

# STUDENT RIGHTS AND RESPONSIBILITIES

## Chemeketa Community College

### I. INTRODUCTION

Chemeketa Community College provides opportunities for students to explore, learn and succeed through quality educational experiences and workforce training. The Student Rights and Responsibilities explains the rights and expectations for individuals who choose to become part of the Chemeketa community through enrollment in a course or program.

### II. STUDENT RIGHTS

#### Right to Proper Academic Evaluation

- A. Students have the right to consistent academic evaluation in relation to other students.
- B. Students are free to take reasoned exceptions to the data or views offered in the classroom and to reserve judgment about matters of opinion, but they are responsible for learning the content of the course.
- C. Students have the right to be informed about classroom requirements and college policies and procedures.

#### Right to Freedom From Harassment, Discrimination and Retaliation

- A. Chemeketa is committed to providing everyone with an environment focused on learning and growth, free of harassment or discrimination.
- B. Chemeketa prohibits retaliation against an individual or group of individuals, as outlined in [Policy #1750](#), Prohibition of Harassment and Nondiscrimination

#### Right to Privacy of Student Records

- A. Chemeketa shall maintain student records procedures consistent with the requirements of applicable state and federal laws and guidelines and use student records to promote the growth and welfare of students within the mission of the college.
- B. Confidentiality of student records. The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their educational records.

## **Rights to Freedom of Association through Student Organizations and Co-Curricular Activities**

- A. Students have the right to form student clubs and organizations, which may use available college facilities according to college policy and procedures.
- B. Students are encouraged to provide feedback about governance and policy formation to the appropriate governing body when it is solicited.

## **Right to Free Expression and Inquiry**

- A. Students have the right to freedom of expression, association and assembly, as referenced in the [Free Speech Guidelines](#). This right may be exercised by the use of written or spoken words, by acts such as picketing and mass assemblies and demonstrations, subject to College regulations on time, place and manner of such activity.
- B. Students may express their views on college policy or matters of general interest, and may support causes by any orderly means that do not disrupt the operation of the college.

# **III. NON-CONDUCT RELATED CONFLICT RESOLUTION PROCESS**

## **Instructional Concerns and Complaints**

If students have instructional concerns or questions, they are encouraged to contact their instructor first to allow them the chance to address the student's concerns. If this has already been done without satisfaction, the student may contact the appropriate Academic Dean or Director for assistance.

## **Grade Appeals**

Students are encouraged to maintain frank and open communication with their instructor concerning their progress and performance throughout the duration of the course.

1. When a student believes that he or she has been given an inappropriate grade, the student will speak directly with the instructor in an attempt to resolve the issue.
2. If a student receives an unsatisfactory or no response from the instructor, the student may appeal the grade by completing the online grade appeal form and attaching supporting documentation of the facts cited in the appeal.
3. The appeal must be submitted no later than 30 calendar days after the grade is posted for the academic term of the dispute. No exceptions will be made to this deadline. Please note, professional-technical program specific deadlines for Grade Appeals supersede this college-wide deadline for appeal.
4. Upon submission, the appeal and supporting documentation is routed to the appropriate Academic Dean or Director.
5. The Academic Dean or Director has 30 calendar days from the date of receipt to respond to the student via email.

6. The decision of the Academic Dean or Director is final, and there is no further appeal beyond this point.
7. The Academic Dean or Director will keep a copy of the appeal for one year.

### **Student Complaints Alleging Violation of a College Rule, Policy or Procedure**

This type of complaint is used when a student believes that the college, as a matter of practice, is violating its own rules, policies or procedures.

1. The student will submit a complaint in writing to the Office of Student Affairs that includes the student's name and nature of the complaint, and any necessary related supporting documentation.
2. Upon receipt of the complaint, it will be reviewed and routed to the appropriate department Administrator for response.
3. In the event that the resolution proposed by the department Administrator is not acceptable to the student, the student may make a secondary appeal to the appropriate Vice President.
4. The decision of the Vice President will be final and not subject to further appeal.

### **Employee Misconduct**

Complaints in this dispute type refer to perceived violation of law or college policy or Student Rights, of this document. This does not include complaints about grades.

**General Misconduct:** Except for sexual harassment and discrimination complaints, the faculty and staff members of the College are subject to collective bargaining agreements and formal disciplinary rules which are beyond the scope of this document. For this reason, complaints concerning the conduct of a faculty or staff member shall be made to the faculty and/or staff member's supervisor (i.e. Director or Dean) and shall be subject to dispute resolution procedures as the supervisor determines appropriate. If the student believes that the supervisor has not resolved the issue, the student may contact the next person in the chain of authority (i.e. Dean or Executive Dean).

### **Charges of Harassment or Discrimination**

Chemeketa is committed to providing everyone with an environment focused on learning and growth, free of discrimination or harassment. Such behaviors will not be tolerated and are against college policies. For complaints/reports of sex discrimination and sexual misconduct (including sexual harassment), refer to policy # 1750 or <http://go.chemeketa.edu/titleix>.

## **IV. NON-DISCRIMINATION STATEMENT**

Chemeketa Community College prohibits unlawful discrimination based on the following:

- Race
- Color
- Religion
- National Origin
- Sex
- Marital Status

- Disability
- Protected Veteran Status
- Age
- Gender
- Gender Identity/Expression
- Sexual Orientation
- Pregnancy
- Whistleblowing
- Genetic Information
- Domestic Abuse Victim
- Expunged Juvenile Record
- Injured Workers
- Protected Hairstyle (CROWN Act)
- Victims of Domestic Violence (Sexual Assault, Stalking, and/or Harassment)
- Political Affiliation or Belief
- Tobacco Use During Work Hours

Or any other status protected by federal, state, or local law in any area, activity or operation of the College. The College also prohibits retaliation against an individual for engaging in activity protected under this policy, and interfering with the individual's rights or privileges granted under federal, state or local laws.

Under College policies, equal opportunity for employment, admission, and participation in the College's programs, services, and activities will be extended to all persons, and the College will promote equal opportunity and treatment through application of its policies and other College efforts designed for that purpose.

## **V. Resources for Reporting Concerns**

**For concerns, inquires or complaints regarding student disability accessibility and accommodations contact:**

Section 504/ADA Coordinator Students

Karen Alexander, Director, Student Accessibility and Testing Services

503.399.5276

Section 504/ADA Coordinator Employees

**For concerns, inquires or complaints regarding employee disability accessibility and accommodations contact:**

Alice Sprague, Vice President, Governance and Administration

503.399.2537

**Persons having questions or concerns about gender-based discrimination, sexual harassment, sexual violence, gender based violence, and stalking, contact:**

Title IX coordinator, Jon Mathis at 503-584-7323, 4000 Lancaster Dr. NE, Salem, OR 97305, or <http://go.chemeketa.edu/titleix>.

**Concerns related to Equal Employment Opportunity or Affirmative Action:**

Contact the Affirmative Action Officer at 503.315.4586, 4000 Lancaster Dr. NE, Salem OR 97305.

Individuals may also contact the U.S. Department of Education, Office for Civil Rights (OCR), 810 3rd Avenue #750, Seattle, WA 98104, 206.607.1600.

To request this publication in an alternative format, please call 503.399.5192. For language access please call 503.399.2537 or email [alice.sprague@chemeketa.edu](mailto:alice.sprague@chemeketa.edu).

**COLLEGE CONTACT INFORMATION:**

Office of Student Affairs

Salem Campus

Building 2/208

503.399.5076

[studentconcerns@chemeketa.edu](mailto:studentconcerns@chemeketa.edu)

# STUDENT CODE OF CONDUCT

## Chemeketa Community College

### I. INTRODUCTION

Enrollment in a course or program at Chemeketa Community College requires students and participants to conduct themselves as responsible citizens and members of the academic community. Students are afforded due process in regards to disciplinary concerns, as well as fair and balanced systems for other complaint resolution. The Code of Conduct, “Code”, applies to all students, recognized student organizations, and groups of students. Additionally, students enrolled in educational programs with specific academic and professional standards are expected to follow those related codes of conduct.

### II. PURPOSE

The purpose of the Code is to support and educate students about the expectations of participating as a member of a learning community, balancing personal rights and community standards in accordance with the Student Rights and Responsibilities.

### III. COMMUNITY STANDARDS

As members of a community of people seeking to foster growth through education, Chemeketa students are expected to act in a manner that promotes the college’s mission, vision and values. In addition, choosing to join the college community obligates each member to adhere to the College’s Community Standards as defined below:

**Civility**- Students are expected to uphold the dignity of all members of the College Community.

**Accountability** – Students are expected to bear the ultimate responsibility for the effects of their decisions and behavior.

**Academic Honesty and Personal Integrity**: Students are expected to be truthful, ethical and fair in their interactions with members of the college community. They are expected to practice academic honesty by not cheating, plagiarizing, or misrepresenting their coursework in any way.

### IV. STUDENT RESPONSIBILITIES

It is the responsibility of each student to know and abide by Chemeketa policies and procedures, and academic department guidelines. Responsibility for adhering to these policies rests with students as individuals.

## **V. AUTHORITY and SCOPE**

- The Code will apply to conduct that occurs on college premises, at college-sponsored activities, on-line learning environments, and to off-campus conduct that impacts the college community and/or the pursuit of its objectives.
- The Code applies for the duration of enrollment, including conduct that occurs before classes begin or after classes end, even if the student withdraws from school after the alleged misconduct has occurred.
- The Code will apply to off-campus conduct that threatens Chemeketa, such as threats of violence or physical harm, unlawful harassment or other behavior which may have a negative impact or may place its community (inclusive of students, employees or faculty) at risk. The Director of Student Conduct and Community Standards<sup>1</sup> will determine whether the Code will be applied to incidents occurring off-campus, on a case-by-case basis.
- Any question of interpretation or application of the Code will be referred to the Director of Student Conduct and Community Standards for final determination. The Code will be reviewed every three years under the direction of the Executive Dean of Student Affairs or Designee.
- The Code establishes rules governing academic and social conduct of students, including due process rights.
- The term "student" includes all persons enrolled at the college, both full-time and part-time, pursuing credit or non-credit classes or enrolled in any special program approved by the college, within the last year.
- The college will apply a preponderance of the evidence standard to determine responsibility for the alleged violation(s) of this Code.

## **VI. VIOLATIONS OF LOCAL, STATE, AND FEDERAL LAW**

College disciplinary proceedings are separate and independent of any civil or criminal proceedings. The Code is not a substitute for civil or criminal actions. Students are not denied the opportunity to pursue legal proceedings.

Students shall abide by all federal, state, and local laws. The Code procedures may be instituted without regard to the status of civil or criminal litigation in court or criminal arrest and prosecution. Sanctions imposed, as a part of this process, shall not be subject to change based on the outcome of any civil or criminal process.

The college will cooperate with law enforcement and other agencies in the enforcement of criminal law on campus, in accordance with student privacy laws, as defined by FERPA. Members of the

---

<sup>1</sup> The Director of Student Conduct and Community Standards may appoint a designee to act on their behalf at any time during the intake of reports or during a disciplinary process.

college community, acting in their personal capacities, are free to interact with governmental representatives, as they deem appropriate.

## **VII. EXAMPLES OF STUDENT MISCONDUCT**

This list is not intended to be exhaustive, and the College reserves the right to impose sanctions on students for personal actions, which may not be expressly identified.

### **A. Academic Honesty**

Academic dishonesty are actions which result in students giving or receiving unauthorized assistance in an academic exercise or receiving credit for work which is not their own. Students engaging in acts of academic dishonesty may be subject to classroom and/or institutional disciplinary sanctions. Refer to the College policy/procedure [#5020](#). Violations of Academic Honesty include, but are not limited to:

Plagiarism:

- Presenting someone else's words, ideas, artistry, product or data as ones own
- Presenting as new and original an idea or product derived from an existing source

Collusion/Inappropriate Assistance

- Helping another commit an act of academic dishonesty
- Knowingly or negligently allowing work to be used by others
- It is a violation of Oregon state law to create and offer to sell part or all of an educational assignment to another person (ORS 1.65.114)

Cheating

- An act of deceit, fraud, distortion of truth or improper use of another person's effort to obtain an educational advantage
- Includes but is not limited to unauthorized access to examination materials prior to the examination itself

Fabrication/Falsification/Alterations

- Intentional misrepresentation, invention, exaggeration or alteration of information or data, whether written, verbalized or demonstrated

Unauthorized Multiple Submission

- Using any work previously submitted for credit without prior permission of instructor

Sabotage and Tampering

- Intentional altering or interfering with documents or other student's work
- Intentional depriving others of academic resources

### **B. Assault, Endangerment, Intimidation, Bullying and Harassment**

Unwelcome conduct that disrupts or obstructs a person from engaging in the educational or work environment, puts a person in reasonable fear of personal safety, causes or intends to cause substantial risk of injury or property damage. This includes physical and non-physical contact toward a student, employee, vendor, visitor, or guest of Chemeketa. Non-physical contact includes



all forms of direct or indirect contact with another person, including, but not limited to, written, electronic, or telephonic communication. Threatening behavior includes when the person who is the object of the threat does not observe or receive it, so long as a reasonable person would interpret the maker's actions or statements as a serious expression of intent to harm. Examples include, but are not limited to:

- Intimidation, bullying or threatening behavior, which may be targeted at an individual or group and it creates, or is intended to create, a hostile environment which may result in fear of psychological and/or physical harm. Behaviors may be repeated actions, be exclusionary actions, incite confrontation toward an individual or their property, or cause humiliation.
- Any means of physical assault or abuse.
- Discrimination and harassment is misconduct incited by an individual's perceived or real affiliation with a protected class. Harassment on the basis of actual or perceived protected identity may be addressed through the policy and procedure for Prohibition of Harassment and Nondiscrimination #[1750](#) or Sexual Harassment, Discrimination, and Misconduct #[1751](#).

### **C. Disruptive or Disorderly Behavior**

All students have the right to learn without interference from others. Disruption of the environment is any behavior which disrupts or interferes with the learning experience and College operations. Faculty members and college administrators are authorized to define, communicate, and enforce appropriate standards of behavior in classrooms, offices, and other areas under their supervision. Primary responsibility for managing the classroom environment rests with the faculty. Examples include, but are not limited to:

- Creating distractions and disturbances in class; discussion of, or use of material and topics that are irrelevant to the subject matter; using offensive language; sleeping during instruction; sending communication unrelated to the course material.
- Abuse, disruption or obstruction of student conduct process, which includes failure to comply with required meetings or the completion of outcomes administered through the process.
- Failure to comply with any reasonable directive of the College faculty, staff or Public Safety, including failure to identify oneself upon request or to remove oneself from premises.
- Failure to adhere to no-contact directives.
- Influencing or attempting to influence another person to commit an abuse of the conduct process.
- Indecent or offensive public behavior as prohibited by law such as: exposure of intimate body parts or urination or defecation in public.

### **D. Complicity in Violating the Student Code of Conduct**

If a student has knowledge of an individual or group of individuals committing or attempting to commit a violation of this Code, they are required to remove themselves from the situation and report it to the College. This includes attempting, aiding, abetting, conspiring, hiring or being an accessory to any act prohibited by this Code. This includes conduct that interferes with

Chemeketa's educational responsibility of ensuring the opportunity for all members of the Chemeketa community to attain their educational objectives.

## **E. Falsification of information or dishonest conduct**

Examples include, but are not limited to:

- Attempts to Defraud.
- Knowingly providing, presenting, creating or possessing false information or failing to furnish correct information in response to request or requirement of a college official.
- Unauthorized use of another individual's identification or password, or sharing one's personal information or password with an unauthorized user.
- Misrepresentation: Any activity intended to misrepresent any official document or identification used by or issued by the College. Includes representing or acting on behalf of the College or another individual when not authorized to do so.

## **F. Gang Activity on Campus**

A gang is defined as a group of individuals with identifiable leadership that conspires and acts in concert, mainly for criminal purposes. Involvement in gang-related activities includes, but is not limited to, the display of gang symbols, gang paraphernalia, colors, signs, or graffiti. Behavior on or about College premises or at College-sponsored events that creates conflict or an atmosphere of intimidation, or creates a clear and present danger to life or property, or disrupts orderly operation is prohibited.

## **G. Hazing**

Hazing means any act committed on Chemeketa property or in connection with any Chemeketa recognized group or activity that endangers the mental or physical health or safety of an individual including, without limitation, an act intended to cause degradation, cruelty, or humiliation, or that destroys or removes public or private property, for the purpose of initiation in, admission to, affiliation with, or as a condition for continued membership in a group or organization. Refer to Policy #[5230](#). In response to allegations of hazing under this regulation, it is not a defense that:

- The victim gave consent to the conduct;
- The conduct was not part of an official organizational event or sanctioned or approved by the organization;
- The conduct was not required as a condition of membership in the organization

## **H. Alcohol and Drugs: Illegal or Unauthorized Possession/Use**

In keeping with federal and state statutes, the illegal use, possession, distribution, manufacture, or sale of alcohol and/or drugs is not permitted on college-owned or college-controlled property. Being under the influence of alcohol and/or drugs is not permitted on college-owned or college controlled property or while representing the college on business or in college-sponsored activities. Refer to Policy #[2250](#).

## **I. Weapons: Illegal or Unauthorized Possession/Use**

The possession of any illegal weapon, firearm, or knife with a blade exceeding four (4) inches, is prohibited on college property, or college controlled property, in accordance with both State and Federal Law (ORS 166.360- 166.380). Law enforcement officers, when serving in their professional capacity, are exempt from this policy. The college Public Safety Director in consultation with appropriate Executive Administration, may grant other exemptions for training or safety purposes.

## **J. Misuse or Unauthorized Possession or Use of Public or Private Property**

Examples include, but are not limited to:

- Theft or the taking or unauthorized use or possession of public or private property or unauthorized use or acquisition of services.
- Conduct that defaces, destroys, damages, or litters any property of the College or any property of an individual or group whether on campus or at a College function.

## **K. Recording**

- Recording of instructional content may not be used for any reason other than personal educational purposes and may not be shared publicly.
- It is prohibited to make, share, distribute or obtain or attempt to obtain any audio, video, photographic or digital image, without a person's prior knowledge or consent when the person being recorded would have a reasonable expectation of privacy, or where the recording is reasonably likely to cause injury or distress. The classroom or online course environment is not considered private under this policy.
- Recording in any college restroom or locker room is prohibited.

## **L. Safety Violations**

Examples include, but are not limited to:

- Conduct that endangers the health or safety of others
- Intentionally or recklessly starting a fire or causing an explosion
- Misusing fire safety equipment, fire escapes or elevators
- Intentionally or recklessly obstructing fire, police, or emergency services
- Using, possessing, or storing dangerous chemicals, fireworks, or explosives
- Using, possessing, or storing any object classified as a weapon by the State of Oregon on college property
- Obstructing the free flow of pedestrian or vehicular traffic
- Falsely alerting others about an emergency
- Blocking or preventing the use of access to exit doors, fire exits, and building hallways
- Failure to evacuate a college building after an alarm has sounded, or to follow directives of an authorized person.

## **M. Stalking**

Stalking is defined as a course of conduct directed at a specific person that would cause a reasonable person to fear for his, her or other's safety, or to suffer substantial emotional distress.

## **N. Theft or damage to property**

Attempted or actual theft, taking or unauthorized use of property or unauthorized use or acquisition of services. Conduct that defaces, destroys, damages, or litters any property of the College or any property of an individual or group whether on Campus or at a College function.

## **O. Unauthorized access and use of facilities and services**

Chemeketa Community College facilities, equipment and related property shall only be used for college-related activities. Examples include, but are not limited to:

- Unauthorized access or entry to College buildings, structures or facilities, information systems, or obtaining or providing to another person the means of such unauthorized access.
- Unauthorized possession, duplication or use of keys or access cards for any College property.
- Continued occupation of any College facility after being requested to leave by a College employee, official or designee acting in the performance of their duties.

## **P. Violations of College policies, procedures, and guidelines**

Students are responsible for making themselves aware of and complying with College policies, procedures and guidelines. College Policies can be found online at <https://www.chemeketa.edu/faculty-staff/policies-procedures-guidelines/>. Additional examples include, but are not limited to:

- Smoke-Free Policy: [#2255](#)
- Use of College Network, Technology, Communications Resources Policy: [#1760](#)
- Copyright Infringement: [#4210](#)
- Service Animals: [#2235](#)
- Equal Opportunity/ Affirmative Action: [#1720](#)

# **VIII. REMOVAL OF STUDENT FROM A CLASSROOM, OFFICE, CAMPUS or CENTER**

If an employee deems that the language, manner, or physical behavior of a student violates an atmosphere conducive to learning, safety, the orderly administration of the college, or the rights of the members of the college community, the employee may request the student to leave using one or more of the following measures. This process corresponds with college policy and procedure

[#4220](#). The employee will submit a timely report of the circumstances requiring this action to the appropriate Dean/Director and the Student Affairs office following the incident:

1. Emergency Exclusion: is the removal of a student from a class or service area, not to exceed one class session, one day, or removal from a college-sponsored function for the duration of the function. Reinstatement may be sought in accordance with the Student Rights and Responsibilities procedures.
2. Temporary exclusion may not exceed five days, but does not restrict the ability to submit course materials as needed. This action must be in consultation with the appropriate Dean/Director and the Student Affairs office.
3. Emergency suspension: In certain circumstances, the Director of Student Conduct and Community Standards may impose an emergency suspension to ensure the students own safety, well-being, the well-being of others, the preservation of college property, or preservation of normal operations of the college. During the emergency suspension, a student will be denied access to the campus (including classes) and/or all other college activities or privileges for which the student might otherwise be eligible. Emergency suspension procedures may include:
  - Written notification to the student of this action and the reasons for the emergency suspension.
  - The student will also be informed in writing of the time, date and place of an initial meeting. An initial meeting will take place within five (5) business days of the emergency suspension. At the initial meeting the student may show cause why his or her continued presence on the campus does not constitute a threat.
  - Following the initial meeting, the Director of Student Conduct and Community Standards will decide to uphold the emergency suspension, dismiss it, or impose other consequences. The student will be informed in writing of this decision within ten (10) business days of the meeting date.
  - The emergency suspension does not replace the code of student conduct procedures, which will proceed on the normal schedule, up to and through the student conduct appeal process, if required.

## **IX. INVESTIGATORY PROCESS**

The Student Code of Conduct investigatory process is designed to afford complainants and respondents a fair and accessible process that educates students about their rights and responsibilities, holds students accountable for their actions, and provides a process that respects the rights of those involved.

Chemeketa Community College emphasizes the importance of direct, courteous, and respectful communication to informally resolve concerns and complaints whenever possible. This process may include a meeting with the Director of Student Conduct and Community Standards and/or referral to other college services. This meeting is typically considered a learning

opportunity for the respondent to make behavioral changes and no further action is necessary. Informal resolutions will not result in a disciplinary record. However, when the misconduct rises to a level that informal resolution cannot be reached, or the actions are egregious or repeated, the formal disciplinary process, as outlined below, may be initiated.

## **A. DETERMINATION PROCEDURES**

Any member of the college community may submit a complaint against a student for alleged violation of the code of student conduct. Complaints must be submitted to the Office of Student Affairs by using the online [Student Concern Referral/Reporting Form](#) as soon as possible, or within a reasonable amount of time from when the person becomes aware of the alleged violation.

1. The Director of Student Conduct and Community Standards will make the respondent aware of the complaint, and schedule a meeting with the respondent to discuss the complaint.
2. During the meeting, the Director of Student Conduct and Community Standards will explain the process, the respondent's rights and responsibilities, and review the complaint and alleged violation(s) of the Code.
3. The Director of Student Conduct and Community Standards will seek information from the respondent regarding the allegations and may gather additional information from other involved parties or observers as part of the investigatory process.
4. If there is more than one respondent involved in the complaint, the Director of Student Conduct and Community Standards has sole discretion to permit the conferences concerning each respondent to be conducted either separately or jointly.
5. The Director of Student Conduct and Community Standards will investigate to determine if there is a preponderance of evidence (i.e., more likely than not) that the alleged violations took place as reported, and if the conduct constitutes a violation of the Code. The following may apply:
  - If determined that the case has no merit, the case will be dismissed;
  - If determined that the case has merit, the Director of Student Conduct and Community Standards will attempt to resolve the complaint informally through a meeting with the goal of creating a learning opportunity, and encourage behavior modification;
  - If determined the case has merit, and behavior(s) are deemed egregious or repeated, or a resolution cannot be agreed upon, a formal process of disciplinary steps and sanctions will be enforced to bring resolution to the complaint.
6. The determination will be put in writing to the respondent and is final unless an appeal is filed in accordance with the appeal procedures in the Code. The determination may or may not include sanctions.
7. At any time during this process, failure to respond to the Director of Student Conduct and Community Standards may subject the respondent to an academic hold, or dropping the respondent from their current or future courses and registration. A determination of the complaint may still be made in the respondent's absence.

## **B. APPEAL PROCEDURES**

The respondent may choose to appeal the determination. The appeal must articulate one of the three grounds:

- College policies and procedures were not followed (however, deviation from the Code shall not invalidate a decision or result unless it affected the determination);
- New evidence that was reasonably unattainable during the investigation process is now available and will be presented with the appeal; or
- The sanction was inappropriate for the Code violation.

Procedures for reviewing the appeal are as follows:

- All appeals must be submitted in writing to the Executive Dean of Student Affairs or designee (Appellate Officer) within ten (10) business days of the notification date of the determination.
- This final level of appeal is a review of written documentation only. If it is not filed within this timeframe, the student will forfeit their final appeal opportunity.
- If the student fails to follow through with the above outlined process or does not meet grounds for appeal, the appeal opportunity will be forfeited.
- After reviewing the written decision, along with the written appeal from the student, the Appellate Officer shall have ten (10) business days to render a written decision to the student. The decision shall be final, binding and emailed to the student's MyChemeketa account.
- The Appellate Officer has the authority to:
  - Return the case to the original investigator for any corrections to process or procedure required as a result of finding in favor of the appeal;
  - Alter, or amend disciplinary action if information on appeal merits such action;
  - Schedule a rehearing if specified procedural errors or errors in interpretation of College processes were so substantial as to deny the student a fair hearing, or if new and significant evidence becomes available;
  - Dismiss the case if the finding is held to be unsupported by the evidence.
- Disciplinary action for suspension may be deferred while an appeal is pending, unless, in the discretion of the Appellate Officer, the continued presence of the student on the campus poses a substantial threat to themselves, to others, or to the stability and continuance of normal College functions.

## **C. SANCTIONS**

Any student found to have violated the Code may be subject to one or more of the following consequences:

- A. **Warning:** Written notice to a student that the student has been in violation of college policy or has otherwise failed to meet the college's standards of conduct. Such warnings will include the statement that continuation or repetition of the specific conduct involved or other misconduct may result in one of the more serious consequences.

- B. **Disciplinary Probation:** Conditions placed upon the student's continued attendance. Notice will be made in writing and will specify the period of probation and the conditions to be met by the student. Disciplinary probation may be for a specific term or for an indefinite period, which may extend to graduation. Violation of the terms of the probation or violation of any college policy during the probation period may be grounds for additional consequences.
- C. **Loss of privileges:** Denial of specified privileges of being a student for a designated period of time. The Director of Student Conduct and Community Standards may impose suspension from classes in a program, from a service area, or from college-sponsored functions in consultation with the appropriate Dean/Director.
- D. **Restitution:** Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- E. **Withholding admission or degree:** Admission to or a degree awarded from the college may be withheld for a specified amount of time.
- F. **Revocation of admission or degree:** Admission to or a degree awarded from the college is revoked and noted on the transcript. In general this action is reserved for conduct that includes, but is not limited to, acts of dishonesty.
- G. **Other possible consequences:** Work assignments, essays, service to the college, or other related discretionary assignments.
- H. **No contact directive:** The student may have no contact with other stated members of the college community.
- I. **Suspension:** The temporary separation of a student from the college for a specified period of time as set forth in the notice of suspension. During the suspension a student is not eligible for the privileges and services provided to enrolled students, and is not permitted on Chemeketa property or at College sponsored events or activities. The college may impose additional requirements before the student is eligible to reenroll following the period of suspension.
- J. **Expulsion:** Permanent separation of a student from the college. The student may not, at any time in the future, enroll in the college, and is not eligible for the privileges and services provided to enrolled students, and may not participate in any program or activity sponsored or organized by the college. Upon notification of the expulsion, the student must immediately leave campus and all privileges are revoked.
- K. **Student Group Sanctions** may include, Warning, Disciplinary Probation and Restitution. Additional sanctions may include:
- a. Loss of selected rights and privileges for a specified period of time or indefinitely;
  - b. Loss of Recognition – Chemeketa student organizations may lose recognition and will be deprived of the use of College resources, the use of the College's name and the right to participate in College or campus-sponsored activities. This loss of recognition may be for a specific period of time or for an indefinite period of time until all stated conditions are met.
- L. **Additional Sanction Information:**
- a. If in the case of suspension or expulsion, if the student submits an appeal, they may be granted a provisional student status until the appeal process is complete. Should the appeal be denied, the sanction goes into effect retroactively to the original date



of determination. However, if an emergency suspension of the student has been issued, then the provisional student status does not apply.

- b. If a pending disciplinary process or appeal may result in suspension or expulsion, awarding of a student's degree will be postponed pending the outcome of the proceedings.

## **X. RETALIATION**

The College seeks to foster an environment in which all employees and students feel free to report incidents of misconduct without fear of retaliation or reprisal. Therefore, the College strictly prohibits retaliation against any individual for filing a complaint or for participating in an investigation. Retaliatory conduct is considered a violation of this code.

All allegations of retaliation will be swiftly and thoroughly investigated. If it is determined that retaliation has occurred, the College will take all reasonable steps within its power to stop such conduct. Individuals who engage in retaliatory conduct are subject to disciplinary action, up to and including expulsion and/or termination.

Any student or employee who believes that he or she has been harassed or retaliated against in violation of this policy should immediately report such incidents to the Director of Student Conduct and Community Standards, or the Director of Human Resources.

## **XI. STUDENT RECORDS**

Student conduct records are considered part of a student's educational record and include incident reports, evidence, notifications of allegation, notifications of decision or outcome, and related documentation and correspondence. Sanctions of expulsion or revocation or withholding of a degree will become a permanent part of a student's discipline record in the Office of Student Affairs. All other student conduct records may be deemed non-disciplinary records seven years after the college term in which the incident occurred. The exceptions are Academic Honesty infractions, which may be deemed non-disciplinary records 2 years after the incident.

### **COLLEGE CONTACT INFORMATION:**

Office of Student Affairs  
Salem Campus Building 2/208  
503.399.5076  
studentconcerns@chemeketa.edu