

# STUDENT CONDUCT PROCEDURES

at

## SUFFOLK COUNTY COMMUNITY COLLEGE

### A FACULTY'S GUIDE TO OUR EDUCATIONAL PROCESS WHICH INCORPORATES ETHICS, VALUES AND SOCIAL RESPONSIBILITY

#### INTRODUCTION

The primary purpose of the Student Code of Conduct and Student Conduct Process is to protect the campus community and foster a safe, non-threatening environment that advances the academic mission of the College. Accordingly, students and student organizations will be held accountable for violations of College regulations and policies, although within this context reasonable efforts will also be made to foster the personal and social development of all parties involved.

#### THE STUDENT CONDUCT PROCESS

1. **Assessing Alleged Violations:** Any member of the College community may file a complaint against any student for an alleged violation of the Code of Conduct. The Campus Associate Dean of Student Services receives the notification of alleged violations and determines if there is sufficient information to support a conduct hearing, or could request that the allegation be investigated further to determine if there is sufficient information to support a conduct hearing. If sufficient information exists, a formal letter of alleged violations will be sent to the student. The Campus Associate Dean of Student Services can elect to mediate the conflict. If the mediation is successful, a formal hearing is not required.
2. **The Allegation Letter:** The letter will state the specific alleged infractions which the student has been accused of violating. A copy of the student conduct process will be included with the letter. The student has three business days to respond to this letter. Should he or she elect not to respond to the letter, the Campus Associate Dean of Student Services will send him/her a letter which will state the date, time and location of the hearing.
3. **The Student Conduct Hearing:** The Campus Associate Dean of Student Services will determine if the allegation could result in sanctions greater than probation without loss of privileges. Should it be determined that the alleged violations could result in a sanction of probation with loss of privileges, suspension or expulsion, the Campus Associate Dean of Student Services and the accused student will jointly decide if the hearing will be conducted by either the Campus Associate Dean of Student Services or the Student Conduct Board on the campus where the alleged violations occurred. The focus of the proceedings is to determine if a violation of the Student Code of Conduct did take place. During the hearing, the student has the opportunity to discuss the allegations, present any information relevant to the alleged violations, and present any witnesses of fact. The student does have the right to question witnesses and the person bringing forward the alleged violations. All parties also have a right to an advisor. The advisor is not permitted to participate in the hearing.
4. **The Decision:** Either the Campus Associate Dean of Student Services or the Student Conduct Board will decide, based upon the preponderance of the evidence, if the student is in violation of the Code of Conduct. After a finding that a violation occurred, an appropriate educational sanction will be determined. The student will be informed of this decision in writing.
5. **The Appeals Process.** Decisions made by either the Campus Associate Dean of Student Services or the Student Conduct Board can be appealed to the appropriate Executive/Campus Dean. This appeal must be made in writing within three business days of receipt of the decision. An appeal must fall into one of three categories: the student has new evidence to present that was not available for the original hearing; the student conduct process was not followed; or the sanctions do not relate appropriately to the violation(s).

Postponing or Dismissing Cases: The student conduct process will proceed as outlined in *The Student Handbook*. Should a student elect not to appear at the scheduled hearing, the hearing can take place in his/her absence. Student conduct proceedings and actions are not subject to challenge or postponement on the grounds that criminal or civil charges involving the same incident have been dismissed, reduced, or are pending in civil or criminal court.

Off-Campus Violations: While the jurisdiction of the College shall generally be limited to conduct which occurs on College premises or at College-sponsored events, a student who is charged with a felony as a result of off-campus behavior, or who represents a risk to the health or safety of the College community, may also be subject to the student conduct process. In addition, the jurisdiction may be extended when a student commits a prohibited act off campus against a member of the College community, or against the College itself, when the act is related to the student's or victim's status at the College.

### **Accused Student's Rights in Student Conduct Proceedings**

- The right to be informed in writing of all alleged violations at least three (3) days before any hearing.
- The right to waive the three-day notice of alleged violations and proceed with a hearing within three days of being informed of the charges.
- The right to reasonable access to the case file, which shall be maintained by the Senior Campus Student Affairs Administrator.
- The right to remain silent.
- The right to a personal advisor. An attorney may appear at an administrative hearing with the accused student to provide advice but may not represent the student or directly question or cross-examine witnesses.
- The right to question witnesses against the accused. It should be noted that the relevant witnesses can only be requested to participate in the process. They cannot be required to do so.
- The right to review all the material brought against the accused.
- The right to present witnesses. Statements from character witnesses must be in written format.
- The right to a written statement of the outcome of the proceeding.
- The right to appeal the decision to the appropriate College official.

### **Student Conduct Records**

When a student is charged with a violation of the Student Code of Conduct, a case file is created. The file shall be retained for one year should the student be found not responsible for violating a rule. Should the student be found responsible for a violation of the Student Code of Conduct, then the file shall be maintained for six years from the date of the sanction. Student conduct records may be retained for longer periods of time or permanently if a student should be suspended, expelled or blocked from re-enrollment. Student records are confidential and will not be transferred or released without a student's written consent, except as provided by the Federal Education Rights and Privacy Act of 1974.

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