



ACCREDITATION EVIDENCE

Title: Board Policy 5420A: Student Appeal Process Non-Academic

Evidence Type: Corroborating

Date: 17 March 2017

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Classification: Policy

PII: No

Redacted: No



STUDENT APPEAL PROCESS (NON-ACADEMIC)

Reference: Student Conduct Policy 5420A

The College has a procedure available to hear student complaints about unfair treatment, including suspension and dismissal from the College. This non-academic appeal procedure seeks to ensure that students are treated fairly and with due process.

Due process ensures the student that the College is not arbitrary in its actions. In all cases, due process requires that students know the charges against them, have the opportunity to refute these charges, and have the right to appeal. Once confronted with the charges and the College's decision, students may appeal this decision to the Student Affairs Appeals Board. This Board serves to safeguard these rights and strives to fairly and reasonably interpret various college policies relating to student conduct.

See following pages for procedure.

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Reformatted May 9, 2011
Revised November 12, 2015
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NON-ACADEMIC STUDENT APPEAL

When students have a concern about unfair treatment, including suspension or dismissal from the College, they may follow the procedure described below to resolve the conflict. This procedure ensures that students are treated fairly according to established procedures of due process.

Every effort is made to resolve situations informally, but the college provides a formal step-by-step procedure in the event that a resolution cannot be found that is acceptable to all involved. The Conduct Procedure, as listed here and in Procedure 5240A, must be followed prior to submitting an appeal.

The Conduct Process

The due process rights of the students involved will be protected.

Step 1. Preliminary inquiry and/or educational conference

The college conducts a preliminary inquiry into the nature of the incident, complaint or notice, the evidence available, and the parties involved. This review takes various forms based upon the nature of the incident (for example academic issues involve the instructor in question, the division chair and the Vice-President for Student Learning, if needed). The preliminary inquiry may lead to:

- A determination that there is insufficient evidence to pursue the investigation. The situation will be documented and on file in the Vice President for Student Services Office or designated reporting system;
- An informal or administrative solution that is acceptable to all parties;
- A more comprehensive investigation;
- Referral to a formal process such as the academic or non-academic appeal process (Procedures 5430 B & C)

When a student's conduct is severe enough, the Vice President will require the student's immediate removal from the college. The student retains his/her rights to proceed through the conduct process from off campus.

Step 2. Thorough investigation.

Possible resolution and/or action against a student could possibly occur at this stage.

Step 3. Informal Hearing involving appropriate parties.

Primarily utilized in contested allegations.

Step 4. Review and Finalize Sanction(s)

Step 5. Notification of Outcomes

The outcome of a campus action is part of the education record of the responding student and is protected from release under FERPA. As allowed by FERPA, when a student is accused of a policy violation that would constitute a “crime of violence” or forcible or non-forcible sex offense, the College will inform the alleged victim/party bringing the complaint in writing of the final results of the hearing. The information released will be limited to that required by law.

Conduct Sanctions

One or more of the following sanctions may be imposed upon any student(s) for violations of the Code. Including but not limited to:

1. Warning: an official written notice that the student has violated the college policies and that more severe conduct action will result should the student be involved in other violations while the student is enrolled.
2. Restitution: Compensation for damage caused to the college or any person’s property.
3. Fines
4. Community/College Service
5. Loss of Privileges
6. Confiscation of Prohibited Property
7. Behavior requirements: Includes, but not limited to, seeking academic advise, personal counseling, or substance abuse screening. Students may also be required to write a letter of apology.
8. Educational Program: Attend, present, or participate in a program related to the violation.
9. Restriction of Visitation Privileges: (primarily to on-campus housing)
10. Involvement/Eligibility Restrictions
11. Housing Probation/Suspension
12. Academic Probation/Suspension
13. General College Probation/Suspension
14. College Expulsion: Permanent separation from the college.
15. Other Sanctions: other sections may be created as deemed appropriate to the offense.

All sanctions must be approved by the Vice President of Student Services or his/her designee.

Students who do not complete required sanctions may be subject to immediate dismissal from the college.

Appeal Process

Students who are being sanctioned for some non-academic violation of College policy or procedure may appeal through the non-academic procedure.

1. The student must follow the conduct process as described above. A student who wishes to appeal a sanction must follow the procedure below.
2. Within forty-eight (48) work hours after the student has been notified of the sanction(s), he/she may submit a written appeal to the Vice President for Student Services. The Vice President may also visit with the involved parties during this time to recommend and facilitate a compromise. In the case of on-campus housing evictions, the Vice President must approve the eviction before the sanction is imposed.
3. Within forty-eight (48) work hours the Vice President will render a decision to do one of the following: uphold the sanction placed upon the student; recommend a compromise to both parties; or change the sanction.
4. Within forty-eight (48) work hours after the student receives the final decision from the Vice President of Student Services, the student may appeal to the Student Affairs Appeals Board by submitting a written appeal request to the Vice President for Student Services.
5. The Vice President for Student Services will make every attempt to convene the board within 5 work days after receiving the student's written request. If 5 days is not feasible, it will be scheduled as soon as possible.
6. The board will conduct a formal public hearing of the charges and the appeal. The student may present his or her case and present witnesses. A student may select a member of the College community to assist him or her. The department/staff member will present his/her information and may bring witnesses as needed. Detailed procedures are established in the Student Affairs Appeals Board handbook. No legal counsel is permitted during this process.
7. The Appeals Board will act as an advisory body. Within twenty-four (24) work-hours after the hearing, the Board will present its recommendation:
 - To sustain the Administrative decision,
 - To sustain the student's appeal, or
 - To recommend a compromise.

The secretary will record the minutes of the hearing. The Board chair will draft a letter to the students and the Vice President with the recommendation.

8. If the Board upholds the Administrative decision, the student may appeal to the President within forty-eight (48) work-hours after receiving the decision.

Similarly, if the board upholds the student's appeal, the Administrator may appeal to the President within forty-eight (48) work-hours after receiving the board's decision.

In either case, the President will decide within forty-eight (48) work-hours.

9. In cases involving suspension or dismissal of the student from the College, either party may appeal the President's decision to the Board of Trustees. The appeal must be made within forty-eight (48) work-hours after receiving the President's decision.

Make-up of Student Affairs Appeal Board

The Student Affairs Appeals Board is a standing board, convened by the Vice President of Student Services, to provide a fair forum for hearing students' complaints about their unfair treatment, including suspension or dismissal from school.

It is composed of:

- 1 ASG Officer
- 1 Residence Hall Association Officer
- 2 Students at-large appointed by the ASG (1 on-campus and 1 off-campus student).

NOTE: One of these 4 student positions should be filled by a minority student.

- 3 faculty or professional staff members, appointed by the WWCC Senate, and
- 1 administrator appointed by the President.

Board members will be appointed annually at the beginning of the fall semester. At the first meeting, the members will elect a chairperson and a secretary. Each member will have one vote.

Cross Reference: Student Affairs Appeals Handbook

Approved May 26, 1988

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