

# Appendix

## Student Disciplinary, Grievance, and Appeal Policies

### Policies Regarding Student Conduct

Attendance at Lee College is a privilege based on students meeting certain academic requirements and conforming to college regulations concerning student behavior on campus and at off-campus activities sponsored by the College or student organizations. Any of the following actions will subject a student to disciplinary action.

Violation of federal, state, or local law renders the student subject to disciplinary action by the College.

Students who pose a danger to persons or property or who constitute a threat of disrupting the academic process are subject to disciplinary action, including summary suspension from the College.

Students who deface or damage school property shall be required to pay the full cost of the damages.

Student organizations are expected to take reasonable precautions to prevent violations of College regulations and to assist the College in preventing them.

When the Dean of Student Development and Institutional Planning receives information that a student has allegedly violated a College policy or administrative rule, the dean shall investigate the alleged violations. After a preliminary investigation, the dean may dismiss the allegation, summon the student for a conference, or suspend the student pending a hearing.

Following the conference, the dean may: dismiss the allegation, or proceed with the disposition of the violation by assessing a penalty and informing the student of the penalty in writing. The penalty may range from a letter of reprimand to expulsion from the College.

If the accused student disputes the facts upon which the charges are based or the penalty assessed by the dean, he/she may appeal the decision of dean. (See Student Grievance and Appeal Processes; p. 134)

### Absences Due to School Functions

From time to time students may be absent from classes due to fulfilling commitments in another course or activity. It is the responsibility of the student to secure permission for any absence from individual course instructors. Some instructors may not agree that being absent is necessary.

### Absences Due to Religious Holy Days

Students may be absent from classes for the observance of a religious holy day and will be allowed to take an examination or complete an assignment scheduled for that day within a reasonable time as established by the instructor.

### Alcohol

Lee College policy prohibits the use of intoxicating beverages on all property owned, leased, or controlled by the College. The policy expressly prohibits the use of such beverages in buildings and campus areas open to the public. The policy also applies to vehicles owned, operated, leased, or controlled by the College.

The policy further prohibits minors and adults who are under the influence of alcohol or other intoxicants from appearing on College premises or at College-sponsored events, functions, or activities. By extension, the policy applies to off-campus meeting rooms, convention facilities, hospi-

tality suites, pavilions, hotel rooms, banquet facilities, etc., which are operated, leased, or controlled by College clubs or organizations.

Lee College does not permit or condone the use of alcoholic beverages and assumes no liability for such. Information regarding alcohol abuse and treatment options are available from the Lee College Counseling Center.

### Controlled Substances

Lee College policy states that no student shall possess, use, transmit, or attempt to possess, use, or transmit or be under the influence of any of the following substances on school premises or at a College-sponsored activity, function, or event:

- Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulate, depressant, amphetamine, or barbiturate.
- Alcohol or any alcoholic beverage.
- Any abusable glue, aerosol paint, or any other volatile chemical substance for inhalation.
- Any other intoxicant, or mood-changing, mind-altering, or behavior-altering drugs.

The transmittal, sale, or attempted sale of what is represented to be any of the above-listed substances is also prohibited under this policy. Information regarding drug abuse and treatment options are available from the Lee College Counseling Center.

### Bad Checks

A student who gives a check of insufficient funds will be dropped from all classes unless the check is made good within ten working days. Checks will not be accepted from students who have previously given checks drawn on accounts with insufficient funds.

### Disruption of Operations or Events

The College bears the responsibility for ensuring the safety of individuals, the protection of property, and the continuity of the educational process. Disorderly conduct that is violent, abusive, indecent, profane, boisterous or unreasonably loud is prohibited if there is reason to believe that such conduct will cause or provoke a disturbance. Students who pose a danger to persons or property or who constitute a threat of disrupting the academic process are subject to disciplinary action, including summary suspension from the College.

### Dress and Grooming

Students' dress or grooming may not materially and substantially interfere with normal school operations. Students with clothing that is considered lewd, offensive, or derogatory in the opinion of the Dean of Student Development and Institutional Planning may be asked to change or leave the campus.

### Firearms, Fireworks, and Explosives

With the exception of commissioned peace officers and security personnel licensed to carry weapons, the possession and/or use of firearms is prohibited on the Lee College campus. Fireworks and explosives are likewise prohibited on the campus.

### Gambling

Gambling, in any form, is prohibited on college property.

### Hazing

Hazing is a crime punishable under state law and is prohibited by Lee College policy. Hazing includes any intentional, knowing, or reckless act,

occurring on or off the campus by one person alone or acting with others, directed against a student, that endangers the mental or physical health or safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization whose members are or include students of Lee College.

Hazing includes but is not limited to:

- any type of physical brutality;
- any type of physical activity, such as sleep deprivation, exposure to elements, confinement in a small space, calisthenics;
- any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance which subjects the students to an unreasonable risk of harm or which adversely affects the mental or physical health or safety of the student;
- any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame, or humiliation;
- any activity that induces, causes, or requires the student to perform a duty or task which involves a violation of the Penal Code.

A person commits an offense if the person:

- engages in hazing;
- solicits, encourages, directs, aids, or attempts to aid another in engaging in hazing;
- intentionally, knowingly, or recklessly permits hazing to occur; or
- has firsthand knowledge of the planning of a specific hazing incident involving a student, or firsthand knowledge that a specific hazing incident has occurred, and knowingly fails to report the incident to the Dean of Student Development and Institutional Planning.

Consent is not a defense against a charge of hazing. It makes no difference whether the person against whom the hazing was directed consented to or acquiesced in the hazing activity.

Anyone associated with and/or involved in hazing activities will be subject to disciplinary action by the College and possible criminal charges.

## **Roller Skates, Roller Blades, and Skate Boards**

Lee College prohibits the use of roller skates, roller blades, and skate boards on its campus.

## **Smoking**

Lee College prohibits smoking inside any building, classroom, restroom, hallway, elevator, and within 15 feet outside of the entrance to any building. Smoking areas are designated in outside areas.

## **Vandalism**

Students who deface or damage school property are subject to disciplinary action and shall be required to pay the full cost of the damages.

## **Academic Honesty**

Academic honesty is essential to the maintenance of an environment where teaching and learning take place. It is also the foundation upon which students build personal integrity and establish standards of personal behavior. Lee College expects and encourages all students to contribute to such an environment by observing the principles of academic honesty outlined in the College's Academic Honesty Code.

**Student Responsibility:** Students at Lee College are expected to maintain honesty and integrity in the academic work they attempt while enrolled at the College. Each student acknowledges, by the act of turning in work for a grade, that he or she is in compliance with the code. Students are also responsible for informing the course instructor of any infractions that they may witness.

**Faculty Responsibility:** Faculty members are responsible for helping students comply with the Academic Honesty Code by directing students' attention to the policy in course outlines and/or by explaining its

provisions in class. Instructors should help minimize student temptation to violate the code by enacting adequate security precautions in the preparation, handling, and administering of graded work.

## **The Academic Honesty Code**

**Honesty Code Violations:** Any conduct or activity by a student intended to earn or improve a grade or receive any form of credit by fraudulent or dishonest means is considered an Honesty Code violation. In addition, engaging in any conduct including the following examples which a reasonable person in the same or similar circumstances would recognize as academic dishonesty is considered a violation. Examples of violations of the Honesty Code include, but are not limited to, the following:

1. Acquiring information:

- a. Acquiring information for any assigned work or examination from any source not authorized by the instructor.
- b. Working with another person or persons on any assignment or examination when not specifically permitted by the instructor.
- c. Observing the work of other students during any examination.
- d. Using, buying, selling, stealing, soliciting, copying, or possessing, in whole or part, the contents of an un-administered examination.
- e. Purchasing or otherwise acquiring and submitting as one's own work any research paper or other writing assignment prepared by others.

2. Providing information:

- a. Providing answers for any assigned work or examination when not specifically authorized by the instructor to do so.
- b. Informing any person or persons of the contents of any examination prior to the time the examination is given.

3. Plagiarism:

- a. Incorporating the work or idea of another person into one's own work, whether paraphrased or quoted, without acknowledging the source of that work or idea.
- b. Attempting to receive credit for work performed by another person, including papers obtained in whole or part from individuals or other sources.
- c. Copying computer programs or data files belonging to someone else.

4. Conspiracy:

- a. Agreeing with one or more persons to commit any act of academic dishonesty.

5. Fabrication of information:

- a. Falsifying the results obtained from research or a laboratory experiment.
- b. Presenting results of research or laboratory experiments without the research or laboratory experiments having been performed.
- c. Substituting for another student to take an examination or to do any academic work for which academic credit will be received.
- d. Changing answers or grades after an academic work has been returned to the student and claiming instructor error.
- e. Submitting work for credit or taking an examination and employing a technique specifically prohibited by the instructor in that course, even if such technique would be acceptable in other courses.

6. Abuse of resource materials:

- a. Mutilating, destroying, concealing, stealing, or altering any materials provided to assist students in the completion of academic work, including library books, journals, computer files, microfilm and microfiche files, materials placed on reserve by the instructor, or any such materials as the instructor may provide or assign.
- b. Copying without permission of the owner, or mutilating or destroying any media, printed or electronic (for example, film, video, music, graphics, art, photography, manuscript, internet or World Wide Web sources, CDROM, or electronic databases).

## **PROCEDURES**

Students who witness a violation of the Academic Honesty Code should report such violations to the instructor of the course in which the violation occurred.

Faculty members who suspect that a student may have violated a provision of the Academic Honesty Code are obligated to investigate the incident and discuss their findings with the student or students involved.

Faculty members who conduct such investigations are encouraged to confer with their division chairs, their instructional dean, and/or the Dean of Student Development regarding procedures, valid proof, and due process.

Faculty members who determine that a student violated the Academic Honesty Code must take action, both to prevent future violations and to preserve the academic integrity of their courses and the College community. All cases of academic dishonesty must be reported to the Dean of Student Development and the appropriate instructional Dean. The Dean of Student Development will note all cases in an information record system as defined in the final section of this policy statement. The Dean of Student Development will treat violations of the Academic Honesty Code in the manner prescribed below.

Penalties for violations of the Academic Honesty Code during a student's academic career are as follows:

*First Offense:* The student will receive a failing grade on the assignment in question.

*Second Offense:* Student will receive a failing grade for the course. In addition to the penalties laid out above, violations of the Academic Honesty Code that threaten the College's learning environment may merit further penalties up to and including expulsion. Any additional penalties will be determined by the faculty member in conjunction with the Dean of Student Development.

Students may appeal any decision by following the procedures outlined in the next section.

## Student Rights and Student Appeals

Students who wish to appeal instructors' determination that they violated the Academic Honesty Code may do so by notifying the instructor and the relevant division chair and initiating a grievance under the policy "Student Grievances Involving Instructional Issues." Students who have been subjected to disciplinary actions by the dean of students for egregious or repeated violations of the Academic Honesty Code may appeal the sanctions they received through the policy titled "Student Grievance Involving Non-Instructional Issues."

### RECORDS

The Dean of Student Development shall maintain a file which contains a record of each Academic Honesty Code violation reported to that office. These records will not, however, be attached to or become a part of the students' permanent records or transcript unless repeated violations result in the students' expulsion from the College.

In the event that a student is expelled from the College for an Academic Honesty Code violation, his or her transcript will show that the student was administratively withdrawn from the College for disciplinary reasons.

## Sexual Harassment

Lee College is committed to maintaining an academic environment in which students can learn and work without fear of sexual harassment. Every member of the college community must recognize that sexual harassment compromises the integrity of the college, its tradition of academic freedom, and the trust placed in its members. It is, therefore, the policy of the college to take all necessary actions to prevent, correct, and, where indicated, discipline perpetrators of sexual harassment.

Disciplinary actions for sexual harassment committed by employees include, but are not limited to, written warning, demotion, transfer, suspension, or dismissal. Disciplinary actions for sexual harassment committed by students include, but are not limited to, written warning, removal from class, or expulsion with notation on the student's permanent record.

## Legal Authority

Sexual harassment is a form of sex discrimination which is prohibited by Title VII of the Civil Rights Act of 1964, by Title IX of the Education Amendments of 1972, and by the Texas Commission on Human Rights Act. Sexual harassment by a public servant is also a criminal offense under section 39.02 of the Texas Penal Code.

## Definition

Sexual harassment may involve the behavior of a person of either sex against a person of the opposite or same sex, and occurs when such behavior constitutes unwelcome sexual advances, unwelcome requests for sexual favors, and other unwelcome verbal or physical conduct of a sexual nature where:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or academic advancement;
2. Submission to or rejection of such conduct by a person is used as the basis for decisions affecting a person's employment or academic standing;
3. Such conduct has the purpose or effect of unreasonably interfering with a person's work or academic performance or creating an intimidating, hostile, or offensive work, learning, or social environment.

## Examples Of Prohibited Behavior

Prohibited acts that constitute sexual harassment may take a variety of forms. Sometimes sexual harassment involves a single serious incident whereas at other times, multiple incidents are required to meet the standards of the definition. Examples of the kinds of conduct that may constitute sexual harassment under the definition above include, but are not limited to:

1. Threats or insinuations that a person's employment, wages, academic grade, promotional opportunities, classroom or work assignments or other conditions of employment or academic life may be adversely affected by not submitting to sexual advances.
2. Unwelcome verbal expressions, sexual innuendoes and comments, including comments on a person's body, dress, appearance or sexual activities; humor or jokes about sex or females/males in general; pestering a person for dates, whether directly or indirectly by telephone, on or off campus.
3. Unwelcome sexually suggestive sounds or gestures, including throwing kisses or whistling.
4. Sexually suggestive objects, pictures, videotapes, electronic mail, audio recordings or literature unrelated to educational purposes, placed in the work or study area that may embarrass or offend individuals.
5. Unwelcome or inappropriate touching, patting, or pinching including giving unrequested neck or shoulder massages.
6. Consensual sexual relationships where such relationships lead to favoritism of a student or subordinate employee with whom the teacher or superior is sexually involved and where such favoritism adversely affects other students and/or employees.

## Reporting Sexual Harassment

A recommended course of action for students who feel that they are being subjected to sexual harassment is for them to tell or otherwise inform the harasser that the conduct is unwelcome and must stop. However, this is not required, and in some circumstances this course of action may not be feasible, may be unsuccessful, or the individual may be uncomfortable dealing with the matter in this manner. Copies of the sexual harassment procedures are available in the Counseling Center and the Admissions and Records Office. These procedures call for students who feel that they have been subjected to sexual harassment to discuss their complaints with counselors, faculty members, college administrators, or others whom they trust. In addition, two persons have been designated to answer questions about the College's sexual harassment policies and/or receive formal complaints. They are: Rosemary Coffman; Counseling Center, Moler Hall; Telephone (281) 425-6384, and Dennis Topper, Moody Center, Rundell Hall; Telephone (281) 425-6348.

# Student Grievance and Appeal Processes

## Introduction

The policies described here provide students with a means to challenge classroom and administrative policies and/or behaviors that they feel are arbitrary or unfair while protecting the academic freedom that instructors must have to teach and the discretion that administrators must have to maintain an environment that is essential to teaching and learning.

Note that the process by which students may appeal decisions regarding their eligibility to receive financial aid is described in the Financial Aid section of the Catalog and that the process by which they may appeal questions regarding the acceptance and evaluation of transfer credit is described in the section Transfer Credit. (See Financial Aid Appeals; p. 18 and Transfer Dispute Resolution; p. 28.)

These policies include procedural rules that are meant to ensure that the outcomes that they produce are fair and that the rights of students and college employees are protected. These rules apply to all levels (formal and informal) of the policies described here but can be waived if all parties to the grievance, including the administrator charged with resolving it, agree to do so. These rules are summarized below.

- Students who initiate grievances or appeal decisions made by faculty members or administrators will not suffer retaliation. Students who file grievances and feel that they are being subjected to retaliation should bring their concerns to the attention of a counselor or administrator immediately. Students who are unsure as to which administrator to speak with should contact the office of the president.
- The College places no restrictions on the policies or practices that can be the subjects of student grievances. However, grievances regarding instructional issues that are capricious or threaten to undermine the principles of academic freedom will be dismissed.
- Students who file grievances or appeals may have a counselor, a friend, or a family member present when they meet with administrators and/or committees regarding their grievances. Faculty members and college employees who are the subjects of grievances may also have support persons present at these meetings.
- Instructors and other college employees will receive written copies of grievances that are filed against them prior to any meeting called by an administrator to resolve the grievance. Likewise, students will receive written copies of the responses filed by faculty members or employees prior to these meetings.
- All meetings called by administrators to resolve grievances will be closed to the public.
- All parties to a grievance will have the opportunity to present evidence and witnesses. If witnesses are presented at meetings where all parties to a grievance or appeal are present, the witnesses will be presented one at a time and all parties to the grievance will be allowed to ask questions.
- If an administrator charged with resolving a grievance conducts a meeting where persons representing both sides of the grievance are present, the administrator will see that neither side introduces evidence or witnesses that were not described in the statements and responses that were exchanged prior to the meeting.
- Administrators charged with the responsibility for resolving grievances will make every effort to see that the grievances are resolved quickly. The persons involved in the grievance will have five working-days to prepare written responses and/or prepare for meetings and the administrators who must rule on grievances will have fifteen working-days from the receipt of the grievance to rule on the

grievance and prepare statements. Exceptions can be made in the event that key persons are ill or unavailable, new evidence or witnesses arise during the process, or if college events such as registration or final exams intervene. If there is a need to grant more time, the administrator charged with resolving the grievance will provide all parties to the grievance with notification and explanation of the delay.

## Student Grievances Involving Instructional Issues

**INFORMAL RESOLUTION.** Students with complaints or concerns about their instructors' classroom policies and/or decisions should discuss them with the instructor and attempt to resolve problems as they occur. Students who are not satisfied with the outcome of these discussions may meet with the division chair or, in the event that the instructor is a division chair, with the instructional dean. The division chair or dean will make every effort to resolve the differences between the student and the instructor.

Students who are not satisfied with the outcome produced by informal resolution may move to Level 1 of the process and initiate a formal grievance. However, students will not be allowed to take this step if they have not made an effort to resolve the problem by discussing it with their instructors.

Note: Students who have been dropped from classes by their instructors because of excessive absences, tardiness, or other issues related to classroom behavior may use the process titled "Student Appeals Involving Disciplinary Decisions" to appeal these decisions. Students who wish to appeal an instructor's determination that they violated the Academic Honesty Code may use the process described here to appeal that decision.

**LEVEL 1.** Students who have attempted to resolve problems with their instructors through informal discussion, but were not satisfied with the outcome may meet with the chair of the instructor's division.

In the event that the instructor in question is a division chair, the instructional dean with responsibility for the division will assume the role of the division chair and complete Level 1 of the process and the other instructional dean will assume responsibility for Level 2 of the process.

1. The division chair will discuss the problem with the student and verify that the student has spoken with the instructor and made an effort to resolve the problem informally.
2. The division chair will ask the student to prepare a written statement describing his/her grievance and the relief that he/she seeks. The formal grievance begins when the student submits his/her written grievance to the division chair.
  - a. Students who wish to file grievances against instructors must do so within thirty days of the completion of the semester in which the incident that caused the grievance occurred.
3. Once a grievance has been submitted it may not be amended to include additional charges against a faculty member.
  - a. In the event that new information is unveiled during the course of the grievance resolution process that a student feels justifies an additional grievance, the student may file another grievance, but may not expand the original grievance.
  - b. Students' written grievances may include documents, evidence, statements from witnesses, and/or other materials that support their cases. New witnesses or evidence produced during the course of the grievance process may be included in the grievance process. However, new evidence and/or witnesses must be introduced in a manner that allows the faculty member or student time to consider the evidence and respond.



4. The division chair will provide copies of the grievance to the instructor and ask the instructor to respond in writing.
5. The division chair will provide the student who initiated the grievance with copies of the instructor's response as soon as practicable.
6. The division chair will meet with the student and instructor, either individually or together, and allow each to explain their positions, present evidence or documents, introduce witnesses, and ask questions.
7. Following the meeting(s), the division chair will provide the student with a written statement explaining his/her understanding of the grievance, his/her judgment (e.g. is the grievance valid/invalid), and the relief (if any) that the College may offer the student.
8. The student may accept the division chair's decision or appeal to the next level in this process.
  - a. The relief offered by the division chair (if any) will be granted when the student informs the division chair, in writing, of his/her acceptance of the decision.
  - b. Students who wish to accept the relief offered by the division chair must notify the division chair within five (5) working days of receipt of his/her decision.
  - c. Students who accept a division chair's decision may not appeal.

**LEVEL 2.** If the student is not satisfied with the outcome at Level 1, he/she may request a conference with the appropriate instructional dean (either the Dean of Academic Studies or the Dean of Applied Sciences and Community Education) to discuss the possibility of moving the appeal to Level 2.

If an instructional dean served as the division chair in Level 1 of this process, the other instructional dean will assume responsibility for the completion of Level 2.

1. The instructional dean will meet with the student and review the student's original grievance, the instructor's response, and the division chair's decision.
  - a. If the instructional dean feels that the grievance is capricious or that its further consideration threatens to undermine the principles of academic freedom, he/she may ask the other instructional dean and the dean of students to review the grievance.
2. If the three deans agree that the grievance is capricious and/or that it threatens to undermine the principles of academic freedom, the grievance will be dismissed.
3. If the grievance is dismissed, the dean who received the grievance will provide the student, faculty member, and division chair with a letter explaining the decision.
4. Grievances dismissed for the reasons cited above may not be appealed within the College.
5. If the grievance is not capricious and it does not threaten the principles of academic freedom, the instructional dean will ask the student to prepare a written statement explaining why the division chair's decision should be over-ruled or amended. The dean will provide the division chair with a copy of the student's statement and ask him/her to respond in writing.
  - a. Students who wish to appeal decisions made at Level 1 must present written statements to the relevant instructional dean within five (5) working days following receipt of the division's chair decision.
6. The dean will provide the student who initiated the grievance with copies of the division chair's response to the student's statement.
7. The instructional dean will meet with the student and instructor, either individually or together, and allow each to explain their positions, present evidence or documents, introduce witnesses, and ask questions.
8. Following the meeting(s), the instructional dean will provide the student with a written statement explaining his/her understanding of the

grievance, his/her judgment (e.g. is the grievance valid/invalid), and the relief (if any) that the College may offer the student.

9. The student may accept the dean's decision or appeal to the next level in this process.
  - a. The relief offered by the dean (if any) will be granted when the student informs the dean, in writing, of his/her acceptance of the decision.
  - b. Students who wish to accept the relief offered by the dean must notify the dean within five (5) working days of receipt of his/her decision.
  - c. Students who accept the dean's decision may not appeal.

**LEVEL 3.** If the outcome at Level 2 does not satisfy the student, he/she may request a meeting with the dean of students (the Dean of Student Development and Institutional Planning) to discuss the possibility of moving to Level 3.

1. The dean of students will ask the student to prepare a written statement explaining why the instructional dean's decision should be over-ruled or amended. The dean of students will provide the instructional dean with a copy of the student's statement and ask him/her to respond in writing.
  - a. Students who wish to appeal decisions made at Level 2 must present written statements to the dean of students within five (5) working days following receipt of the instructional dean's decision.
2. The dean of students will provide the student who initiated the grievance with copies of the instructional dean's response as soon as practicable.
3. The dean of students will create an Academic Appeals Committee consisting of two faculty members and two students. The dean serves as the chair of the committee but only votes in the event of a tie.
  - a. The dean of students is responsible for the formation of the committee.
  - b. Whenever possible, the faculty members who serve on the committee will be selected from the division other than the one in which the grievance arose and have no prior acquaintance with the student who filed the grievance.
  - c. Whenever possible, the student members of the committee will be nominated by the executive committee of the Student Congress and will have no prior relationship with the student who filed the grievance.
  - d. Members of the committee will be expected to maintain strict confidentiality regarding the grievance and the committee's proceedings.
  - e. The student who filed the grievance will be provided with the names of the faculty members and students appointed to the committee prior to the committee's first meeting and given an opportunity to state why any member of the committee would be unlikely to render a fair decision.
  - f. The instructor(s) involved in the grievance will be provided with the names of the faculty members and students appointed to the committee prior to the committee's first meeting and given an opportunity to state why any member of the committee would be unlikely to render a fair decision.
  - g. When the committee convenes its first meeting to hear the grievance, the student, the instructor, and the committee members will be asked if they are satisfied that those appointed to the committee can render a fair decision.
  - h. In the event that a committee member is challenged, the dean will dismiss the challenge or appoint a new member to the committee.

4. The Academic Appeals Committee will convene at least one meeting where both parties to the grievance are present. The meeting will provide the student and the instructor the opportunity to explain their positions, present evidence or documents, introduce witnesses, ask questions, and respond to questions.
  - a. Prior to this meeting, the dean will provide members of the committee with copies of the grievance, the responses, and other materials generated during the process.

5. Following the meeting (or meetings) with the student and instructor, the Academic Appeals Committee will meet privately to reach an agreement regarding the resolution of the grievance. The committee's decision will be summarized in a statement drafted by the dean. It will include the committee's understanding of the grievance, the committee's judgment (e.g. is the grievance valid/invalid), and the relief (if any) that the College is willing to offer the student.

a. The dean will complete this statement within fifteen (15) working days of receipt of the student's written grievance. Copies will be provided to the student, the instructor, the instructional dean, and the division chair.

b. The relief (if any) offered by the committee will be granted immediately.

6. Students may not appeal decisions made by Academic Appeals Committees.

## Student Grievances Involving Non-instructional Issues

**INFORMAL RESOLUTION.** Students with concerns or complaints about college policies or college personnel that are not related to instruction should discuss them with the relevant employee or administrator and attempt to resolve them as they occur. Students who are not satisfied with the outcome of these discussions may meet with the director, chair, dean, or other administrator responsible for the behavior or policy that prompted the student's concern. Administrators will make every effort to resolve problems in their areas that involve students.

Students who are not satisfied with the outcome produced by informal resolution may move to Level 1 of the process and initiate a formal grievance. Note, however, that students will not be allowed to take this step if they have not made an effort to resolve the problem by discussing it with the relevant administrator.

**LEVEL 1.** Students who have attempted to resolve non-instructional problems or bring about changes in college policies through discussions with the relevant college administrator, but were not satisfied with the outcome, may meet with the director of counseling.

In the event that the student's complaint involves the director of counseling, the Dean of Student Development and Institutional Planning, will assume the role of the director of counseling.

1. The director of counseling will discuss the problem with the student and verify that the student spoke with the relevant employee and/or administrator and made an effort to resolve the problem informally.

2. The director of counseling will ask the student to prepare a written statement describing his/her grievance and the relief that he/she seeks. The formal grievance begins when the student submits his/her written grievance to the director of counseling.

a. Students who wish to file grievances against college employees must do so within thirty days of the completion of the semester in which the incident that caused the grievance occurred.

3. Once a grievance has been submitted, it may not be amended to include additional charges against an employee or additional requests for changes in college policies.

a. In the event that new information is unveiled during the course of the grievance resolution process that a student feels justifies an additional grievance, the student may file another grievance, but may not expand the original grievance.

b. Students' written grievances may include documents, evidence, statements from witnesses, and/or other materials that support their cases. New witnesses or evidence produced during the course of the grievance process may be included in the grievance process. However, new evidence and/or witnesses must be introduced in a manner that allows the faculty member or student time to consider the evidence and respond.

4. The director of counseling will provide copies of the grievance to the employee and ask him/her to respond in writing.

5. The director of counseling will provide the student who initiated the grievance with copies of the employee's response as soon as practicable.

6. The director of counseling will meet with the student and employee, either individually or together, and allow each to explain their positions, present evidence or documents, introduce witnesses, and ask questions.

7. Following the meeting(s), the director of counseling will provide the student with a written statement explaining his/her understanding of the grievance, his/her judgment (e.g. is the grievance valid/invalid), and the relief (if any) that the College may offer the student.

8. The student may accept the director of counseling's decision or appeal to the next level in this process.

a. The relief offered by the director of counseling (if any) will be granted when the student informs the director of counseling, in writing, of his/her acceptance of the decision.

b. Students who wish to accept the relief offered by the director of counseling must notify the director of counseling within five (5) working days of receipt of his/her decision.

c. Students who accept the director of counseling's decision may not appeal.

**LEVEL 2.** If the student is not satisfied with the outcome at Level 1, he/she may request a conference with the dean of students (the Dean of Student Development and Institutional Planning) to discuss the possibility of moving the appeal to Level 2.

If the dean of students served as the director of counseling at Level 1 of this process, or if the dean of students is involved in the grievance, a dean appointed by the president will assume responsibility for the role of the dean of students.

1. The dean of students will meet with the student and review the student's original grievance, the employee's response, and the director of counseling's decision.

2. The dean of students will ask the student to prepare a written statement explaining why the director of counseling's decision should be over-ruled or amended. The dean will provide the director of counseling with a copy of the student's statement and ask him/her to respond in writing.

a. Students who wish to appeal decisions made at Level 1 must present written statements to the dean of students within five (5) working days following receipt of the director of counseling's decision.

3. The dean will provide the student with copies of the director of counseling's response to the student's statement as soon as possible.

4. The dean will meet with the student and employee, either individually or together, and allow each to explain their positions, present evidence or documents, introduce witnesses, and ask questions.

5. Following the meeting (or meetings) the dean will provide the student with a written statement explaining his/her understanding of the grievance, his/her judgment (e.g. is the grievance valid/invalid), and the relief (if any) that the College may offer the student.

6. The student may accept the dean's decision or appeal to the next level in this process.

a. The relief offered by the dean (if any) will be granted when the student informs the dean, in writing, of his/her acceptance of the decision.

b. Students who wish to accept the relief offered by the dean must notify the dean within five (5) working days of receipt of his/her decision.

c. Students who accept the dean's decision may not appeal.

**LEVEL 3.** If the outcome at Level 2 does not satisfy the student, he/she may request a meeting with the president of the College to appeal the decision made at Level 2 of this process.

1. The president will ask the student to prepare a written statement explaining why the dean of students' decision should be over-ruled or amended. The president will provide the dean of students with a copy of the student's statement and ask him/her to respond in writing.

a. Students who wish to appeal decisions made at Level 2 must present written statements to the president within five (5) working days following receipt of the dean of students' decision.

2. The president will provide the student with copies of the instructional dean's response as soon as practicable.

3. The president will meet with the student, the employee, and other persons who may have been involved in the process, either individually or together, and allow each to explain their positions, present evidence or documents, introduce witnesses, and ask questions.

4. Following the meeting (or meetings) the president will provide the student with a written statement explaining his/her understanding of the grievance, his/her judgment (e.g. is the grievance valid/invalid).

a. The relief (if any) offered by the president will be granted immediately.

5. Students may not appeal decisions made by the president.

## **Student Appeals Involving Disciplinary Decisions**

**INTRODUCTION.** The College must maintain an environment that promotes teaching and learning and, as a consequence, has created policies regarding student conduct. The dean of students (the Dean of Student Development and Institutional Planning) is charged with the responsibility for enforcing these policies. (See a current Lee College Catalog for the college's policies regarding student conduct.)

If the dean of students determines that a student violated one or more of the college's policies regarding student conduct, and/or the dean determines that a student constitutes a threat to other students, college personnel, college property, or the college's learning environment, he/she may take disciplinary action that may include expulsion from the College for an indefinite period of time.

Disciplinary decisions made by the dean can be appealed under the policy described here. Students may, for example, use this process to grieve the judgment that they violated the student conduct policy and/or the punishment levied against them for a violation.

Note: Students who wish to appeal an instructor's determination that they violated the college's Academic Honesty Code – which is one of the college's most important student conduct policies – must use the Grievances Involving Instructional Issues process to appeal the question of guilt/innocence. If the dean of students takes additional action against a student judged guilty of repeated violations of the Code (e.g. expels a student found guilty of an egregious offense), the student may use this process to appeal the dean's judgment and/or the disciplinary action taken by the dean.

**LEVEL 1.** If the dean of students has reason to suspect that there has been a violation of a policy regarding student conduct or that a student's behavior constitutes a threat to other students, college personnel, college property, or the college's learning environment, he/she will initiate an investigation. During the course of this investigation the dean may speak with possible witnesses, collect documents, and/or take other steps to determine if there was a violation of policy.

1. If the dean of students suspects that a student violated a college policy, the dean will meet with the student to discuss the issues and give him/her the opportunity to present evidence, witnesses, or other information that may be relevant to the investigation.

a. In the event that the student will not or cannot meet with the dean, the dean may conclude the investigation and take disciplinary action.

2. If the dean determines that there was a violation of policy and/or that a student's behavior poses a threat to other students, college personnel, college property, or the college's learning environment, he/she will take disciplinary action against the student.

a. If the dean takes disciplinary action against a student, the student will receive written notification that will include a description of the offense committed by the student and the actions taken by the dean.

b. Disciplinary actions taken by the dean may range from warnings to summary suspension from the College. Persons who are judged to be threats to students, college personnel, college property, or the college's learning environment may be expelled from the College and/or barred from college property and college events.

c. If the dean suspects that there was a violation of local, state, or federal law, the incident will be reported to the proper authorities and the College will make any evidence that has been collected available to those authorities.

**LEVEL 2.** Students who are not satisfied with the outcome of Level 1 of this process may use the appeal process to attempt to overturn or modify disciplinary decisions made by the dean of students.

1. Students who wish to appeal disciplinary decisions made by the dean may do so by filing grievances. The process begins when the student files a written grievance with the dean of students.

2. Students may grieve the decision regarding their guilt/innocence and/or the disciplinary actions taken by the dean. Written grievances should make clear what part (or parts) of the dean's decision the student wishes to challenge as well as the relief sought by the student.

a. Students who wish to file grievances must do so during the semester in which the disciplinary action was imposed or within thirty days of its completion.

b. Students' written grievances may include documents, evidence, statements from witnesses, and/or other materials that support their cases. New witnesses or evidence produced during the course of the grievance process may be included in the grievance process. However, new evidence and/or witnesses must be introduced in a manner that allows the faculty member or student time to consider the evidence and respond.

c. Students who have been expelled from the College by the dean may include in their grievances a request that they be allowed to continue attending classes while their grievances are being considered.

3. When the dean receives a written grievance from a student, he/she will provide the student with a written response detailing the policy violations that he/she determined that the student violated and the evidence that he/she used to make that determination.

4. The dean will forward copies of the student's grievance and his/her response to the president.

a. The president will decide if students who have been expelled by the dean may continue attending classes while their grievances are being resolved.

5. The president will form a Disciplinary Appeals Committee. The committee will include one administrator, one faculty member, and one student.

a. Whenever possible, the persons who serve on the committee will have no prior acquaintance with the student who filed the grievance.

b. Members of the committee will be expected to maintain strict confidentiality regarding the grievance and the committee's proceedings.

c. The student who filed the grievance will be provided with the names of the persons appointed to the committee prior to the committee's first meeting and given an opportunity to state why any member of the committee would be unlikely to render a fair decision.

d. The dean of students will be provided with the names of the persons appointed to the committee prior to the committee's first meeting and given an opportunity to state why any member of the committee would be unlikely to render a fair decision.

- e. When the committee convenes its first meeting to hear the grievance, the student, the instructor, and the committee members will be asked if they are satisfied that those appointed to the committee can render a fair decision.
- f. If a committee member is challenged, the president will consider the challenge and either dismiss it or appoint a new member to the committee.

6. The Disciplinary Hearing Committee will convene at least one meeting where the student and the dean of students are present. The meeting will provide the student with the opportunity to explain his/her position, present evidence or documents, introduce witnesses, ask questions, and respond to questions. The dean will present the case for upholding his/her decision.

- a. Prior to this meeting, the dean will provide members of the committee with copies of the documents and other materials pertinent to the grievance.
- b. Following the meeting (or meetings) with the student and dean, the committee will meet privately to reach an agreement regarding the resolution of the grievance. The committee's decision will be summarized in a statement addressed to the president and will include the committee's understanding of the grievance, the committee's judgment (e.g. is the grievance valid/invalid), and the relief (if any) that the College is willing to offer the student.
- c. The committee will complete this statement within fifteen (15) working days of receipt of the student's written grievance. Copies of the statement will be provided to the student and the dean.

7. The student may accept the Disciplinary Hearing Committee's decision or appeal to the next level in this process.

- a. The relief offered by the committee (if any) will be granted when the student informs the committee, in writing, of his/her acceptance of the committee's decision.
- b. Students who wish to accept the relief offered by a committee must notify the committee within five (5) working days of receipt of the committee's decision.
- c. Students who accept the committee's decision may not appeal.

**LEVEL 3.** If the outcome at Level 2 does not satisfy the student, he/she may request a meeting with the president of the College to discuss the possibility of appealing the decision made at Level 2 of this process.

1. The president will ask the student to prepare a written statement explaining why the dean of students' decision should be over-ruled or amended. The president will provide the dean of students with a copy of the student's statement and ask him/her to respond in writing.

- a. Students who wish to appeal decisions made at Level 2 must present written statements to the president within five (5) working days following receipt of the dean of students' decision.

2. The president will provide the student with copies of the response as soon as practicable.

3. The president will meet with the student, the employee, and other persons who may have been involved in the process, either individually or together, and allow each to explain their positions, present evidence or documents, introduce witnesses, and ask questions.

4. Following the meeting (or meetings) the president will provide the student with a written statement explaining his/her understanding of the grievance, his/her judgment (e.g. is the grievance valid/invalid), and the relief (if any) that the College may offer the student.

- a. The relief (if any) offered by the president will be granted immediately.

5. Students may not appeal disciplinary decisions made by the president.

## Students' Responsibilities

Students are responsible for

- Knowing the requirements for the degrees they seek
- Enrolling in courses that fit into degree programs
- Taking courses in proper sequence to insure orderly progression of work.
- Knowing and abiding by college regulations regarding the standard of work required to continue in the College, as well as those dealing with scholastic probation, academic integrity and enforced withdrawal.