

5. *Dismissal*: The strongest disciplinary restriction. A penalty this severe generally indicates that a student may not return to the college unless he/she is granted special dispensation from the President of the college. Disciplinary dismissal would apply to a student who is guilty of chronic violations or a major breach of conduct so that rehabilitation possibilities appear to be remote.

DUE PROCESS RIGHTS OF STUDENTS

The college recognizes the right of both substantive and procedural due process in any matter involving a student misconduct violation. A student is entitled to a notice, a hearing, and an explanation before receiving a suspension or expulsion from the college.

Penalty Without Hearing

In the event a student wishes to waive the right to a formal hearing or makes voluntary written confession of the allegation and waives the right to a hearing, the violation may be administratively disposed of if:

1. It is in the best interest of the college and the student concerned, and
2. The student concerned consents in writing to administrative disposition.

At a conference with the student in connection with the allegation, he/she shall be advised of his/her rights.

If a student accepts administrative disposition, he/she shall sign a statement that he/she understands the formal charges; his/her rights to a hearing, or to waive the same; the penalty imposed; and his/her waiver of the right to appeal.

In administrative disposition, the penalties imposed shall not differ from those penalties stated in *Definitions of Disciplinary Actions*.

Once a student has been informed of his/her rights and the penalty that could be imposed should a violation be found and has knowingly and voluntarily accepted in writing the authority of the administration to impose the penalty, a student shall have waived the right to request a formal hearing.

Formal Hearing

In the event a student wishes a formal hearing

1. Notice of the charges and their implications will be given orally or in writing prior to the hearing.

2. The list of witnesses and their expected testimony will be given to the accused student prior to the hearing or at the hearing itself.

A Disciplinary Committee composed of college faculty, staff and two students will be convened to conduct the hearing. It is the duty of the Disciplinary Committee to hear all evidence presented concerning the alleged misconduct violation. Because the college is an academic institution and not a court of law, the Disciplinary Committee is not bound by the common laws of evidence or civil procedure. Therefore, hearsay may be used during the hearing. It is the committee's responsibility to render a fair and impartial decision from the evidence presented and to assure the student received due process in accordance with his/her constitutional rights.

At the hearing, a student has the right to present his/her defense against the charges and to produce other oral testimony or written affidavits of witnesses in his/her behalf. A student may be represented by counsel. If so, the college expects the courtesy of notification. The counsel will be allowed only to advise a student and not to actively participate in the hearing. The college is not required to provide the opportunity for cross-examination but may do so at the discretion of the chief hearing officer.

The Disciplinary Committee shall report findings within 72 hours of the hearing. The findings shall be reported to the President or his designee and said person will notify the student of the results of the hearing and the implications of the decision. Any student who is dissatisfied with the results of the hearing may file an appeal to the Disciplinary Appeal Committee. Further appeal may be made to the President of the College.

During the period of the student's appeal, the student shall not be present on the campus of Lawson State Community College.

STUDENT GRIEVANCE PROCEDURE

Policy

Lawson State Community College will make every effort to resolve any problem that develops among students, instructor and student, and college personnel. The College recognizes that in order to efficiently and effectively carry out its mission, its employees and students must feel confident that any valid complaint or grievance an employee or student make concerning the College will be promptly addressed by the appropriate authorities. The organizational structure of the college is designed to facilitate immediate resolution of problems once they are identified; therefore, the college does not