

STUDENT DISCIPLINARY ACTION

Overview of the Conduct Process

Violation of any of the rules of student conduct listed under the Student Code of Conduct may lead to disciplinary action. An overview of the LSSC Student Conduct Process is as follows:

- The College will provide a student or student organization with written notice of the student's or student organization's alleged violation of the code of conduct. The notice must include sufficient detail and be provided with sufficient time to prepare for any disciplinary proceeding.
- The written notice must include the allegations to be investigated, the citation to the specific provision of the code of conduct at issue, the process to be used in determining whether a violation has occurred and associated rights, and the date, time, and location of the disciplinary proceeding.
- The written notice of disciplinary proceeding will be sent via the student's or student organization's LSSC email account at least seven business days before the disciplinary proceeding will take place.
- The Dean of Students or their designee, will conduct a preliminary inquiry into the nature of the incident, the evidence available, and the parties involved to determine if there is enough evidence to show a violation of the Student Code of Conduct. When evidence shows that a violation of the Code of Student Conduct has occurred, the Dean of Students will proceed with the disciplinary proceeding.
- At least five business days before the disciplinary proceeding, the student or student organization will be provided with the following:
 - A listing of all known witnesses that have provided information to the College or will provide information at the disciplinary proceeding.
 - All known inculpatory (Implying/tending to incriminate) and exculpatory (tending to clear from alleged fault or guilt) information.
- The student(s) or student organization(s) is presumed innocent until the College carries its burden of proof by a preponderance of the evidence as determined by an impartial hearing officer at a disciplinary proceeding.
- The student(s) or student organization(s) has the right against self-incrimination and the right to remain silent. Such silence may not be used against the student or student organization. Additionally, the student(s) or student organization(s) has the right to present relevant information and question witnesses.
- The student(s) or student organization(s) has the right to an advocate or advisor provided by the College to assist the student or student organization in understanding their rights. The advisor or advocate may not serve in any other role, including investigator, decider of fact, hearing officer, member of a committee or panel convened to hear or decide the charge, or an appeal.
- The student or student organization has the right to an advisor, advocate, or legal representative, of their own choosing and at their own expense, present at the proceeding, whether formal or informal. Such person may directly participate in all aspects of the proceeding, including the presentation of relevant information and questioning of witnesses.

- The Dean of Students will make reasonable efforts to accommodate an advocate, advisor, or legal representative; however, the availability of students or student organization members; witness, the designated administrator and other necessary participants, as well as the expectation to promptly complete the disciplinary or conduct procedure, may take priority when determining the date and time for a disciplinary or conduct procedure.
- An advocate, advisor, or legal representative may not delay, disrupt, or otherwise interfere with a disciplinary or conduct procedure.
- In order for an Advocate, advisor, or legal representative to represent a student or student or student organization in a disciplinary or conduct procedure, the student or student organization must provide the Dean of Students with three documents at least three days prior to the conduct proceeding:

Notice of Representation

This notification should include the identity of the advocate, advisor, or legal representative; Whether the individual is a licensed attorney or a non-attorney advocate or advisor; Provide an address, telephone number, and email address where the advocate, advisor, or legal representative can be reached.

FERPA Authorization

The involved student(s) must submit a written authorization that meets the requirements of a valid consent as specified by the Family Educational Rights and Privacy Act (FERPA). Even if the student(s) executes a valid FERPA consent authorizing the advocate, advisor, or legal representative to receive information or documents regarding the student(s), it is the student's or Student Organization's responsibility to communicate and share information with the advocate, advisor, or legal representative.

Certification by Advocate

Students or student organizations intending to have a licensed attorney, non-attorney advocate, or advisor represent them in a disciplinary or conduct proceeding must submit a certification form. This form, signed by the representative, must confirm that they have read and understand the LSSC Code of Conduct, including the Student Conduct Philosophy, burden of proof, and rules of evidence.

- A registration hold will be placed on the student(s) account until they have both scheduled and attended their required conduct meeting.
- If a decision on the allegation is made and the finding is that the responding student(s) is not responsible for violating the code, the process will end, and the registration hold will be lifted. If a credit or noncredit student is enrolled in a program cohort, and they are unable to complete their program within the time frame indicated due to the timing of the investigation, hearing, and subsequent findings, the College will re-enroll the student in the next available cohort at no additional expense to the student.
- If a decision on the allegation is made and the finding is that the responding student(s) is responsible for violating the Code, The Dean of Students will notify the student(s) in writing of the findings and impose sanctions within three (3) business days of the conduct meeting. The registration hold may be lifted depending on the outcome of the hearing.
- Click here (<https://lssc-public.courseleaf.com/college-policies-procedures/student-sanctions/>) for possible sanctions for violating the Code of Student Conduct.
- Students or student organizations have the right to appeal the final decision of the hearing officer, directly to the Vice Present

of Enrollment & Student Affairs, or any other senior administrator designated by the Code of Conduct, who must hear the appeal and render a final decision. The person designated by the Student Code of Conduct to hear the appeal may not have directly participated in any other proceeding related to the charged violation. (PRO 4-14.)

- Elected or appointed officers of the LSSC Student Government Association who have been disciplined, suspended, or removed from office, have the right to directly appeal such decision to the Vice President of Enrollment & Student Affairs or other Senior College administrator designated by the Code of Conduct to hear such appeals. The person designated by the Student Code of Conduct to hear the appeal may not have directly participated in any other proceeding related to the charged violation.
- Student(s) or student organization(s) have the right to an accurate and complete record of every disciplinary proceeding relating to the charged violation of the code, including record of any appeal, to be made, preserved, and available for copying upon request by the charged student(s) or student organization(s).

Overview of the Disciplinary Suspension Process

The Dean of Students may exercise authority to impose interim suspension immediately if needed to protect the welfare of the student(s) referred for disciplinary action, others involved in the alleged violation, or the college community. The interim sanction will be effective immediately without prior notice whenever there is evidence that the continued presence of the student at the College poses a substantial and immediate threat to the student, to others, or to the stability and continuance of normal College functions. A student who receives an Interim Sanction will be given a prompt opportunity to appear personally before the Dean of Students or their designee for a conduct meeting, typically within five business days, to discuss the reasons and terms of the Interim Suspension. The Dean of Students will review available information to determine if the interim suspension will remain, be modified, or lifted. The charged student will receive written notice two (2) days after this meeting regarding the status of their interim suspension. Following this determination, the formal conduct process outlined in section VIII will proceed. If the charged student fails to attend this meeting, the interim suspension will remain in place and the Dean of Students will proceed with the formal conduct process noted in section VIII.

A finding of Disciplinary Suspension may be issued:

1. When a student's behavior, offense, or repeated misconduct, warrants the finding of disciplinary suspension per the LSSC Student Code of Conduct Process.
2. When a student is convicted in a court of law for a criminal offense involving personal misconduct.
3. When a student's behavior on or off-campus:
 - Creates a situation where it appears that the student's conduct may present a danger or threat to the health or safety of themselves or others.
 - Creates situation that significantly impinges upon the rights, property or achievements of self or others.
 - Creates a situation that significantly breaches the peace and/or causes social disorder.
 - Creates a situation that is detrimental to the educational mission and/or interests of LSSC.

When a student is placed on disciplinary suspension, they will receive a written disciplinary suspension notice that will set forth the specific suspension time period as well as any other imposed sanctions. During the period of disciplinary suspension, a student may not be enrolled in classes, be employed by the College, or participate in college related activities, whether they occur on or off college property. A student on disciplinary suspension may not otherwise be present on college property unless authorized in writing, in advance, by the Director of Campus Safety.

All assigned educational sanctions must be completed prior to the conclusion of disciplinary suspension; otherwise, the disciplinary suspension will remain in effect. In the case where the Dean of Students or their designee has imposed other conditions for readmission, it is the responsibility of the student to provide documentation of compliance with such conditions. The suspension period may vary based on the severity of the behavior, offense or repeated misconduct. The minimum suspension period is one (1) semester, and the maximum period suspension period is seven (7) years. The duration of any suspension finding, and the restrictions imposed with this finding, will be determined by the Dean of Students on a case-by-case basis.

A student on disciplinary suspension will be administratively withdrawn from their current courses. The student will be ineligible to receive a tuition and fees refund. While on disciplinary suspension, a hold will be placed on the student's account which will prevent them from being readmitted or re-enrolled at the College until the suspension period has passed. If the student wishes to re-enroll after the suspension period has passed, the student must meet with the Vice President responsible for Student Affairs or their designee to determine if the student is ready to return to the College.

Overview of the Expulsion Process

Disciplinary Expulsion is a sanction which removes the student from the individual's academic or workforce training program and permanently separates and terminates a student from the College without opportunity to graduate or re-enroll in the future. A student who has been expelled from the College may not otherwise be present on college premises unless authorized in writing, in advance, by the Executive Director of Campus Safety & Security. A hold will be placed on the student's account which will prevent them from being readmitted or re-enrolled at the College. This action will be permanently recorded on the student's record.

A finding of Expulsion may be issued:

1. When a student's behavior, offense, or repeated misconduct, warrants the finding of expulsion per the LSSC Student Code of Conduct.
2. When a student is convicted in a court of law for a criminal offense involving personal misconduct.
3. When a student's behavior on or off-campus:
 - Creates a situation where it appears that the student's conduct may present a danger or threat to the health or safety of themselves or others
 - Creates a situation that significantly impinges upon the rights, property or achievements of self or others
 - Creates a situation that significantly breaches the peace and/or causes social disorder
 - Creates a situation that is detrimental to the educational mission and/or interests of LSSC.

A student with a finding of Expulsion will be administratively withdrawn from their current courses. This administrative withdrawal will be noted on their transcript, and the student will be ineligible to receive a tuition and fees refund.

For more information on the student conduct process, disciplinary suspension process, and overview of the expulsion process, please see LSSC Administrative Procedure 4-15 (https://www.lssc.edu/wp-content/uploads/PRO_4-15.pdf).