



(PR#19) STUDENT CONDUCT

Authority

The President of Itawamba Community College has delegated authority to the Vice President of Student Services to adjudicate matters involving student conduct. The Vice President of Student Services is responsible for initiating, implementing and overseeing the College's student disciplinary process. To support this responsibility, the Vice President of Student Services may designate various administrators and committees to assist with conduct matters. These include, but are not limited to:

- The Dean of Advising and the Tupelo Campus
- The Dean of Students/Athletic Director
- The Director of Housing and Residence Life

These individuals are authorized to enforce the Code of Student Conduct and determine whether a student has violated institutional policies. The College Appeals Committee is responsible for reviewing cases in which a student appeals a decision made by the Vice President of Student Services.

In cases involving alleged sexual misconduct, the procedures set forth in the College's **Sexual Misconduct Policy (J.12)** will take precedence. Where there is any conflict between this Code and the Sexual Misconduct Policy, the provisions of the Sexual Misconduct Policy shall govern.

The Vice President of Student Services retains sole authority to determine appropriate sanctions for violations of the Code of Student Conduct. Sanctions may be applied to individual students, student groups or student organizations.

Disciplinary Procedures

Disciplinary procedures may be initiated based on individual or organizational behavior following the submission and review of an official incident report or valid complaint. Upon receipt, the Vice President of Student Services will investigate the matter to determine whether there is sufficient cause to proceed with disciplinary action.

If sufficient cause exists, the case may be handled through one or more of the following options:

- An administrative informal resolution
- Assignment to mediation
- Referral to the College Appeals Committee

All disciplinary proceedings will apply the preponderance of the evidence standard in determining responsibility. This means that it must be more likely than not that a violation occurred.

Conduct Notification Process

When a student, student group or student organization is alleged to have violated the Code of Student Conduct, the following procedures apply:

- A **written or emailed notification/summons** will be provided/sent to the accused party.
- The notification will specify:
 - The alleged violation(s)
 - The name of the individual or committee assigned to review the case
 - The time, date and location of the meeting

This notification ensures the accused has adequate information to prepare for the hearing and understand their rights and responsibilities under the disciplinary process.

Informal Resolution Procedures

Upholding Student Rights in the Conduct Process

In certain situations, a student may choose to resolve an alleged conduct violation through an informal process rather than a formal hearing. The informal resolution process is designed to be fair, transparent and respectful of student rights.

1. Meeting and Sanction Discussion

The hearing officer will meet with the student to review the alleged violation(s) and discuss the circumstances of the case. The student is encouraged to share their perspective, ask questions and clarify any details. The hearing officer may also consider any relevant conduct history when determining an appropriate response.

Based on this discussion, the hearing officer will complete an electronic **Discipline Report Form**, which outlines the confirmed violation(s) and proposed sanction(s). A copy of the form will be sent to the student's official college email address for review.

2. **Student Acknowledgment and Response Options**

Students are encouraged to carefully review the Discipline Report Form, including the listed violation(s) and proposed sanction(s). If the student agrees with the findings, they may electronically sign the form. A copy will be sent to their college email account for their records.

If a student disagrees with the informal resolution made by a designated hearing officer (other than the Vice President of Student Services), they may appeal to the Vice President of Student Services. If the Vice President issued the original resolution, the appeal should be directed to the College Appeals Committee, which will conduct a formal hearing.

Students who initially agree to the resolution by signing may still revoke their acceptance within three (3) working days by notifying the College in writing and requesting a formal hearing.

3. **Student Rights to Dispute Violations or Sanctions**

Students retain the right to formally appeal any disciplinary decision, including the determination of a violation, the imposed sanction, or both. In cases where a student wishes to contest the outcome of the Vice President of Student Services, they may submit a formal appeal to the College Appeals Committee to ensure an impartial and comprehensive review of their case.

To initiate this appeal, the student must indicate their intent by selecting the appropriate option on the electronic Discipline Report Form, specifying that they do not accept the proposed resolution and are requesting a formal hearing. This process affirms the student's right to due process and ensures that the matter is reviewed in accordance with institutional procedures and principles of fairness.

Appeal to the College Appeals Committee

Upon receipt of the appeal, the Vice President of Student Services will notify the chairperson of the College Appeals Committee, which shall occur within a maximum of three (3) working days, unless extenuating circumstances exist. Once the appeal hearing is scheduled, the Vice President will inform the student of the time and location of the hearing, which shall occur within a maximum of three (3) working days, unless extenuating circumstances exist. This will ensure the hearing occurs within a reasonable timeframe.

During the appeal hearing, the committee will review:

- A statement of the original charges,
- The facts underlying the case,
- The sanctions imposed by the hearing officer.

Approved by Cabinet: May 2, 2025

Modified Version:

Reference Board Policies: J.12, J.17

The student will have the opportunity to present their grounds for appeal. The committee will also consider the rationale for the imposed sanctions as provided by the hearing officer or the Vice President. Following the hearing, the committee will deliberate privately. The final decision will be communicated to the student through the Vice President of Student Services. The committee has the authority to either **uphold or modify** the original sanctions, based on its findings. All appeals heard by the College Appeals Committee will be final.

Formal Student Conduct Hearing Procedures

All disciplinary proceedings at Itawamba Community College will be conducted in accordance with the principles of fundamental fairness, as outlined in the *Student Guide* and on the College's official website: www.iccms.edu.

Rights of Fundamental Fairness

Students involved in formal hearings with the College Appeals Committee are entitled to the following rights:

1. The right to confront and/or cross-examine any individuals making accusations.
2. The right to call witnesses to speak on their behalf.
3. The right to present relevant evidence in support of their case.
4. The right to receive a written notice outlining the alleged violation(s) and their rights related to the disciplinary process.
5. The right to be accompanied by a support person, referred to as "counsel," which may include a faculty member, family member, friend or legal representative.

Formal Student Conduct Hearings at Itawamba Community College (ICC) are administrative proceedings designed to address allegations of student misconduct. The outcomes of these hearings may affect the student's relationship with the College. ICC considers the student conduct process to be educational in nature, and its procedures reflect the College's commitment to fairness, justice and due process.

While the hearings are not bound by the formal rules of evidence applied in civil or criminal courts, the following procedures apply to ensure a structured and equitable process:

General Guidelines

1. **Confidentiality:** Hearings are closed to the public to protect the privacy of all parties involved. Exceptions may be granted by the Vice President of Student Services.
2. **Presiding Officer:** A designated chairperson will lead the hearing and ensure procedures are followed.

Hearing Format

The hearing will proceed in the following sequence:

1. **Reading of Charges:** The presiding officer will formally present the allegations to the accused student.
2. **Plea by the Accused:** The student will be asked to enter a plea:
 - **Responsible**
 - **Not Responsible**
 - **No Plea**
3. **Presentation of Information:**
 - The College will present evidence and/or call witnesses in support of the charges.
 - The accused student will have the opportunity to question these witnesses and respond to the evidence presented.
 - The accused may also present their own evidence and call witnesses in their defense.
4. **Witness Testimony:**
 - Each witness will be called individually.
 - Witnesses are not permitted to hear each other's testimonies.
5. **Committee Questions:**
 - Members of the hearing committee may ask questions following each witness's testimony or evidence presentation.
6. **Committee Deliberation on Responsibility:**
 - The hearing body will deliberate in private to determine whether the student is responsible for a violation of the Code of Student Conduct.
 - Only committee members may be present during deliberation.
7. **Announcement of Findings:**
 - The accused student will be called back into the room and informed of the committee's decision regarding responsibility.
8. **Statement Regarding Sanctions:**
 - If found responsible, the student may make a statement regarding potential sanctions.

9. Committee Deliberation on Sanctions:

- The committee will return to closed session to determine a recommended sanction, if any.

10. Final Determination:

- The committee's written findings and recommended sanctions will be submitted to the Vice President of Student Services.
- The Vice President of Student Services will review the recommendations and notify the student in writing.
- Final authority regarding sanctions rests solely with the Vice President of Student Services.

Absence of the Accused

If the accused student fails to appear at the hearing, the process may proceed in their absence. If the committee or presiding officer determines that it is more likely than not that the student violated the Code of Student Conduct, sanctions may be imposed accordingly. The Vice President of Student Services may implement these sanctions and close the matter without further proceedings.

Student Disciplinary Records

The Vice President of Student Services is responsible for maintaining official records related to student disciplinary actions. Access to these records is strictly regulated in accordance with the College's privacy policies.

Students who have been victims of misconduct are permitted to view information about any sanctions imposed on the responsible student. However, they may not share this information with others.

Disciplinary records involving external suspensions, expulsions or dismissals will be kept permanently. All other disciplinary records will be securely destroyed four years after the student is no longer enrolled at the College.