Gary Pavela argues the “single minded reliance on punishment and censorship from ‘top down’ will not work in dealing with most Americans today especially today’s college students"
PURPOSE OF THIS SESSION IS TO:

- Describe the current misconduct model
- Highlight key components of disciplinary procedures
- Discuss implications of punitive and other approaches
- Introduce best practice models
- Create Dialog
Code of Conduct

Heartland Community College recognizes its students as both citizens and members of the academic community. As citizens, students have freedom of speech, assembly, association and press and the rights of petition and due process as guaranteed by the state and federal constitutions. As members of the academic community, students have the right and responsibility to participate in formulating and reviewing all College regulations and policies directly affecting them.

Upon enrolling at HCC, each student assumes an obligation to act in accordance with generally acceptable standards of responsible adult behavior, which include respect of other students and other members of the College community. If this obligation is neglected or ignored, the College must take appropriate disciplinary action in order to function effectively. Upon committing or attempting to commit any act of misconduct on the College campus, whether in class, at an activity, function or event sponsored or supervised by the College, or elsewhere with a direct relationship between such act and the College, a student may be subject to disciplinary action. Acts of misconduct include, but are not limited to:

1. Academic dishonesty, such as cheating, plagiarism, etc.; (2008 - 2010 HCC College Catalog and Student Handbook, p. 181)

The first act of misconduct listed in the Code of Conduct addresses Academic Dishonesty.
While we state they assume the obligation to act in generally acceptable standards of responsible adult behavior, should students be held to these standards without understanding what “responsible behavior” means?

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**Disciplinary Procedures**

Students may be disciplined up to, and including, temporary or permanent removal from the College for acts of gross misconduct or disobedience, violation of the Student Code of Conduct, the Academic Integrity Policy or for any and all other actions or unlawful conduct that would interfere with the educational process, disrupt the normal activities of the College or infringe upon the rights of others.

Any such violations may result in disciplinary action being taken against the student. Students will be notified by the Dean of Student Affairs and Enrollment Services of any disciplinary charges. The Dean of Student Affairs and Enrollment Services may require the student to discuss the charges in a private meeting. Should the charges not be resolved in this meeting, either the student or the Dean of Student Affairs and Enrollment Services may request a hearing before the Student Appeals Committee. The student may have a representative of his/her choice present at the hearing. After consideration of all facts presented, the Student Appeals Committee will render a decision regarding disciplinary measures. The Dean of Student Affairs and Enrollment Services will inform the student of the committee’s decision. The student may appeal the committee’s decision to the Vice President of Instruction (2008-2010 HCC Catalog & Student Handbook, p. 182).

The College disciplinary procedures are broad in scope.

Academic degrees, diplomas, and/or certificates are recognized by the courts as substantial property rights. These rights and protected by US Constitution’s Bill of Rights. Students entitled to Due Process before academic property rights are withdrawn.
Courts have imposed certain procedural requirements in disciplinary actions that would affect a person’s interest in an academic credential.
Student Appeals Procedure

Students, faculty and staff are always encouraged to make every attempt to resolve problems/concerns at the point of origin. However, if resolution cannot be achieved in this manner, a formal appeal should be filed. Appeals may be initiated by either students or faculty/staff for any of the following reasons:

1) Grade challenges
2) Resolving differences between students and faculty/staff
3) An exception to a college policy
4) Academic dismissal
5) An exception to a graduation requirement
6) Academic integrity violations

2008 - 2010 HCC Catalog and Student Handbook (p 187).
Procedural goal when resolving academic and non-academic violations is to resolve it at the lowest level.

While Academic dishonesty / integrity is most often considered faculty domain, campus disciplinary / judicial officers can bring procedural expertise to the adjudication of disciplinary cases.

The role of campus disciplinary/judicial officer is undertaken by the Dean of Student Affairs and Enrollment services. The College does not have dedicated staff devoted exclusively to disciplinary/judicial issues.
The appeal/complaint must be submitted in writing.

A review of the facts occurs: witnesses are interviewed and written account of the events is made part of the record.

A disciplinary hearing is scheduled with the student. Decision is rendered by the Appeals/Disciplinary Commitment.

Student is contacted in writing of outcome.

Faculty or complainant is notified of outcome if suspension is determined to be outcome.

Outcome determined by Committee. Only outcomes where student is found to be at fault are recorded.

Best Practices suggest:
--moving toward models that embrace and/or build on influence of peers/student influence
--focusing detail on procedural & ensuring due process