

**THREE RIVERS COLLEGE
STUDENTS REGULATION**

Section: 2000 Students	
Sub Section: 2600 Student Discipline	
Title: SR 2620 Disciplinary Proceedings	Page 1 of 13
Primary Policy: SP 2620 Disciplinary Proceedings	
Associated Policies: SP 2610 Student Code of Conduct; SP 2415 Confidentiality of Student Records; GAP 1206 Alcohol/Drug-Free Work/Learning Place; GAP 1410 Record Retention and Destruction	
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References: MO. Statue Section 178.835; MO. Secretary of State, RS.MO. 109, Public and Business Records	
Supersedes: 9.3.2	
Responsible Administrator: Chief Student Services Officer	
Initial Approval: 07-21-2010	Last Revision: 08-19-2020

The Three Rivers College Board of Trustees reserves the right to take necessary and appropriate action to protect the safety and wellbeing of the College community and shall address all violations of the Student Code that occur on College property, while attending a College sanctioned event, as a representative of the College or property controlled by the College. The purpose of this regulation is to establish disciplinary procedures to guide the fair and uniform enforcement of the responsibilities outlined in the Three Rivers College, Student Code of Conduct found in College Regulation, SR 2610 Student Code of Conduct (to be referred as Student Code within this Regulation). When alleged misconduct is related to sexual harassment, the Chief Student Services Officer will follow regulation SR 2120 Title IX for Students.

The following procedures are applicable to any student or student organization when charged with a violation of the responsibilities outlined in the Student Code. This regulation allows for fact-finding and decision-making in the context of the educational community and encourages students to accept responsibility for their own actions. The intent is to provide adequate procedural safeguards to protect the rights of the individual student, and the legitimate interests of the College.

Jurisdiction

All students are members of Three Rivers College community. The term “student” includes all persons taking courses at the College, either full-time or part- time. Persons who withdraw after allegedly violating the Student Code, who are not officially enrolled for a particular term but who have a continuing relationship with the College or who have been notified of their acceptance for admission are considered “students.” The Student Code applies at all locations of the College.

The College reserves the right to take necessary and appropriate action to protect the safety and wellbeing of the College community and will address all violations of the Student Code that occur on College property, while attending a College sanctioned event as a representative of the College or property controlled by the College. Students, faculty, staff, and individuals not associated with the College may submit complaints regarding alleged violations that may have

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occurred on campus or off campus for review and action by the College. Complaints of alleged violation of the Student Code may be made through the Student Complaint Portal found on our website or in writing to the Chief Student Services Officer.

The term “College premises” includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the College (including adjacent streets and sidewalks).

The College may initiate judicial proceedings for off-campus incidents when:

1. Hazing is involved. Hazing is defined as an act which endangers the mental or physical health or safety of a person, subjects a person to public humiliation or ridicule, or which destroys or removes public or private property for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership; or
2. The violation is committed while participating in a College sanctioned or sponsored activity; or
3. The victim of the violation is a member of the College community; or
4. The violation constitutes a felony under State or Federal Law; or
5. The violation adversely affects the function of the College.

The Chief Student Services Officer is authorized by the College President to be responsible for the administration of the Student Code and shall decide whether the Student Code is applied to conduct occurring off campus, on a case- by-case basis, at their discretion. When appropriate, the College President may, at their discretion, appoint a designee to fulfill student conduct responsibilities.

The Chief Student Services Officer is authorized by the College President to impose sanctions upon any student(s) found to have violated the Student Code. The Chief Student Services Officer may

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appoint a designee to fulfill student conduct responsibilities when necessary.

Failure to Comply

Failure to comply/respond as directed by the Chief Student Services Officer on any matter including, but not limited to, a request to meet concerning an issue or a notice concerning or alleging a violation of the Student Code may result in the immediate placement of a hold on the involved student's records. Further, sanctions up to and including expulsion may be imposed in the student's absence. Failure to comply with sanctions imposed by the Chief Student Services Officer will be a further violation of the Student Code.

Initiation of Complaint of Alleged Violations

1. Complaint of alleged violations may be submitted through the Student Complaint Form found on our website www.trcc.edu or in writing to the Office of Student Services.
2. Complaints must be submitted within twenty College business days after the occurrence of an alleged violation unless special conditions for delay can be documented.
3. The Complaint Form must include sufficient facts: specific names(s), date(s), locations, and descriptions of the alleged act(s) of misconduct to enable the Chief Student Services Officer to make a determination as to whether further investigation is necessary.
4. Where the alleged misconduct is related to sexual harassment, the Chief Student Services Officer will refer to SR 2120 Title IX for Students and shall determine whether further investigation and discipline is warranted.
5. Where the complaint is related to academic misconduct SR 2140 Addendum (A) must be followed.

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Follow-up of report of Alleged Violations

- 1) Following receipt of the report, the Chief Student Services Officer will:
 - a. Review initial report to determine if a violation of the Student Code has occurred and further investigation is warranted, or
 - b. Determine if violation of the Student Code has or has not occurred but extenuating circumstances, may warrant no action, or
 - c. Declare the matter closed if determined there is insufficient information of a violation of the Student Code.
- 2) Any interview the Chief Student Services Officer decides to conduct includes:
 - a. All parties have the right to be interviewed.
 - b. All parties may have an advocate present.
 - c. All parties may submit a list of witnesses/evidence directly involved with the reported incident.
- 3) During the interview process the Chief Student Services Officer may:
 - a. Find sufficient evidence the Student Code has been violated;
 - b. Terminate the meeting, exonerating the responding party(s)
 - c. Dismiss the case after providing counseling and any advice which may be appropriate
- 4) If it is determined sufficient evidence produced from the interview exists to warrant violations of Student Code with sanctions, the Chief Student Services Officer will provide a notification of the violation(s) and arrange a meeting with the responding party.

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Responding student may be accompanied by an advocate. The role of the advocate is passive and limited. *In the case of a charge(s) potentially criminal in nature, the charged student must notify the Chief Student Services Officer three (3) College business days in advance of the consultation if he/she plans to have an attorney present as his/her advocate. Failure to notify the Chief Student Services Officer will result in the consultation being rescheduled.*

At this meeting, the responding student is informed of all due process rights and disciplinary procedures.

- i. Provided with a written copy of the violation(s);
 - ii. Given an opportunity to review charges and evidence and to respond to the violations.
 - iii. During meeting with the responding party, the Chief Student Services officer may:
 1. Impose a disciplinary warning, which is an official written reprimand not subject to student's right to appeal;
 2. Advise the responding party of the nature of any sanctions to be invoked, which are subject to student's right to appeal.
- 5) The responding party must advise the Chief Student Services Officer either at the meeting or within one (1) College business day of the meeting of their acceptance of violation.
 - 6) If responding party does not accept decision of violating the Student Code, they may file an appeal as described in the college regulation SR 2140 Student Appeals within three (3) business days of the decision.
 - 7) If the responding party fails to appear at the scheduled meeting without prior notification

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or evidence of extenuating circumstances, the Chief Student Services Officer may impose any sanctions authorized and the responding party shall be bound by the findings.

Student complaints alleged against the Chief Student Services Officer may be filed with the Chief Student Services Officer’s Supervisor.

Special Procedures for Adjudicating Cases Involving Recognized Student Organizations (RSO)

Should a complaint be filed against an RSO, the Chief Student Services Officer will conduct an investigation, and the Chief Student Services Officer may impose the following sanctions, if necessary:

1. Cancellation of recognized status,
2. Imposition of monetary fines, withholding or withdrawal of allocated funds
3. Imposition of restitution for damages,
4. Removal of any of the RSO’s officers or members from the RSO or its activities,
5. Restriction of any of the privileges or rights enjoyed by the RSO.

An RSO may file an appeal to any finding and/or sanction imposed provided relevant grounds for appeal are cited as described in College Regulation SR 2140 Student Appeals. The right of provisional organizations to operate may be revoked upon an adverse finding by the Chief Student Services Officer. In cases of revocation of provisional status, an institutional appeal is not permitted.

Notification

In all cases relative to written notification to students, such notification will be considered complete upon sending communication via U.S. Postal Service, Three Rivers College student email, or hand delivered by either the Chief Student Services Officer or their designee.

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Sanctions

The following disciplinary sanctions may be imposed upon the student. This list is not exhaustive, and the College reserves the right to modify or enlarge the list at any time depending on the nature of the violation(s).

Upon imposition of a sanction, the student is notified either by the U.S. Post Office to the student's mailing address contained at Three Rivers College, sent to student's Three Rivers College email or the notification is hand delivered by either the Chief Student Services Officer or their designee. In cases of suspension or expulsion, the parents of a minor will be notified by mail.

1. Disciplinary Warning

A disciplinary warning is an official written reprimand.

2. Disciplinary Probation

Disciplinary probation is a period of time during which further violations of the rules and regulations of the College may result in suspension or expulsion. Probation may be imposed for a period of time ranging from the remainder of the semester in which the violation occurred to the remainder of the student's matriculation at the College. Restrictions may be imposed in conjunction with probation and may include:

- a) *A Fee Assessment – \$100 Fee payable immediately at the Student Accounts office (no checks) and receipt of payment must be returned to the Chief Student Services Officer.*
- b) *Community Service Hours – Students may be required to complete work at a designated location for a specified number of hours or may pay a fine.*
- c) *Educational Programs – Students may be required to attend programs on special topics related to the offense. This does not include academic courses for credit.*

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- d) *Restricted presence on campus* – Students may be restricted on campus except to attend classes or complete coursework.
- e) *Special Projects* – Students may be required to write papers and/or present programs on topics related to the offense.
- f) *Substance Abuse Assessment* – Students may be required to submit to an assessment for substance abuse. Periodic drug testing, not to exceed two (2) random tests per semester for a minimum of three (3) semesters, may be required.
- g) *Restitution* – Students may be required to reimburse the College or other persons, groups, or organizations for damages incurred as a result of a violation of the Student Code.
- h) *Confiscation* – The College reserves the right to confiscate goods used or possessed in violation of the Student Code.

3. Loss of Student Office/Leadership Position

Students in elected/appointed positions may lose the position as a result of a violation of the Student Code.

4. Forced Withdrawal

Students may be withdrawn from the academic course(s) within which the violation of the Student Code occurred without receiving academic credit for the course(s) or refund.

5. Change of Grade

Students found in violation of the Student Code may receive a change in grade for the course, test, paper, and/or work in which an academic irregularity occurred.

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6. Interim Suspension

- a. At any time following the submission of a written complaint, the Chief Student Services Officer may suspend a student for an interim period prior to resolution of the disciplinary proceeding if the Chief Student Services Officer believes the information supports the allegations of misconduct is reliable and determines the continued presence of the student on the College campus poses a threat to any individual, property, or College function.
- b. The decision to suspend a student for an interim period shall be communicated in writing to the student and shall become effective immediately upon sending the notice.
- c. The interim suspension shall remain in effect until a final decision has been made on the pending charges or until the Chief Student Services Officer determines the reasons for imposing the interim suspension no longer exist.
- d. A student who is suspended for an interim period will be provided an opportunity to respond to the allegations of misconduct no later than five (5) College business days following the effective date of the interim suspension.
- e. The student will be granted a hearing opportunity, if warranted, as soon as possible following such response but no later than five (5) College business days.

7. Suspension

A decision of suspension terminates the student's status as an enrolled student for a specific period of time and prohibits the student from attending classes. A suspended student may not participate in College sponsored activities or be present on campus without specific authorization from the Chief Student Services Officer. The Chief Student Services Officer may further impose a summary suspension in cases where a suspended

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student chooses to violate the terms of his/her suspension. Suspended students may not receive any academic credit from another institution if earned during their period of suspension from the College. Students will not receive a refund of fees.

8. Expulsion

A decision of expulsion constitutes a permanent severance of the student’s relationship with the College. An expelled student may not enter any part of the campus without specific authorization from the Chief Student Services Officer. Students will not receive a refund of fees.

9. Revocation of Admission and/or Degree

Admission to or a degree awarded from the College may be revoked for fraud, misrepresentation, or other violation of College standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.

10. Withholding Degree

The College may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Code, including the completion of any sanctions imposed.

A student responsible for any type of violation of the Student Code will not be permitted to avoid sanction by withdrawing from a class or the College.

Other than expulsion or revocation or withholding of a degree, disciplinary sanctions shall not be made part of the student’s permanent academic record, but shall become part of the student’s disciplinary record, maintained by the Chief Student Services Officer.

The Appeal Process

If the responding party does not accept the disciplinary decision of the Chief Student Services Officer, they may file an appeal as described in College Regulation SR 2140 Student Appeals. When

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using the College appeal process in this case, the student has three (3) business days to file the appeal. The findings and sanctions of the Student Appeals Committee are final.

Administrative Withdrawal

Students may be administratively withdrawn from classes and/or the College when, in the judgment of the Chief Academic Officer or the Chief Student Services Officer, after consultation with appropriate College personnel, it is determined because of physical, mental, emotional, or psychological health conditions, the student:

- a. poses a significant danger or threat of physical harm to the student or to the person or property of others, or
- b. the student interferes with the rights of other members of the College community or with the exercise of any proper activities or functions of the College or its personnel, or
- c. the student is unable to meet institutional requirements for continued enrollment as defined in this Student Code or other publications of the College.

Students may make a request “in writing” for an appropriate hearing prior to the final decision concerning continued enrollment through the Chief Academic Officer and/or the Chief Student Services Officer as appropriate.

Records Management

Student disciplinary records, except those pertaining to suspension or expulsion, will be maintained for five (5) years after the student’s date of graduation or last date of attendance. Records involving suspension or expulsion will be retained permanently (GAP/GAR 1410 Record Retention and Destruction).

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Interpretation and Revision

Any question of interpretation or application of the Student Code shall be referred to the Chief Student Services Officer or their designee for final determination, unless otherwise determined by the College President or the Board of Trustees.

The Student Code shall be reviewed every three (3) years under the direction of the Chief Student Services Officer. Any revisions shall be subject to the approval of the faculty, the Board of Trustees and the College President.

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DOCUMENT HISTORY:

- 07-21-2010:** Initial approval of regulation SR 2620 Disciplinary Proceedings.
- 09-16-2015:** Revision of position title Vice President of Student Success to Chief Student Services Officer.
- 09-21-2016:** The College Board of Trustees approved the name change of the College from Three Rivers Community College to Three Rivers College.
- 08-23-2017:** Updated for clarification of Student Services processes.
- 11-20-2019:** Revised to align with College operations specific to student disciplinary proceedings.
- 01-15-2020:** Clarification to the Student Complaint Process.
- 08-19-2020:** Updates relating to new Title IX Ruling.