

STUDENT CONDUCT CODE

STUDENT CONDUCT AND CAMPUS DISCIPLINE POLICY

(Effective May, 1995)

Casper College students are expected to treat others with the civility, dignity and respect which recognizes the innate value of all human beings reflects the student's commitment to obtaining an education and meets the legal and campus standards of conduct imposed by federal, state and local laws and college policies, rules and regulations. Specific student behavior standards and student disciplinary procedures will be established and publicized by the college. The student disciplinary procedures should afford students due process while ensuring that sanctions taken under their auspices are sufficiently firm and educationally based so as to serve as a deterrent for future conduct violations.

All student disciplinary sanctions which involve the expulsion [i.e., the permanent separation of a student from the college] of a student can only be implemented by the president or acting president of the college.

CASPER COLLEGE STUDENT CONDUCT AND JUDICIAL CODE

(Revised: April 2006)

(Effective Date: August 1, 2001)

Preamble

Casper College is an institution of higher learning whose purposes are described in the mission and institutional purposes sections of the Casper College Catalog. To achieve the purposes of the College both students and faculty need a climate which nurtures academic and personal freedom and integrity. It is the responsibility of all members of the College community to be active participants in securing this climate. This Student Conduct and Judicial Code is promulgated so Casper College students may know the expectations for their behavior and be assured that their constitutional rights shall be protected.

Article I: Definitions

1. The term "Administrative Hearing Officer" means a College official authorized on a case-by-case basis by the Vice President for Student Services to investigate alleged violations of the Student Conduct and Judicial Code, to administratively dispose of any cases, by mutual consent of all parties involved, and to impose sanctions upon students found to have violated the Student Conduct and Judicial Code. The Vice President for Student Services may serve, or authorize another College official to serve, simultaneously as an administrative hearing officer and the sole member or one of the members of a disciplinary hearing board. Nothing shall prevent the Vice President for

Student Services from authorizing the same administrative hearing officer to impose sanctions in all cases.

2. The Term “Appellate Review Board” means any person or persons authorized by the Vice President for Student Services to consider an appeal of a disciplinary hearing board’s determination that a student has responsibility for violating a section of the Student Conduct and Judicial Code or an appeal related to the sanctions imposed by the administrative hearing officer.
3. The term “cheating” includes, but is not limited to: (1) use of any unauthorized assistance in taking quizzes, tests or examinations; (2) dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems or carrying out other assignments; or (3) the acquisition, without permission, of tests or other academic material belonging to a member of the College faculty or staff.
4. The term “College” means Casper College, aka Casper Community College.
5. The term “College official” includes any person employed by the College, performing administrative or professional responsibilities.
6. 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).
7. The term “disciplinary body” means any person or persons authorized by the Vice President for Student Services to serve as an administrative hearing officer, a member of a disciplinary hearing board, or a member of an appellate review board.
8. The term “faculty member” means any person hired by the College to conduct activities found in the faculty job description.
9. The term “hazing” includes, but is not limited to, an act which endangers the mental or physical health or safety of a student or which destroys or removes public or private property.
10. The term “interim suspension” means that a specific suspension has been imposed on a person prior to a formal disciplinary hearing so as to ensure the health and safety of the members of the College community.
11. The term “may” is used in the permissive sense.
12. The term “member of the College community” includes any person who is a student, faculty member, College official, or any other person employed by the College. The Registrar and/or Director of Human Resources for the College shall determine a person’s status in a particular situation.
13. The term “organization” means any number of persons who have complied with the formal requirements for College recognition.
14. The term “plagiarism” includes, but is not limited to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of papers or other academic materials.

15. The term “policy” is defined as the written regulations of the College as found in, but not limited to, the Student Conduct and Judicial Code, Residence Hall Terms and Conditions of Occupancy, College catalog, the College Policy Manual and such procedural statements as may be developed to implement institutional policies.
16. The term “sexual assault” includes, but is not limited to, [1] unwanted touching of a sexual nature; [2] unwanted touching which produces sexual arousal, gratification or abuse; [3] intrusion of any object into a person’s genital or anal opening, when these acts are engaged in while a subject is physically helpless, mentally incapacitated, submitting due to physical harm or abuse or threat of harm or abuse, or while the subject has verbally refused consent to engage in these actions.
17. The term “sexual harassment” includes, but is not limited to, [1] unwanted and unwelcome conversation, behavior, displays or references to a person’s sexuality, sexual orientation or gender or to sexual activity in such a manner as to create a sexually intimidating, hostile or offensive work, educational or living environment; [2] an attempt to coerce an unwilling person into a sexual relationship; [3] subjecting a person to unwanted sexual attention within the context of a relationship in which there is a formal or informal power differential; [4] punishing a refusal to comply with or respond to unwanted sexual attention and/or advances.
18. The term “shall” is used in the imperative sense.
19. The term “student” includes all persons enrolled for courses through the College, whether enrolled as degree-seeking, non-degree-seeking, full-time, part-time, credit, non-credit, distance education, customized training, continuing education or community service students, in addition to those who are enrolled through post secondary educational institutions other than Casper College and who attend classes at or reside in Casper College facilities. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the College are considered “students” for the purposes of this Code.
20. The Vice President for Student Services is that person designated by the College President to be responsible for the administration of the Student Conduct and Judicial Code.
21. The term “working day” means the days that the College’s administrative offices are open.

Article II: Judicial Authority

1. Under the auspices of the student conduct and campus discipline policy, adopted by the Casper College Board of Trustees, the President has designated the Vice President for Student Services as the person responsible for developing and implementing standards and procedures addressing student conduct and campus discipline issues.

2. The Vice President for Student Services shall determine the composition of judicial bodies and Appellate Boards and determine which disciplinary hearing board, administrative hearing officer and Appellate Review Board shall be authorized to hear each case.
3. The Vice President for Student Services in conjunction with the Judicial Officer shall develop policies for the administration of the judicial program and procedural rules for the conduct of disciplinary hearings that are consistent with provisions of the Student Conduct and Judicial Code.
4. Decisions as to Code violations made by a disciplinary hearing board shall be final. If an appeal is submitted, in accordance with Article IV, Section D, the Vice President for Student Services may implement or hold in abeyance the imposed sanctions while the appeals process proceeds.
5. A disciplinary body may be designated as arbiter of disputes within the student community in cases that do not involve a violation of the Student Conduct and Judicial Code. All parties must agree to arbitration, and to be bound by the decision with no right of appeal.

Article III: Proscribed Conduct

A. Jurisdiction of the College

1. The College jurisdiction and disciplinary system will primarily focus on conduct which occurs during College activities, classes and events or occurs on College premises.
2. In exceptional circumstances, the College jurisdiction and disciplinary procedures may encompass students whose off-campus personal conduct endangers the physical health and/or safety of College employees, adversely affects the College community and/or the pursuit of its objectives. Each off-campus complaint that is filed will be evaluated within the totality of situational circumstances to determine:
 - 1) Whether the situation is a case of “exceptional circumstances”, and
 - 2) Whether the use of the campus disciplinary system will have any significant impact to protect the individual(s) and/or the campus community.

B. Conduct -- Rules and Regulations

Any student found to have committed the following misconduct is subject to the disciplinary sanctions outlined in Article IV:

1. Acts of dishonesty, including but not limited to:
 - a. Cheating, plagiarism or other forms of academic dishonesty.
 - b. Furnishing false information to any College official, faculty member or office.
 - c. Forgery, alteration or misuse of any College document, record or instrument of identification.
 - d. Tampering with the election of any recognized student organization.
 - e. Violations of copyright legislation.

2. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other College activities, including its public-service functions on or off campus or other authorized non-College activities, when the act occurs on College premises.
3. Fighting, verbal abuse, threats, intimidation, harassment, coercion and/or other conduct that threatens, endangers or creates a climate of fear for the health or safety of a person.
4. Sexual harassment, sexual assault and violence based upon a person's sexual orientation that endangers or creates a climate of fear for the health or safety of a person.
5. Attempted or actual theft of services or attempted or actual theft of and/or damage to property of the College, any public entity, a member of the College community or other personal property.
6. Hazing for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a team, group or organization.
7. Failure to comply with the directions of College officials, campus security officers or law enforcement officers acting in the performance of their duties, and/or behavior which demonstrates disrespect for College officials, campus security officers or law enforcement officers acting in the performance of their duties and/or failure to identify oneself to these persons when requested to do so.
8. Unauthorized possession, duplication or use of keys to any College premises or unauthorized entry to or use of College premises.
9. Violation of published College policies, rules or regulations.
10. Violation of federal, state, or local laws on College premises or at College sponsored or supervised activities.
11. Manufacture, use, possession, or distribution of narcotic or other controlled substances, except as expressly permitted by law.
12. Conspire to manufacture, use, possess, or distribute narcotic or other controlled substances, except as expressly permitted by law.
13. Public intoxication or use, possession or distribution of alcoholic beverages on College premises.
14. Conspire to manufacture, use, possess or distribute alcoholic beverages, except as permitted by the law and College regulations.
15. Illegal or unauthorized possession of firearms, explosives, other dangerous weapons or dangerous chemicals on College premises.
16. Participation in a campus demonstration which disrupts the normal operations of the College and infringes on the rights of other members of the College community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area; intentional obstruction which unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus.

17. Obstruction of the free flow of pedestrian or vehicular traffic on College premises or at College sponsored or supervised activities.
18. Breach of the peace or conduct that is disorderly, lewd, or indecent.
19. Aiding, abetting, or procuring another person to breach the peace on College premises or at functions sponsored by, or participated in by, the College.
20. Theft or other abuse of computer account privileges, equipment, software, network resources or time, including but not limited to:
 - a. Unauthorized entry into an account, file or network, to use, read, or change the contents, or for any other purpose.
 - b. Unauthorized transfer or copying of accounts, programs or files.
 - c. Unauthorized use of another individual's account, identification and password.
 - d. Use of computing facilities to interfere with the work of another student, faculty member, College official or computer network operations.
 - e. Use of computing facilities to send obscene, abusive or threatening messages.
 - f. Use of computing facilities to interfere with normal operation of the College or network computing system.
21. Abuse or misuse of the campus telephone or telecommunications systems, including but not limited to:
 - a. Unauthorized use of another person's telephone equipment, access identification numbers, billing cards or phone number.
 - b. Making obscene, abusive or harassing contact through this type of equipment.
 - c. Unauthorized access to telecommunications cable systems.
 - d. Unauthorized recording from or copyright infringements on telecommunications systems.
22. Abuse of the Judicial System, including but not limited to:
 - a. Failure to obey the summons of a disciplinary body or College official.
 - b. Falsification, distortion, or misrepresentation of information before a disciplinary body.
 - c. Disruption or interference with the orderly conduct of a disciplinary proceeding.
 - d. Institution of a disciplinary proceeding knowingly without cause.
 - e. Harassing, intimidating, threatening and/or in any way attempting to discourage an individual's proper participation in, or use of, the judicial system.
 - f. Attempting to influence the impartiality of a member of a disciplinary body prior to, and/or during the course of, the disciplinary proceeding.
 - g. Harassment (verbal or physical) and/or intimidation of a member of disciplinary body prior to, during, and/or after a disciplinary proceeding.

- h. Failure to comply with the sanction(s) imposed under the Student Conduct and Judicial Code.
- i. Influencing or attempting to influence another person to commit an abuse of the judicial system.

C. Violation of Law and College Discipline

1. If a student is cited and/or arrested for an off-campus violation of federal, state, or local laws, but not with any other violation of this Code, disciplinary action may be taken and sanctions imposed for personal conduct which has endangered the physical health or safety of College employees, adversely affected the College community and/or disrupted the pursuit of its objectives. If the Vice President for Student Services determines that the health and safety of the College community, and/or its individual members' can be protected through the use of the campus disciplinary system, he/she will authorize that campus disciplinary action be undertaken without regard to the pendency of civil litigation and/or criminal justice system proceedings.
2. College disciplinary proceedings may be instituted against a student charged with violation of a law that is also a violation of this Student Conduct and Judicial Code without regard to the pendency of civil litigation in court or criminal arrest and prosecution. Proceedings under this Student Conduct and Judicial Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus.
3. When a student is charged by federal, state, or local authorities with a violation of law, the College will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also the subject of a proceeding before a disciplinary body under the Student Conduct and Judicial Code, however, the College may advise off-campus authorities of the existence of the Student Conduct and Judicial Code and of how such matters will be handled internally within the College community. The College will cooperate fully with law enforcement and other agencies on the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators. Individual students and faculty members, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate

D. Rights of Students

1. Nondiscrimination -- There shall be no discrimination within the College community against any student, or applicant for admission, based upon race, religion, national origin, gender, sexual orientation, age, or disability. This same policy applies to all recognized student organizations.
2. Student Educational Records -- Student educational records shall be maintained only by authorized College officials, and released to College officials only when there is a legitimate need. In non-emergency situations,

student educational records shall be released only with prior written consent of the student concerned. For the purposes of this Code student educational records will include, but are not limited to: (a) academic transcripts and grade records, (b) disciplinary proceedings transcripts, (c) medical conditions and treatment records, (d) counseling and psychiatric treatment records, (e) financial aid data, (f) attendance records. These records may be maintained in separate files and shall be retained for reasonable periods of time and then may be destroyed. Please see Casper College Procedure # 2200:20:01 for a more detailed explanation of the College's Family Educational Rights and Privacy Act procedures.

3. Academic Rights -- A student shall have the right, regardless of the instructional delivery modality, to:
 - a. Be informed of course requirements through a written syllabus;
 - b. Be evaluated solely on the basis of his or her academic performance as required by an instructor as part of a course;
 - c. Experience reasonable, free and open discussion, inquiry, and expression, both in the classroom and in student/instructor conferences;
 - d. Experience competent instruction and academic advisement;
 - e. Take exception, in a scholarly manner, to the data or views presented and reserve judgment about matters of opinion;
 - f. Expect protection against an instructor's improper disclosure of a student's views, beliefs, and political associations which may surface as a result of the instructor's teaching or advising;
 - g. Expect protection, through established procedures, against prejudiced or capricious evaluation;
 - h. Expect protection from sexual harassment in the educational environment.
4. Students shall have the right to freedom of speech and assembly, subject to clearly stated guidelines regarding time, place and manner, as described in Casper College Policy #3900:50:02 (Use of Facilities for Solicitations, Literature Distribution & Demonstrations). It is understood that they will exercise these freedoms in such a manner as to be considered civil and respectful of others in the Casper College and larger community. It is further understood that the College retains the right to be informed about the scheduling of guest speakers so as to insure that the event may take place in an orderly fashion and is conducted in a manner appropriate for an academic community. These rights do not include protection from liable and slander.

Article IV: Judicial Policies and Procedures

A. Charges and Hearings

1. Any member of the College community may file a complaint against a student for misconduct under this Conduct and Judicial Code. Any student wishing to file a misconduct complaint against a Casper College employee should use the Student Grievance procedure, which is presented in this Handbook.

2. All allegations and complaints brought under this Conduct and Judicial Code shall be prepared in writing and given to the Vice President for Student Service or the Associate Dean of Students. Any allegations or complaints should be submitted as soon as possible after the event takes place or is discovered, but no longer than 10 working days. The College will have up to 10 working days in which to conduct an inquiry into the allegation(s) or complaint(s) and make a determination as to how to proceed.
3. At the conclusion of the inquiry the administrative hearing officer shall determine if the written complaints or allegations have “sufficient foundation to go forward”.
 - a. If they are found “not to have sufficient foundation to go forward” the complaining and the accused parties will be notified and the allegation(s) or complaint(s) will be dismissed.
 - b. If they are found “to have sufficient foundation to go forward”, the administrative hearing officer shall prepare a written statement of charges and options for disciplinary actions for the accused student(s).
 - c. If the administrative hearing officer is unable to make a determination about the “sufficiency of the foundation to go forward” with the complaint(s) or allegation(s), the hearing officer may require that the case be referred to a disciplinary hearing body.
4. If the accused student(s) opt to dispose of the charges administratively by mutual consent, the accused student(s) are assuming responsibility for the charges. Sanctions assigned after such a disposition shall be final and there shall be no subsequent appeal proceedings. If the charges cannot be disposed of by mutual consent, the administrative hearing officer may later serve in the same matter as the disciplinary hearing board or member thereof.
5. If the accused student(s) request a hearing before a disciplinary hearing board, a hearing time shall be set, not less than three (3) nor more than ten (10) working days after the accused student(s) has chosen the hearing option. The administrative hearing officer, upon agreement by all, may alter the time frame for the scheduling of hearings.
6. When the accused student(s) request a hearing, the Vice President for Student Services, or designee, will appoint a disciplinary hearing board from benefited Casper College employees and/or degree-seeking students who will receive training relative to hearing procedures prior to serving on the disciplinary hearing board.
7. Hearings shall be conducted by a disciplinary hearing board according to the following guidelines:
 - a. Hearings normally shall be conducted in private.
 - b. Admission of any person to the hearing shall be at the discretion of the disciplinary hearing board chair. Additionally, the board chair will remind all participants and information providers that they are expected to present information in an accurate and truthful manner.

- c. In hearings involving more than one accused student, the chairperson of the disciplinary hearing board may permit the hearings concerning each student to be conducted separately.
 - d. The complainant and the accused have the right to be present throughout the hearing, but not during those times that the disciplinary hearing board may convene an executive session for the purposes of consultation or deliberation. Each party may be assisted by any member of the College community, who may attend the hearing as a support person. [When the accused student has been officially charged with a violation of local, state or federal law, for the same event(s) for which the disciplinary hearing is being convened, then the accused student may elect to have an attorney serve as the support person, at his/her own expense. If an accused student is seeking to use an attorney as a support person, the attorney must meet with the disciplinary hearing board chair or the Vice President for Student Services prior to the hearing so that the hearing procedure may be reviewed.]
 - e. The complainant and the accused are responsible for presenting their own cases and, therefore, support persons are not permitted to speak or to participate directly in any hearing before a disciplinary hearing board, unless either the complainant or the accused are not able, due to disabling conditions or injuries, to present their own case. Any request that a support person be allowed to present the case for either the complainant or the accused must be submitted in writing, with appropriate supporting documentation, at least 24 hours prior to the beginning of the hearing. The request will be reviewed and a determination made about the support person's participation prior to the beginning of the hearing. If it is decided that a support person may participate in the hearing, then both support persons may participate in the hearing process.
 - f. The complainant, the accused and the hearing board shall have the privilege of presenting information providers, who may be subject to questioning by the disciplinary hearing board.
 - g. Pertinent records, exhibits and written statements may be accepted as information for consideration by a disciplinary hearing board at the discretion of the chairperson.
 - h. All procedural questions are subject to the final decision of the chairperson of the disciplinary hearing board.
 - i. After the hearing, the disciplinary hearing board shall determine (by majority vote if the disciplinary hearing board consists of more than one person) whether "it is more likely than not" that the student has responsibility for violating each section of the Student Conduct and Judicial Code with which the student has been charged.
 - j. The disciplinary hearing board's determination shall be made on the basis of whether "it is more likely than not" that the accused student is responsible for violating the Student Conduct and Judicial Code.
8. The disciplinary hearing board shall maintain a tape-recorded record of its proceedings. The record shall not include the deliberations of the disciplinary hearing board in which the information is weighed and a decision is made as to whether "it is more likely than not" that the accused student has responsibility for the alleged violation of the Code. The record shall be the property of the College. The accused student may request a copy

of the tape, for use during his/her preparation of her/his appeal. It must be returned to the College with the appeal information.

9. Except in the case of a student charged with failing to obey the summons of a disciplinary hearing board or College official, no student may be found to have responsibility for violating the Student Conduct and Judicial Code solely because the student failed to appear before a disciplinary hearing board. In all cases, the information in support of the charges shall be presented and considered.
10. All records pertaining to disciplinary actions other than College Expulsion or College Suspension and Residence Hall Suspension, which have conditions of re-admissions attached, shall be maintained for three (3) years after the last conduct violation. College Expulsion will be noted on the student's transcript and records related to the action will be maintained for five (5) years. Records related to College Suspensions and Residence Hall Suspensions, which have conditions for re-admissions attached, shall be maintained for five years after the action has been taken or, if the suspension is for a period longer than five years, for one (1) year past the time that the suspension is lifted.

B. Sanctions

1. The following sanctions may be imposed upon a student found to have responsibility for violating the Student Conduct and Judicial Code:
 - a. Warning -- A notice in writing to the student that the student is violating or has violated institutional regulations.
 - b. Probation -- A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any institutional regulation(s) during the probationary period.
 - c. Loss of Privileges -- Denial of specified privileges for a designated period of time.
 - d. Restitution -- Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
 - e. Discretionary Sanctions -- Attendance at educational and/or training seminars/ workshops/ presentations, work assignments, service to the College or other related discretionary assignments (such assignments must have the prior approval of the administrative hearing officer).
 - f. Residence Hall Suspension -- Separation of the student from the residence halls for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
 - g. Residence Hall Expulsion -- Permanent separation of the student from the residence halls.
 - h. College Suspension -- Separation of the student from the College for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
 - i. College Expulsion -- Permanent separation of the student from the College.

2. The administrative hearing officer handling the administrative, mutual resolution agreement or referring the case to a disciplinary hearing board is the person responsible for developing and imposing disciplinary sanction(s) after a student has either accepted, or been found more likely than not, to have responsibility for a violation of the Conduct and Judicial Code standards. When developing sanctions, the administrative hearing officer shall consider all previous disciplinary violations and sanctions applied to the student. More than one of the sanctions listed above may be imposed for any single violation.
3. The administrative hearing officer imposing sanction(s) may suspend an imposed sanction. This means that the imposed sanction(s) is held in abeyance and not enforced, unless the student is charged with another violation of the Conduct and Judicial Code. If a student is subsequently charged with another violation of the Conduct and Judicial Code, the suspended sanction shall be immediately implemented.
4. Other than College expulsion, disciplinary sanctions shall not be made part of the student's permanent academic record, but shall become part of the record of disciplinary proceedings. After three years, without additional disciplinary proceedings against the student, the disciplinary proceedings record against the student may be expunged, with the exceptions of residence hall expulsion, College expulsion or those cases where a student is required to document rehabilitation or completion of a restitution or other requirement prior to being re-admitted to the College or campus housing.
5. Every campus group and organization has the responsibility to take all reasonable steps to ensure that their collective and individual conduct is not in violation of College rules and regulations and/or federal, state and local laws. The following sanctions may be imposed upon campus groups or organizations:
 - a. Those sanctions listed in Section B 1, a through e.
 - b. Deactivation -- Loss of all privileges, including College recognition, for a specified period of time.
6. In each case in which a disciplinary hearing board determines that a student has responsibility for violating the Student Conduct and Judicial Code, the sanction(s) shall be determined and imposed by an administrative hearing officer, with the exception of College expulsion that must have approval from the College President. In cases in which persons other than or in addition to the administrative hearing officer have been authorized to serve as the disciplinary hearing board, the administrative hearing officer shall consider their recommendation(s) in determining and imposing sanctions. The administrative hearing officer is not limited to sanctions recommended by members of the disciplinary hearing board. However, if the administrative hearing officer chooses to vary from the sanctioning recommendations of the disciplinary hearing board, the administrative hearing officer shall prepare a document, for inclu-

sion with the disciplinary hearing proceedings file, which outlines that rationale for the sanction(s) that were imposed. Following the hearing, the administrative hearing officer shall advise the accused in writing of the hearing board's determination of responsibility and of the sanction(s) imposed, if any.

7. In cases in which a student is found responsible for a code violation related to a sexual offense and/or an act of violence against people, the complainant shall also be informed, in writing, of the determination of the disciplinary hearing board and the sanction(s) imposed, if any. Additionally, the complainant shall be advised that the information provided to them is private and not meant for public disclosure.
8. In cases in which a student is found responsible for a code violation related to an act of violence against people, the Vice President for Student Services may disclose the final results of the disciplinary proceedings. This information would include: the name of the student, the code violation for which the person was found responsible and the elements of the sanction imposed.

C. Interim Sanctions

In certain circumstances, the Vice President for Student Services, or a designee, may impose College, activity or residence hall sanctions, up to and including suspension, prior to a hearing before a disciplinary hearing board or an agreement for administrative resolution.

1. Interim sanctions may be imposed only: a) to ensure the safety and well-being of members of the College community or preservation of College property; b) to ensure the student's own physical or emotional safety and well-being; or c) if the student poses a definite threat of disruption of or interference with the normal operations of the College.
2. During the interim sanctions, students may be denied access to the residence halls, College activities/functions and/or to the campus (including classes) and/or all other College activities or privileges for which the student might otherwise be eligible, as the Vice President for Student Services or the administrative hearing officer may determine to be appropriate.
3. Unless otherwise agreed to by the interrimly suspended student and the Vice President for Student Services or designated administrative hearing officer, a disciplinary hearing board shall be convened within 3 working days to hear the charges pending against the student. The interim suspension will remain in place until the disciplinary hearing board has made a finding and the administrative hearing officer has imposed sanction(s).

D. Appeals

1. A decision reached by the disciplinary hearing board and the sanction(s) imposed by the administrative hearing officer may be appealed by the accused student(s) or the complainant(s) to an Appellate Review Board

within five (5) working days of the decision. Such appeals shall be on the Disciplinary Hearing Appeals form, shall contain any relevant supporting documentation, and shall be delivered to the administrative hearing officer or his or her designee.

2. An appeal may only be filed for one or more of the following purposes:
 - a. To determine whether the original hearing was conducted fairly in light of the charges and information presented, and in reasonable conformity with prescribed procedures such that the complaining party had a reasonable opportunity to prepare and present information that the Student Conduct and Judicial Code was violated, and such that the accused student had a reasonable opportunity to prepare and to present a rebuttal of those allegations.
 - b. To determine whether the decision reached regarding the accused student was based on an adequate amount of information, that is, whether the facts of the case were sufficient to establish that "it was more likely than not" that a violation of the Student Conduct and judicial Code occurred and that the accused student was responsible.
 - c. To determine whether the sanction(s) imposed were appropriate for the violation of the Student Conduct and Judicial Code for which the student was found responsible.
 - d. To consider new information, sufficient to alter a decision, or other relevant facts not brought out in the original hearing, because the person appealing did not know such information and/or facts at the time of the original hearing.
3. Except, as deemed appropriate by the chair of the Appellate Review Board, to explain the basis of new information, the Appellate Review Board will not conduct a hearing in which information is gathered verbally. The board is simply to conduct a review of the process and materials presented to the original hearing board and determine whether the appeal is to be upheld or denied.
4. The Vice President for Student Services, or appropriate designee, shall appoint and conduct procedural training for an Appellate Review Board that has been selected from benefited Casper College employees and/or degree-seeking students. The board shall be composed of not more than five members and shall have the latitude to determine the process by which it will review the information related to the disciplinary proceedings. However, following deliberations the board shall determine by majority vote (if more than one person is on the Board) whether to uphold or deny each basis for the appeal. The board chair will prepare a written communication which shall include a declaration as to whether or not each basis of the appeal was upheld or denied and a brief description of the board's rationale for each action. This document shall be submitted to the Vice President for Student Services and included in the disciplinary proceedings file.
5. If an Appellate Review Board upholds an Article IV, Section D, Paragraphs 2(a), 2(b) or 2(d) appeal, the matter shall be remanded to the original disciplinary hearing board for re-opening of the hearing to allow reconsideration of the original determination.

6. If an Appellate Review Board upholds an Article IV, Section D, Paragraph 2(c) appeal, which has been submitted by the student found responsible for a Code violation, the case shall be remanded to, the Vice President for Student Services for review of the sanctions. Upon review of the case, the Vice President may leave the sanction(s) unchanged or may reduce, but not increase, the sanctions imposed by the original administrative hearing officer.
7. If an appeal related to Article IV, Section D, Paragraph 2(c), which has been submitted by the complaining student(s), is upheld by the Appellate Review Board, the case shall be remanded to the Vice President for Student Services, who may, upon review of the case, leave the sanction(s) unchanged, or may reduce or increase the sanctions imposed by the original administrative hearing officer, or remand the case to the original disciplinary hearing board for a re-hearing.

Article V: Interpretation and Revision

- A. Any question of interpretation regarding the Student Conduct and Judicial Code shall be referred to the Vice President for Student Services or his or her designee for final determination.
- B. The Student Conduct and Judicial Code shall be reviewed at least every three years under the direction of the Vice President for Student Services.