduct to the extent that a disciplinary hearing is necessary, the College is obliged to observe standards of fairness in conducting the disciplinary proceedings. Procedural due process does not require a student to be represented by legal counsel. If circumstances suggest a substantial likelihood of sanctions by any entity outside the College such as a court of law having criminal jurisdiction, then the Assistant Vice President for Student Services will give the student an opportunity to choose whether to obtain legal counsel, at the student's expense, applicable to that outside entity's sanctions.

### **Request for Postponement**

A student may request a postponement of the hearing because of circumstances absolutely beyond the student's control. The request must be in writing, must cite the reasons for the postponement, and must be received in the Office of the Assistant Vice President for Student Services at least 12 hours prior to the scheduled hearing. Request for postponement does not obligate the Assistant Vice President for Student Services to adhere to the request.



## **DISCIPLINARY HEARING BODIES**

Allegations set forth in a complaint against a student will result in a hearing conducted by the Associate Vice President for Student Services or his/her designee or one of several hearing bodies according to (1) the type of alleged violation, and (2) the sanctions which may be imposed. At the conclusion of the hearing, the hearing body will make a recommendation to the Associate Vice President for Student Services. Decisions and/or disciplinary sanctions will become final for hearings or meetings that, at the students request, have been waived by the student and require adjudication by the Assistant Vice President for Student Services may designate a Student Services Representative to appear and advise committee members within disciplinary hearing.

### **Residential Life Peer Committee (Men & Women)**

The method of selection of peer committee members is left to the discretion of the Assistant Vice President for Student Services and Residence Hall Coordinators. The Men's Committee will consist of 9 student members – 3 from the Sebetha Jenkins Living and Learning Center; 4 from Perpener Hall and 2 from Washington Hall. The Women's Committee will consist of 10 student members – 3 from the Sebetha Jenkins Living and Learning Center; 4 students from Perpener Hall; 2 students from Carey Hall and 1 student from Single Parent Apartments. The committee hears minor disciplinary problems which arise within the residence halls, assesses penalties for routine misconduct and may impose penalties of its own origin, which do not violate the Student Code of Conduct. Violations occurring within the residence halls for which the disciplinary sanctions of the Student Code of Conduct may be imposed must be referred to the Assistant Vice President for Student Services for the scheduling of hearing before the appropriate hearing body pending waiver of the right to a hearing. The Resident Hall Peer Committee may, however, address the issue of the student's status within the residence halls. The committee may recommend the suspension or expulsion of a student who has appeared before the Residential Life Peer Committee on three (3) separate occasions and who must be referred to the Assistant Vice President for Student Services for the scheduling of a hearing before the next highest hearing body.

### **The Pan Hellenic Council**

The Pan Hellenic Council under the sponsorship of the Director of Student Activities serves as the hearing body, when rules and regulations governing Greek-letter fraternities and sororities are violated. In the event of alleged hazing activities, the Assistant Vice President for Student Services will make a determination of whether students and fraternities/sororities will appear before his/her designee, the Pan Hellenic Council, or the All Campus Disciplinary Committee. The Council hears all cases referred by the Assistant Vice President for Student Service sand through the direction of the Director of Student Activities. The Pan Hellenic Council consists of a president, vice president, recording secretary, corresponding secretary, treasurer, historian, chaplain and a parliamentarian. These officers are determined by the Pan Hellenic Constitution.

### **The All-Campus Disciplinary Hearing Committee**

The All-Campus Disciplinary Hearing Committee appointed by the College President is composed of faculty, staff, students, and administrators. This Committee has the original or appellate jurisdiction over all student disciplinary matters and original jurisdiction for all hearings involving students and College employees, when referred by the Assistant Vice

President for Student Services. The Committee generally hears cases where the maximum sanctions are expulsion or suspension. The Committee is chaired by a faculty member or administrator/staff member who is appointed by the College President. The members of the committee consist of faculty, staff and students. The members of the Committee are appointed for one academic year, but may succeed themselves when appropriate. The All Campus Disciplinary Committee may recommend to the Assistant Vice President for Student Services any sanction consistent with the penalties outlined in the Student Code of Conduct. The chairperson will submit written recommendations to the Assistant Vice President of Student Services indicating the status count of the vote. A simple majority of Committee members is sufficient to win recommendation for a course of action. In the event of a tie vote caused by absence or abstention, the chairperson will break the tie. A quorum will consist of one-half plus one of the members, including the chairperson; a quorum is required to conduct a hearing, but the hearing may not proceed without the presence of at least one student member. Members of the Committee who miss three (3) consecutive meetings without excuses will be replaced.

The Committee receives cases for the purpose of making recommendations for the disposition of such cases to the Assistant Vice President for Student Services, Vice President for Academic Affairs, or the College President and must be in writing. Also, the Committee has the right to review hearings. Information obtained during these hearings is strictly confidential. Information regarding all hearings and business meetings of the All-Campus Disciplinary Hearing Committee and its subcommittees will be released from the Office of the Assistant Vice President for Student Services.

### **Procedures for Committee Hearings**

If a student disputes the allegations set forth in a complaint, a hearing will be conducted by the All-Campus Disciplinary Hearing Committee.

Except in those cases where immediate interim disciplinary action has been taken, the accused student shall be given at least three (3) days written notice by the Assistant Vice President for Student Services of the date, time and place for the hearing. If the Committee is scheduled to meet, a student may have his/her case reviewed as early as possible by waiving this three (3) day period. The President of the College or the Assistant Vice President for Student Services may take immediate interim disciplinary action, including suspension, pending a hearing against a student who poses a danger to persons or property or an ongoing threat of disrupting the academic process.

1. The Chairperson will control the hearing and take whatever action is necessary to insure an equitable, orderly and expeditious hearing. As presiding officer, the Chairperson may remove anyone not complying with the rulings and/or disrupting the hearing. Parties may object to clearly irrelevant or repetitive material, but technical objections to testimony as used in a court of law will be sustained.
2. Each party shall have the right to appear and present evidence in person and to be advised during the hearing by a designated representative or counsel of choice. Each party shall limit its presentation to relevant evidence. The accused student must attend the hearing if the student desires to present evidence.

3. To the extent that the College representatives use legal counsel for other than advisory purpose during the hearing procedure, the student shall be afforded the same opportunity. The College shall give the student notification of its intent to use legal counsel for other than advisory purposes at the time the student is notified of the hearing.
4. The hearing will be recorded. If either party desires to appeal the finding, the record will be transcribed or summarized at the expense of the party appealing the finding; and both parties will be furnished a copy of the transcript or summary.
5. The appeal and charges are read for all members of the Committee to acquaint them with the accusation in the presence of the accused.
6. The accused (a) pleads guilty or not guilty, (b) gives his/her version of the case, and (c) defends questions from members of the Committee.
7. The accuser states his/her version of the case. The accuser defends questions of the witness.
8. Witnesses are called to give statements. Committee members may ask questions of the witnesses.
9. The accused is asked to give a final statement that may help the Committee to arrive at a fair decision.
10. All except the Committee members are dismissed. The members make recommendations based on evidence and factual information, if any, on the accused and the accuser, which related to the case in sought and presented, along with any necessary discussion. If the accused is found guilty, the Committee will recommend a penalty.
11. The Chair of the Committee will forward its decision and/or recommendation to the Assistant Vice President for Student Services within one (1) class day.
12. After a hearing has been concluded, the proceedings, documents and any other items pertaining to the matter shall be forwarded to the Assistant Vice President for Student Services, who shall be responsible for maintaining their security and confidentiality.
13. The College will not release any information obtained during an investigation after the conclusion thereof unless directed by the Assistant Vice President for Student Services, the College President, or Legal Counsel. All documentation, pictures, videos, statements, and any other information collected in an investigation are the property of Jarvis Christian College. All investigatory information is deem confidential and is not to be shared or viewed unless directed by aforementioned College officials.

### **Appeals Process**

Within three (3) business days after the decision has been made, a student (student defined as a registered individual of the College) may give written notice of appeal to the All Campus Disciplinary Committee. The Committee may review the case. The decision will be reviewed upon the basis of the transcript or summary of the case. The student may, at the discretion of the Committee, submit oral or written arguments to support his/her position. In order for the appeal to be considered, all the necessary documentation to be filed by the appealing party, including notice of appeal is given. The All Campus Disciplinary Committee may approve, reject or modify the decision in question or may require that the original case be reopened.

If the Committee upholds the sanction imposed against the student, the student may appeal to the Assistant Vice President for Student Services. A student should file a written notice of appeal within 48 hours following notification of the hearing body's decision. The student should submit written documentation stating clearly the evidence and facts justifying a hearing review and present the names of persons willing to testify on the student's behalf. The appeal must be filed with the Associate Vice President for Student Services to determine whether or not the appeal is of sufficient merit to warrant an appellant hearing. Dissatisfaction with the decision of the hearing body will not be justification for an appeal hearing.

The Assistant Vice President for Student Services has the final appeal and his/her decision is binding, except in those cases where there is cause to believe that the Assistant Vice President for Student Services cannot render an unbiased decision. In these cases, the Office of the President will render the final appeal.

If the Office of the President upholds the sanction imposed against the student, the student has then exhausted all College appeal sources and must abide by the sanctions imposed. Any sanction imposed by the All Campus Disciplinary Committee is completely in force during the appeals process.

### **Appeal Bodies**

Any sanction imposed by a hearing body is completely in force during the appeal process. A list of forums for appeal follows:

- The All Campus Disciplinary Committee will hear appeals of the Residential Hall Judicial Council decisions.
- The All Campus Disciplinary Committee will hear appeals of the Pan-Hellenic Council decision.

The All Campus Disciplinary Committee will hear appeals when a student can show: (1) due process was not received; (2) procedures of the Student Code of Conduct were not followed; or (3) reasonable indication that the facts presented did not prove the student guilty as charged. If an appeal is granted, the Assistant Vice President for Student Services or his/her designee will notify the student at least 48 hours prior to the appeal hearing as to the time, place, and date of the hearing. The Assistant Vice President for Student Services or a designated appointee will present the charges and fact of the case to the All Campus Disciplinary Committee.

### **Departure from Campus following Suspension or Dismissal and Request for Reinstatement**

- A student who has been required to withdraw from the College for disciplinary reasons shall leave the premises within 24 hours of notification or sooner, if so directed by the Assistant Vice President for Student Services.
- A student who has been required to withdraw from the College for disciplinary reasons and who desires to be reinstated after completion of the withdrawal period shall present a request in writing to the Associate Vice President for Student Services.

### **Student Conduct Files and Records**

The record of disciplinary action shall be maintained by the Office for Student Services. The file of a student found responsible for any violations of the Code shall normally be retained as a disciplinary record for five (5) years following the incident.

- The address on file with the Office of the Registrar will be used for all disciplinary notices sent to the student. E-mailed notifications will be sent to the assigned JCC e-mail address.
- Students may have access to the information in their file by submitting a written request to the Office for Student Services. The access will be provided in accordance with federal and state laws regarding the privacy of educational records and College policy.