

# Chemeketa Community College

## STUDENT RIGHTS AND RESPONSIBILITIES

### A. 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.

### B. STUDENT RIGHTS

#### 1. Right to Protection From Improper Academic Evaluation

- i. Students have the right to consistent academic evaluation in relation to other students.
- ii. Students are free to take reasoned exception 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.
- iii. Students have the right to be informed about classroom requirements and college policies and procedures.

#### 2. Right to Freedom From Harassment and Non-discrimination

- i. Chemeketa is committed to providing everyone with an environment focused on learning and growth, free of harassment or discrimination.

#### 3. Right to Access Student Records and Protection from Improper Disclosure

- i. 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.
- ii. Confidentiality of student records. The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their educational records.

#### 4. Rights Concerning Participation in Co-Curricular Activities

- i. Students have the right to form student clubs and organizations, which may use available college facilities according to college policy and procedures.
- ii. 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.
- iii. 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.

- iv. Students have the right to participate in self-governing student bodies which provide channels of communication and means for using democratic processes to solve problems.
- v. Students have the right to participate in the institutional governance and policy formation as defined by the appropriate governing body.

**COLLEGE CONTACT INFORMATION:**

Office of the Executive Dean  
Student Development and Learning Resources  
Salem Campus  
Building 3/272  
503.399.5076  
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# STUDENT CODE OF CONDUCT

## A. INTRODUCTION

Admission to and participation at Chemeketa Community College requires students 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. This document 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.

## B. STUDENT RESPONSIBILITIES

It is the responsibility of each student to know and abide by Chemeketa's Code of Conduct, policies and procedures, and academic department guidelines. Responsibility for good conduct rests with students as individuals.

## C. AUTHORITY

1. The Student Code of Conduct 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.
2. The Student Code of Conduct 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.
3. The Student Code of Conduct 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 Executive Dean of Students will determine whether the Student Code of Conduct will be applied to incidents occurring off-campus, on a case-by-case basis.
4. College disciplinary proceedings are separate and independent of any civil or criminal proceedings.

## D. SCOPE

The Student Code of Conduct establishes rules governing academic and social conduct of students, including due process rights.

The term "student" includes all persons taking courses 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.

## E. 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:

1. Civility- Students are expected to uphold the dignity of all members of the College Community.
2. Accountability – Students are expected to bear the ultimate responsibility for the effects of their decisions and behavior.
3. 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.

## F. VIOLATIONS OF LOCAL, STATE, AND FEDERAL LAW

Students bear the ultimate responsibility for the effects of their decisions and behavior. Students shall abide by all federal, state, and local laws. The Code of Conduct process 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. Members of the college community, acting in their personal capacities, are free to interact with governmental representatives, as they deem appropriate.

## G. CONDUCT VIOLATIONS

1. Academic Honesty- Understanding, developing and practicing academic honesty is expected of all students at Chemeketa Community College. Academic dishonesty is any form of cheating and/or plagiarism which results in students giving or receiving unauthorized assistance in an academic exercise or receiving credit for work which is not their own. Acts of academic dishonesty will not be tolerated, and students engaging in such conduct may be subject to classroom and/or institutional disciplinary sanctions. Refer to policy/procedure #5020

2. Assaulting, endangering, unlawfully harassing, or threatening others

Examples include, but are not limited to:

- i. Any means of assault, abuse, unlawful harassment, intimidation, or threats toward a student, employee, vendor, visitor, or guest of Chemeketa;
- ii. Engaging in other forms of unwanted conduct directed at another person that:
  - a. Threatens, endangers or harms a person's physical or mental health or their property;
  - b. Creates a reasonable fear of such a threat or action; or

- c. Interferes with the person's ability to participate in the educational or operational aspects of Chemeketa.

3. **Bullying** – Bullying is the systematic intentional behavior that may take many forms. It may be targeted at an individual or group, and it creates an intimidating and/or threatening environment which results in a fear of psychological and/or physical harm.

Examples include, but are not limited to:

- i. Repeated unwanted physical, verbal, or written acts which are hostile or offensive
- ii. Cyber stalking or cyber bullying
- iii. Exclusionary behaviors such as ignoring or dismissing individuals or groups
- iv. Behaviors that express contempt, disgust, and/or incite confrontation toward an individual and/or their property
- v. Behaviors that intimidate, threaten, disrupt, and humiliate individuals or groups
- vi. Making derogatory remarks that mock, ridicule, condescend or insult
- vii. Using obscene, vulgar language including profanity, shouting inappropriately, using obscene gestures or mimicking the actions of an individual in an attempt to mock them.

4. **Classroom Misconduct** -All students have the right to learn without interference from others. Classroom misconduct is any behavior which disrupts or interferes with the learning experience.

Primary responsibility for managing the classroom environment rests with the faculty. Faculty members are authorized to define, communicate, and enforce appropriate standards of behavior in classrooms, offices, and other instructional areas under their supervision.

Examples include, but are not limited to:

- i. Creating distractions and disturbances by talking in class while the faculty member or other students are speaking, holding side discussions irrelevant to the subject matter, using offensive language, sleeping, reading unrelated materials, and moving about the classroom.
- ii. Creating distractions and disturbances by using cell phones or other electronic devices in a way that disrupts the learning process or teaching environment such as viewing or interacting with unrelated content, sending and receiving communications unrelated to the class activity, or engaging in other off-task behavior.
- iii. Entering the classroom late or leaving the classroom prior to the end of class is considered a disruption to the learning process and should be avoided unless exceptional circumstances arise
- iv. Any conduct construed as disrespectful behavior or actions towards another student or faculty member

5. **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, he or she is required to remove him or herself 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.
6. **Copyright Infringement** - Chemeketa's Appropriate Use and Software Copyright policies prohibit the use of the Chemeketa network or computer systems for the unauthorized duplication, use, or distribution of copyrighted digital materials, movies, music, and videos, regardless of the method employed (e.g. web pages, peer-to-peer (P2P) file sharing, email, etc.). Refer to policy # 4210.
7. **Discrimination/Harassment** - Discrimination and harassment is misconduct incited by an individual's perceived or real affiliation with a protected class. It can be defined by repeated, malicious mistreatment, verbal abuse, or conduct that is threatening, intimidating, humiliating, or insulting. Discrimination/harassment may also include behaviors that isolate people or undermines their reputation through verbal or non-verbal communications. See also Bullying. Refer to policy #1750

Engaging in discrimination/harassment against any member of the college community based on a protected class is prohibited in all programs, activities, services, employment and advancement including admissions to, access to, treatment in, or compensation in employment as required by state and federal law.

Discrimination or Harassment is prohibited when it is based on any of the following protected classes:

- Race
- Sexual orientation
- Color
- Gender identity
- Ethnic origin
- Family relationships
- National origin
- Marital status
- Religion
- Pregnancy and related conditions
- Age
- Citizenship status
- Disability
- Veterans status
- Sex (see Sexual Harassment Policy #1751)
- Tobacco usage during non-working hours

Individuals from these classes are protected from:

- i. The implicit or explicit expectation that they submit to harassing or discriminatory conduct as a condition of employment or as a basis for academic evaluation or participation;
- ii. Severe or pervasive conduct that creates an intimidating, hostile or offensive work or academic environment and has the purpose or effect of interfering with any individual's work or academic performance.

**8. Disruptive Behavior** - Disruption may include: disorderly conduct, lewd or indecent behavior, breach of peace, or aiding, abetting or procuring another person to breach the peace on College premises or at functions sponsored by or participated in by the College. This includes the disruption of College activities and College business in classes, programs, meetings, office spaces/departments, and student activities. See also Classroom Misconduct.

Examples include, but are not limited to:

- i. Any behavior that is disorderly or disruptive to the educational or administrative processes of Chemeketa as determined by a Chemeketa official.
- ii. Conduct that interferes with Chemeketa's educational responsibility of ensuring the opportunity for all members of Chemeketa community to attain their educational objectives.

**9. Ethical and Acceptable Use of Technology** - The use of Chemeketa Network, Technology and Communications resources is subject to all federal, state and local laws, and to the College's applicable policies and guidelines, as outlined in the Chemeketa Use of College Network, Technology, Communications Resources policy # 1760.

**10. Forgery, furnishing false information, identity theft, or dishonest conduct**

Examples include, but are not limited to:

- i. Attempts to Defraud
- ii. 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.

**11. Gangs** –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.

**12. Hazing** – Hazing means any act committed on Chemeketa property or in connection with any Chemeketa related 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.

In response to allegations of hazing under this regulation, it is not a defense that:

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

**13. Illegal or Unauthorized Possession/Use of Alcohol and Drugs** - Chemeketa Community College is committed to providing an environment which fosters excellence in learning for its students and community, and in work performance for all of its employees. The misuse and/or illegal use of alcohol and drugs is contrary to this effort. 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.

**14. Illegal or Unauthorized Possession/Use of Weapons** - 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 are exempt from this policy. The college president/chief executive officer, or designee, may grant other exemptions for training or safety purposes.

**15. Indecent or Obscene Behavior** –

Examples include, but are not limited to:

- i. Indecent exposure
- ii. Urinating or defecating in public
- iii. Public indecency
- iv. Lewd conduct
- v. Obscene Displays
- vi. Voyeurism

**16. Misuse or Unauthorized Possession or Use of Public or Private Property**

Examples include, but are not limited to:

- i. Theft or the taking or unauthorized use or possession of public or private property or unauthorized use or acquisition of services.
- ii. 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.

**17. Obstruction/Abuse of Student Conduct Process –**

Examples include, but are not limited to:

- i. Failure to comply with a request to participate in the student conduct process
- ii. Falsification, distortion, or misrepresentation of information
- iii. Disruption or interference with the orderly process of a conduct investigation
- iv. Attempting to discourage an individual's proper participation in or use of the student conduct process
- v. Attempting to influence the impartiality of a conduct officer prior to and/or after the student conduct process
- vi. Verbal or physical harassment and/or intimidation of a conduct officer
- vii. Failure to comply with decisions, recommendations or sanctions imposed
- viii. Influencing or attempting to influence another person to commit an abuse of the conduct process.

**18. Refusal to Identify and/or Comply**

Examples include, but are not limited to:

- i. Disobedience or insubordination toward College officials or designees acting in the performance of their duties
- ii. Refusal to produce proper identification for a College official when asked.

**19. Safety Violations**

Examples include, but are not limited to:

- i. Conduct that endangers the health or safety of others
- ii. Intentionally or recklessly starting a fire or causing an explosion
- iii. Misusing fire safety equipment, fire escapes or elevators
- iv. Intentionally or recklessly endangering the welfare of any individual
- v. Intentionally or recklessly obstructing fire, police, or emergency services
- vi. Using, possessing, or storing dangerous chemical, fireworks, or explosives
- vii. Using, possessing, or storing any object classified as a weapon by the State of Oregon on college property
- viii. Utilizing any instrument in a manner that endangers or tends to endanger any person
- ix. Obstructing the free flow of pedestrian or vehicular traffic
- x. Falsely alerting others about an emergency

- xi. Blocking or preventing the use of or access to exit doors, fire exits, and building hallways

**20. 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.

**21. Theft or damage to property**

Examples include, but are not limited to:

- i. Theft or the taking or unauthorized use or possession of public or private property or unauthorized use or acquisition of services
- ii. 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

**22. Threatening Behavior** – A student can be found responsible of threatening behavior even if 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 statement, communication, conduct or gesture as a serious expression of intent to harm.

Examples include, but are not limited to:

- i. Any written or oral communication, conduct or gesture, that is directed toward any member of the Chemeketa community including any conduct that threatens or causes physical injury or endangers another person’s or one’s own health or safety including, but not limited to, physical violence, assault, or the threat to use physical violence
- ii. Interference by force, threat, harassment or duress with personal safety, academic efforts, employment, and/or participation in College-sponsored activities

**23. 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:

- i. 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
- ii. Unauthorized possession, duplication or use of keys or access cards for any College property
- iii. 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

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

Students are responsible for making themselves aware of and complying with College policies, procedures and guidelines

Examples include, but are not limited to:

- i. Academic Honesty Policy and Procedure
- ii. Smoke-Free Policy
- iii. Use of College Network, Technology, Communications Resources Policy
- iv. Use of Copyright Materials Policy
- v. Harassment/Discrimination Policy
- vi. Sexual Harassment, Discrimination, and Misconduct Policy
- vii. Service Animals Policy and Procedure
- viii. Affirmative Action/Non-harassment/Hate Crimes/Bias Incident

#### **H. REMOVAL OF STUDENT FROM A CLASSROOM/OFFICE/CAMPUS/CENTER**

A student who is disruptive to the learning environment may be removed from a classroom, office, campus or center, using the one or more of the following measures:

1. Temporary 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. 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. Reinstatement may be sought in accordance with the Student Rights and Responsibilities procedures. A written report of the circumstances requiring this action shall be submitted to the appropriate Dean/Director and Executive Dean following the incident with specific directions, expectations and consequences for non-compliance.
2. Disciplinary Probation is a written warning to a student, which may include interim exclusion. Interim exclusion may not exceed five days. The appropriate Dean/Director may impose disciplinary probation.
3. Suspension is the exclusion of a student from classes in a program or service area, and college-sponsored functions for a specified period of time as set forth in the notice of suspension. The Executive Dean of Students may impose suspension from classes in a program, from a service area, or from college-sponsored functions in consultation with the appropriate Dean/Director. Suspension may not exceed one term.
4. Expulsion is the permanent separation of a student from a program or service area or conditional separation from the college. The Executive Dean of Students may impose expulsion. Conditions of readmission, if any, shall be stated in the order of expulsion.

## I. CHARGES OF STUDENT MISCONDUCT

The Student Code of Conduct procedures are 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 due process.

Chemeketa Community College emphasizes the importance of direct, courteous, and respectful communication to informally resolve concerns and complaints whenever possible. In most cases, issues involving student misconduct are able to be resolved using an informal process. This may include a meeting with the Executive Dean of Students and/or referral to Counseling or other college services. This meeting is typically considered a learning opportunity for the respondent to make behavioral changes and no further action is necessary. However, when the misconduct rises to a level that informal resolution cannot be reached, the formal disciplinary process, as outlined below, may be initiated.

### Process

1. Any member of the college community may submit a complaint against a student for violation of the code of student conduct. Any formal complaint must be submitted in writing to the Executive Dean of Student's office ten (10) business days from the date the person became aware, or reasonably can be expected to have become aware, of the alleged violation.
2. The Executive Dean of Students or designee will schedule an initial meeting with the respondent to discuss the complaint.
3. During the initial meeting, the Executive Dean of Students or designee will explain the process, the respondent's rights and responsibilities, and review the complaint and alleged violation(s) of the code of student conduct. The Executive Dean of Students or designee will seek information from the respondent regarding the allegations and 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 Executive Dean of Students or designee has sole discretion to permit the conferences concerning each respondent to be conducted either separately or jointly.
5. The Executive Dean of Students or designee will investigate to determine if there is a preponderance of evidence (i.e., more likely than not) that the complaint has merit and will take one of the following actions:
  - i. If determined that the case has no merit, the case will be dismissed;
  - ii. If determined that the case has merit, the Executive Dean of Students or designee will attempt to resolve the complaint informally through a meeting with the goal of creating a learning opportunity, and encourage behavior modification;
  - iii. If determined the case has merit, and behavior(s) are deemed egregious, a formal process of disciplinary steps and sanctions will be enforced to bring resolution to the complaint.
6. If the respondent and the Executive Dean of Students or designee mutually agree to the resolution of the complaint, which may or may not include sanctions, the resolution will be put in writing and there will be no subsequent proceedings;
7. If the respondent disagrees with the Executive Dean of Students or designee decision and resolution of the complaint, the respondent may appeal the decision to the Vice President of Instruction and Student Services within ten (10) business days, see Appeal Process section.

8. At any time during this process, failure to respond to the Executive Dean of Students, or designee may subject the respondent to an academic hold and the outcome of the complaint will be reviewed in the respondent's absence.

## J. SANCTIONS

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

1. **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.
2. **Reprimand:** Written action censuring a student for violation of college policy or otherwise failing to meet the college's standards of conduct. The written reprimand will be filed in the office of the Executive Dean of Students for the duration of the student's attendance at the college. A reprimand 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.
3. **Probation:** Conditions placed upon the student's continued attendance for violation of this chapter. Notice will be made in writing and 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.
4. **Loss of privileges:** Denial of specified privileges for a designated period of time.
5. **Restitution:** Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
6. **Withholding admission or degree:** Admission to or a degree awarded from the college may be withheld for a specified amount of time.
7. **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.
8. **Other possible consequences:** Work assignments, essays, service to the college, or other related discretionary assignments.
9. **No contact:** The student may have no contact with other stated members of the college community.
10. **Suspension:** Temporary dismissal from the college and termination of the person's student status. Readmission after Disciplinary Suspension requires a meeting with the Executive Dean of Students.
11. **Expulsion:** Permanent dismissal from the college and termination of the person's student status.
12. **Emergency suspension:** In certain circumstances, the Executive Dean of Students, may impose an emergency suspension. Emergency suspension may be imposed:
  - i. To ensure the student's own physical or emotional safety and well-being; or
  - ii. To ensure the safety and well-being of members of the college community or preservation of college property; or
  - iii. If the student poses an ongoing threat of disruption or interference with the normal operations of the college.

- iv. 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, as the Executive Dean of Students determines to be appropriate.
13. **Emergency suspension procedures:** The student will be notified in writing 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.
- i. 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.
  - ii. At the initial meeting, the Executive Dean of Students or designee 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.
  - iii. 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.
14. Sanctions of suspension, expulsion or revocation or withholding of a degree will become a permanent part of a student's record in the Office of the Executive Dean of Students.
15. The following sanctions may be imposed upon groups or organizations:
- i. Those listed above in Sanctions (a-l);
  - ii. Loss of selected rights and privileges for a specified period of time or indefinitely;
  - iii. 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.

#### **K. APPEAL PROCEDURES FOR CONDUCT SANCTIONS**

1. Grounds for appeal:
  - i. College policies and procedures were not followed
  - ii. New evidence previously unavailable may be presented
2. All appeals must be submitted in writing to the Vice President of Instruction and Student Services within ten (10) business days of the Executive Dean of Student's final determination.
3. This final level of appeal is a review of written documentation only. If it is not filed within this timeframe, the student will forfeit his or her final appeal opportunity.
4. 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
5. After reviewing the Executive Dean of Student's written decision, along with the written appeal from the student, the Vice President shall have ten (10) business days to render a written decision to the student. The Vice President's decision shall be final, binding and mailed to the student by first-class mail and via email to the student's MyChemeketa account
6. The Vice President of Instruction and Student Services has the authority to:
  - i. Alter, amend and/or overturn disciplinary action if information on appeal merits such action
  - ii. Schedule a rehearing if specified procedural errors or errors in interpretation of College regulations were so substantial as to deny the student a fair hearing, or if new and significant evidence becomes available

- iii. Dismiss the case if the finding is held to be unsupported by the evidence
- 7. Disciplinary action for suspension or dismissal may be deferred while an appeal is pending, unless, in the discretion of the Vice President of Instruction and Student Services, the continued presence of the student on the campus poses a substantial threat to him or herself, to others, or to the stability and continuance of normal College functions.

#### L. NON-CONDUCT RELATED CONFLICT RESOLUTION PROCESS

1. **Charges of Staff Misconduct** -Complaints in this dispute type refer to perceived violation of law or college policy or section 3.0, Student Rights, of this document. These complaints, made by a student do not include grade issues. 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).
2. **Charges of Harassment** - 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 sexual harassment, discrimination, and misconduct, refer to policy # 1750 or <http://go.chemeketa.edu/titleix>. The College has also established a Harassment Network of staff who can assist student with these issues. For more information, visit <http://go.chemeketa.edu/harassment>.
3. **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.
4. **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. For more information, refer to the college Guideline for Grade Appeals.
  - i. When a student believes that he or she has been given an inappropriate grade, the student will speak directly with the instructor in attempt to resolve the issue.
  - ii. 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.
  - iii. 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.*
  - iv. Upon submission, the appeal and supporting documentation is routed to the appropriate Academic Dean or Director.

- v. The Academic Dean or Director has 30 calendar days from the date of receipt to respond to the student via email.
- vi. The decision of the Academic Dean or Director is final, and there is no further appeal beyond this point.
- vii. The Academic Dean or Director will keep a copy of the appeal for one year.

5. **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.
- i. The student will submit a complaint in writing to the Executive Dean of Students that include the student's name and nature of the complaint, and any necessary related supporting documentation.
  - ii. Upon receipt of the complaint, the Executive Dean of Students will schedule a meeting with the student filing the complaint. At that meeting, the Executive Dean of Students shall attempt a resolution of the complaint.
  - iii. In the event that the resolution proposed by the Executive Dean of Students is not acceptable to the student, the student may make a secondary appeal to one of the following administrators, depending on the nature of the complaint:
    - Vice President of Instruction and Student Services
    - Vice President of Governance and Administration
    - Associate Vice President of College Support Services
    - Associate Vice President of Finance
  - iv. Upon receipt of the student's appeal, the Vice President/Associate Vice President shall schedule a meeting with the student to discuss the complaint.
  - v. The Vice President/Associate Vice President will issue a written decision to the student within thirty (30) calendar days of this meeting. A copy of the decision will be given to the Executive Dean of Students.
  - vi. The decision of the Vice President/Associate Vice President will be final and not subject to further appeal.

## **M. 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 Executive Dean of Students or the Director of Human Resources.

## **N. INTERPRETATION AND REVISION**

1. Any question of interpretation or application of the code of student conduct will be referred to the Executive Dean of Students or his or her designee for final determination.
2. The code of student conduct will be reviewed every three years under the direction of the Executive Dean of Students.

## **O. STUDENT RECORDS**

1. Disciplinary sanctions will be made part of both the complainant's and the respondent's education record. The records may be expunged of disciplinary consequences, other than expulsion, seven years after the college term in which the incident occurred. The exceptions are Academic Honesty infractions, which may be expunged after 2 years of the incident
2. Records of the process and of the sanctions imposed, if any, shall be considered to be the education records of both the respondent(s) and the student(s) claiming to be the victim.

### **COLLEGE CONTACT INFORMATION:**

Office of the Executive Dean  
Student Development and Learning Resources  
Salem Campus Building 3/272  
503.399.5076  
[studentconcerns@chemeketa.edu](mailto:studentconcerns@chemeketa.edu)

## **COLLEGE POLICY AND PROCEDURES WEB RESOURCES**

### Academic Honesty

[go.chemeketa.edu/studentrights](http://go.chemeketa.edu/studentrights)

### Affirmative Action

[go.chemeketa.edu/policies](http://go.chemeketa.edu/policies)

### Chemeketa Policies

[go.chemeketa.edu/policies](http://go.chemeketa.edu/policies)

### Complaints and Concerns

<http://www.chemeketa.edu/complaints-and-concerns>

### Family Educational Rights and Privacy Act (FERPA) and Student Records

[go.chemeketa.edu/studentrights](http://go.chemeketa.edu/studentrights)

### Free Speech Guidelines

[go.chemeketa.edu/studentrights](http://go.chemeketa.edu/studentrights)

### Grade Appeal

[www.chemeketa.edu/students/student-forms](http://www.chemeketa.edu/students/student-forms)

### Harassment/Discrimination

<http://www.chemeketa.edu/complaints-and-concerns>

### Public Safety

[go.chemeketa.edu/publicsafety](http://go.chemeketa.edu/publicsafety)

### Service Animals

[go.chemeketa.edu/disabilityservices](http://go.chemeketa.edu/disabilityservices)

### Sexual Harassment, Discrimination and Misconduct Policy and Procedure

[go.chemeketa.edu/titleix](http://go.chemeketa.edu/titleix)

### Smoke-Free Policy

[go.chemeketa.edu/policies](http://go.chemeketa.edu/policies)

### Unlawful use or possession of firearms or illegal weapons

[go.chemeketa.edu/policies](http://go.chemeketa.edu/policies)

### Unlawful use or possession of drugs or narcotics

**INSERT NEW LINK FROM GREG HERE!!**

### Use of College Network, Technology, Communications Resources Policy

[go.chemeketa.edu/policies](http://go.chemeketa.edu/policies)

### Use of Copyright Materials Policy

[go.chemeketa.edu/studentrights](http://go.chemeketa.edu/studentrights)