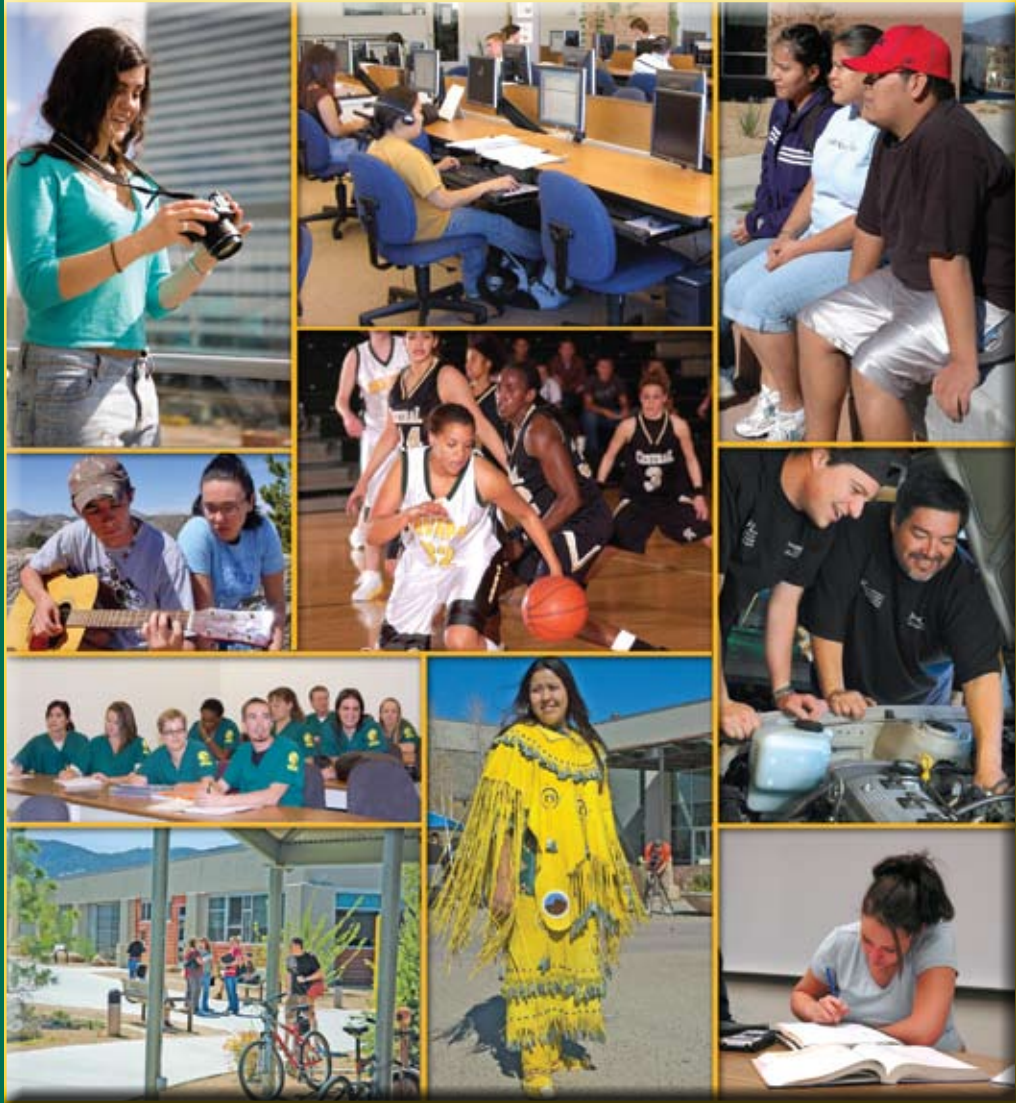


yavapai college

Student Code of Conduct

2008-2009



Live. Learn. Grow.

MISSION

The mission of Yavapai College is to provide high quality, convenient and cost-effective learning opportunities for the diverse populations of Yavapai County.

VISION

Yavapai College is an ongoing asset to the State of Arizona and particularly to the people and organizations of Yavapai County. We will meet ever-greater challenges, responsibly serving a region where the traditional exists side-by-side with rapid change.

Nurturing open communication and independent inquiry, we will link local strengths to global knowledge and opportunity, and build bridges from the best of the past to the yet unexplored possibilities of a new century.

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Yavapai College

STUDENT CODE OF CONDUCT

PURPOSE

Educational activities are ideally conducted in an environment that encourages reasoned discourse, intellectual honesty, openness to constructive change and respect for the rights of all individuals. This Student Code of Conduct (“Code”) is designed to promote and protect such an environment at Yavapai College.



The primary purpose of this Code is to set forth the rules and standards of conduct expected of students and others who join the College community. The Code is intended to protect the College community, maintain order and stability, and preserve the educational functions of the College.

JURISDICTION

The Code has been adopted pursuant to Arizona Revised Statutes Sections 13-291 1 and 15-1444. The Code shall apply to, and its provisions may be enforced against, any individual who is present on the College campus or College-controlled property or who is attending any College-sponsored activity or event, or any student who engages in conduct on or off College property that affects the educational functions of the College.

Each student shall be responsible for his/her conduct from the time of first enrollment through the completion of his/her educational goals, even if such conduct occurs before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if that conduct is not discovered until after a degree is awarded). The Code shall apply to a student's conduct even if the student withdraws from school while a disciplinary matter is pending. The Dean of Student Affairs, or designee, shall decide if the Code shall be applied to conduct occurring off campus, on a case by case basis.

CODE COVERAGE

The adoption of this Code does not prohibit the College from adopting or maintaining additional policies, regulations or procedures, and nothing in this Code is intended to supersede the provisions of Yavapai College District Governing Board policy. Charges brought under the Code may be combined with additional Code or policy violations in order to resolve the

matter as a whole. Prohibitions in this Code are not intended to supersede or replace other local, state or federal laws. Disciplinary action by the College may proceed during criminal proceedings and will not be subject to challenge based on the courts decision involving the same incident.

The following matters are specifically excluded from coverage under this Code:

Policies and regulations that are adopted by the College relating to the control of vehicles on College property.

Policies and procedures relating to student academic performance, except as noted in the official College catalog under the topics “Removal from Class” and “Academic Integrity.”

I. STUDENT CONDUCT AUTHORITY

The Dean of Student Affairs is authorized to develop policy recommendations relating to administration of the student discipline system and to adopt procedural rules for the conduct of student discipline hearings which are consistent with the provisions of this Code.

The Student Conduct Officer shall conduct the initial hearing and impose sanctions for students found to be in violation of the Code, Residence Hall regulations or other College policies covered by this document.

Decisions made by the Student Conduct Officer shall remain in effect during the appeals process.

The Dean of Student Affairs shall determine the composition of the Appeals Boards. The Appeals Boards will include not fewer than three (3) persons and no more than seven (7) persons, and when reasonably possible, include representatives of, faculty, staff and/or administrators.

The Appeals Board shall conduct appeals hearings for those students who wish to appeal the decision of the Student Conduct Officer, and will make determinations regarding the Officer’s decision and the sanctions imposed.

The Student Conduct Officer or another College Official may be designated as the



arbitrator of disputes within the student community in cases which do not involve a violation of the Code. All parties must agree to arbitration, and to be bound by the decision with no right to appeal.

II. ZERO TOLERANCE

Yavapai College maintains a Zero Tolerance policy for sexual harassment.

* Sexual misconduct, lewd or indecent behavior, or sexual assault of any member of the College community, or any person on the College campus or at a College-sponsored activity. This includes any sexual act which occurs without the consent of an individual, or that occurs when the individual is unable to give consent. The following definition is from the College policy regarding sexual harassment:

**Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature. Sexual harassment also includes unwelcome sexual flirtations, advances or propositions, verbal abuse of a sexual nature, unnecessary touching of an individual, sexually degrading words used to describe an individual, any display of sexually suggestive objects or pictures, sexually explicit or offensive jokes, or physical assault.*

III. ACADEMIC MISCONDUCT

Honesty in academic work is a central element of the learning environment. The presentation of another individual's work as one's own or the act of seeking unfair academic advantage through cheating, plagiarism or other dishonest means are violations of the College's Code of Conduct. Failure to abide by the terms and conditions of the Code of Conduct will result in disciplinary action, including dismissal from the College.

If a student is accused of academic misconduct, the matter shall be dealt with informally by the appropriate department or other academic unit through procedures established in the College's then current catalog. Only if the recommendation resulting from such process is referred to the Student Conduct Officer shall the accused student be entitled to initiate an appeals hearing with the Student Conduct Officer. In all other cases, particularly where the decision is failure of the course or failure on a specific academic exercise, a student will be accorded no further proceedings under this policy but may be accorded additional appeal rights under procedures for grade appeals.

For more information regarding academic integrity and sanctions please see the College Catalog online at www.yc.edu, specifically related to the two issues below:

- A. Cheating**, defined as submitting assignments, examinations, or other work which is based on deception or misrepresentation of the individual's own work. Cheating includes the furnishing of materials to another person for purposes of aiding that person to gain unfair academic advantage.

- B. Plagiarism**, defined as submitting any academic work which is not entirely the work of the student, deliberately or accidentally. This can include, but is not limited to, such practices as not giving proper credit to a source, expanding someone else's work without giving proper credit, adopting another's work as one's own (including the copying of print or electronic media), directly using someone else's ideas without giving proper credit, and deliberately changing selective words to misrepresent someone else's work as one's own.

IV. CLASSROOM BEHAVIOR

Classroom behavior is integral to a positive learning environment. An instructor may remove a student for prohibited behavior for up to three class meetings. This action shall be immediately reported to the Division Dean and Student Conduct Officer through an incident report found at www.yc.edu/studentaffairs/scc/default.htm. The student must confer with the instructor and the instructional administrator before being readmitted to class. If a resolution is not reached the student may be removed permanently pursuant to disciplinary procedures. The student may be permitted to attend class pending the outcome.



V. PROHIBITED BEHAVIOR

- A.** The disciplinary regulations set forth in this section are intended to give general notice of prohibited behavior. The regulations should be interpreted broadly and are not designed to define all forms of misconduct in exhaustive terms. Any student found to have engaged in or to have attempted to engage in prohibited behavior, whether done intentionally, knowingly or recklessly, is subject to disciplinary action. The list of prohibited behavior below is intended to alert students to certain conduct which will not be permitted and is not an exhaustive list of all behaviors which may result in discipline under this Code.

1. Intoxicated/impaired behaviors which may or may not be disruptive to the College community or the learning process. This is in compliance with Yavapai College's philosophy of zero tolerance as it pertains to drug and/or alcohol use. Impaired behaviors due to medical conditions may not apply.
2. Unauthorized possession, use, sale, distribution, transportation, or possession for purposes of distribution of any controlled substance or illegal drug, or imitation controlled substance, on the College campus or at a College-sponsored activity. Students are also prohibited from possessing, transferring or using on the College campus, or at a College-sponsored activity, any drug paraphernalia including, but not limited to bongs, pipes, and/or roach clips.
 - a. An exception exists for medications issued resulting from a valid prescription and used in accordance with the prescription. All students' possessing prescription medications must have all medication in its original packaging with the label affixed to indicate the prescription, authorizing physician and prescribed recipient.
3. Hazing which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. The express or implied consent of the victim will not be a defense. Apathy or acquiescence in the presence of hazing is a violation of this rule.
4. Unauthorized use, possession, transportation or storage of any firearm(s), explosives (including fireworks), dangerous chemicals or other weapons while on the College campus or at a College-sponsored activity. A harmless instrument designed to look like a firearm, explosive, or dangerous or illegal weapon that is used by or is in the possession of a person is included in the above mentioned prohibition. While the possession of items such as mace and pepper spray as self-defensive or self-protection measures is not prohibited by this standard, offensive or reckless use of such items may subject an individual to disciplinary action.
5. Physical abuse, verbal abuse, threats, intimidation, harassment, coercion and/or other conduct which threatens or endangers the health or safety of any person, or which causes

the reasonable apprehension of a threat to a person's health or safety. This also includes a student who presents a danger to him/herself.

6. Misusing, disabling, or damaging fire safety equipment, creating a fire hazard, or initiating or causing to be initiated any false report, warning, or threat of fire, explosion, or other dangerous conditions on the College campus or at a College-sponsored activity.
7. Possession, use, manufacture, or distribution of alcoholic beverages on the College campus. Possession or use of alcoholic beverages at off-campus College-sponsored activities is prohibited unless authorized by the President.
8. Gambling as prohibited by law defined in A.R.S. 13-3301 through 3312.
9. Furnishing false information to any College Official.
10. Forgery, unauthorized alteration, or unauthorized or improper use of any College document, record or instrument of identification, or any other document, record or instrument presented to obtain College services or benefits.
11. Interfering with normal College or College-sponsored activities or services, including, but not limited to, studying, teaching, learning, research, administration, disciplinary proceedings, recreation, food service, or fire, police, or emergency services.
12. Substantially interfering with the freedom of expression and/or movement of others on the College campus or at a College-sponsored activity, which includes pedestrian and vehicular traffic.
13. Attempted or actual theft, damage, possession and/or misappropriation of property or of services of the College or of a member of the College community, or other personal or public property, on or off campus.
14. Failure to comply with the direction(s) of College Officials or law enforcement officers acting in performance of their duties, and/or failure to identify oneself when requested to do so.
15. Failure to comply with other published rules and regulations

of conduct that may from time to time be adopted by the Board or the College.

16. Unauthorized possession, duplication, or use of keys to any College premises or, unauthorized entry in or use of the College campus, facilities or property.
17. Tobacco Use: Yavapai College is committed to limiting exposure to the harmful effects of primary and secondary smoke to campus students, visitors, and employees. In order to reduce the harmful effects of tobacco use and maintain a healthful working and learning environment, the district prohibits the use of tobacco except in specific areas. Tobacco use on college property is defined as lighted pipes, cigars, cigarettes, and the use of snuff and smokeless tobacco in any form.

The use of tobacco is prohibited in the following areas:

- a. All College owned, leased, and rented vehicles.
 - b. Within all College owned, leased or rented facilities.
 - c. Within 25 feet of any College building entries, doors, windows, and air vents.
 - d. Within any area or room inside the Residence Halls.
 - e. Areas where fire hazards exist on College property.
18. Theft or other abuse of computer facilities and resources, including but not limited to:
Unauthorized entry into a file, to read, or change the contents, or for any other improper purpose, unauthorized transfer of a file, use of another individual's identification and password, use of computing facilities and resources to interfere with the work of another student, faculty member or College official, use of computing facilities to send obscene or abusive messages, use of computing facilities to interfere with normal operations of the College computing system, use of computing facilities and resources in violation of copyright laws, and violation of the Yavapai College Acceptable Use Policy as defined by Information Technology Services (ITS).

- B.** Abuse or failure to comply with the student conduct system, including, but not limited to, any one or more of the following:
 - Falsification, distortion, or misrepresentation of information before the Student Conduct Officer or Appeals Board;
 - Failure to obey the summons of the Student Conduct Officer, Appeals Board or other College Official;

- Disruption or interference with the orderly conduct of a conduct proceeding;
 - Attempting to influence the impartiality of the Student Conduct Officer or member of an Appeals Board prior to, and/or during the course of the Student Conduct proceeding;
 - Initiating a Student Conduct proceeding without cause or in bad faith;
 - Failure to comply with the sanctions imposed under the Code;
 - Verbal or physical harassment and/or intimidation of the Student Conduct officer or member of an Appeals Board prior to, during, or after a proceeding.
- C. Violation of any federal or state law, city ordinance or other College Policy, Procedure or Rule that occurs on the College premises or at a College-sponsored activity, or affects the operation of the College.

VI. SANCTIONS

In addition to any other interim or final action which may be taken to enforce this Code, any person, whether a member of the College community or not, may be asked to leave the College campus when the President or designee, has reasonable grounds to believe the person is committing any act which interferes with or disrupts the lawful use of College property by others or has reasonable grounds to believe any person has entered upon the College campus for the purpose of committing such an act. Trespass orders however, will only be authorized by the Dean of Student Affairs.



One or more of the following sanctions may be imposed for any violation of the disciplinary regulations or disruptive behavior. Appropriate College Officials shall be notified of the imposition of sanctions. These sanctions will be imposed on a case by case basis and are not necessarily cumulative.

- A. **Warning:** a notice in writing to the student that he or she is violating or has violated institutional regulations and that further misconduct may result in more severe disciplinary action.
- B. **Loss of privileges:** denial of specified privileges for a designated period of time.
- C. **Fines:** previously established and published fines may be imposed.

- D. Restitution:** compensation for loss, damage, or injury. Forms of restitution include required service, monetary payment and/or material replacement payable to or provided for the benefit of the College persons, groups, or organizations.
- E. Discretionary Sanctions:** work assignments, essays, service to the College or other related discretionary assignments such as educational interventions intended as a learning experience.
- F. Administrative Hold:** A status documented in the registrar's official file which precludes the student from registering, from receiving transcripts, or from graduating until clearance has been received from the Dean of Student Affairs or designee in accordance with College policies.
- G. Restricted or Prohibited Access to College Property:** A student's access may be restricted for a specified period of time or until certain conditions are met.
- H. Parental Notification:** Parents or legal guardians of dependent students (as defined by the Family Educational Rights and Privacy Act, 20 U.S. Code Section 1232g [FERPA]) will be notified of violations of the alcohol and other drug policies.
- I. Residence hall probation:** a written reprimand for violation of specified regulations which references the probability of more severe disciplinary sanctions if the student has an additional violation of any nature during a designated period of time (the probationary period).
- J. Residence hall suspension:** exclusion of the student from the residence halls for a specified period of time, after which the student is eligible to return. Conditions for readmission to the residence halls may be specified.
- K. Residence hall suspension in abeyance:** if exclusion from the residence halls is normally warranted based upon the violation(s), such exclusion may be delayed until the end of the semester or summer session based upon circumstances determined by the Student Conduct Officer or the Appeals Board.
- L. Residence hall expulsion:** permanent exclusion of the student from all residence halls.
- M. Removal from class:** an instructor may dismiss a student from

class for one to three class meetings for disruptive behavior. This action shall be immediately reported to the Division Dean and the Student Conduct Officer through an incident report: www.yc.edu/content/studentaffairs/scc/default.htm. The student must confer with the instructor and the instructional administrator before being readmitted to class. If a resolution is not reached the student may be removed permanently pursuant to disciplinary procedures. The student may be permitted to attend class pending the outcome.

- N. College probation:** a written reprimand for violation of specified regulations which references the probability of more severe disciplinary sanctions if the student during a designated period of time (the probationary period) violates the institutional regulation(s). Probation may include forfeiture of campus privileges. Permanent notification may appear on the student's transcript.
- O. Interim Suspension:** In certain circumstances, the Dean of Student Affairs, or a designee, may impose an interim College or residence hall suspension prior to the hearing before the Student Conduct Officer or the Appeals Board.

An interim suspension may be imposed:

- (1) to ensure the safety and well-being of any member of the College community or preservation of College property;
- (2) to ensure the student's own physical or emotional safety and well-being;
- (3) if the student poses a definite threat of disruption or interference with the normal operations of the College.

During the interim suspension, the student shall be denied access to the residence halls 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 Dean of Student Affairs or designee, may determine to be appropriate.

A student suspended on an interim basis shall be given an opportunity to have an informal hearing before the Dean of Student Affairs or designee, either before the imposition of an interim suspension, or as soon as possible thereafter, and in all cases within five (5) days from the effective date of the interim suspension. This informal hearing shall then be held only on the following issues:

The reliability of the information concerning the student's

conduct and any issue related to the identity of the student
and

Whether the conduct and surrounding circumstances reasonably indicate that the continued presence of the student on the College campus poses a substantial threat to any individual or to the stability and continuance of any normal College function.

A student suspended on an interim basis will be allowed (1) to schedule and take make-up exams which are to occur during the suspension period and (2) to turn in assignments which are due during the suspension period without penalty.

- P. College suspension:** separation of the student from the College for a defined period of time, after which the student is eligible to return. Conditions for readmission may be specified. Except where any administrative decision under this Code indicates otherwise, a student suspended under this Code shall not participate in any College-sponsored activity, may be barred from the College campus, and may be prohibited, during the specified period of time, from attending off-campus College activities.
- Q. College expulsion:** permanent exclusion of the student from the College. The student will also be barred from the College campus and be prohibited from attending off-campus College activities. The incident will permanently remain on file in the Dean of Student Affairs' Office. An indication of expulsion may appear on the student's transcript.
- R. Trespass:** A permanent action authorized only by the Dean of Student Affairs that restricts an individual's access to a specified location, campus or college sponsored event.
- S. Withholding Certificate/Degree:** the College may withhold awarding a degree otherwise earned until the completion of the process set forth in this Code, including the completion of all sanctions imposed, if any.
- T. Revocation of Certificate and/or Degree:** a certificate or degree awarded from the College may be revoked for fraud, misrepresentation, or other violation of College standards in obtaining the certificate/degree, or for other serious violations committed by a student prior to graduation.

VII. DISCIPLINARY PROCEDURES

The purpose of this section is to establish administrative procedures applicable to students for the fair enforcement of the rules and regulations set forth in the Code of Conduct while preserving due process of law. A student accused of a violation of the Code, or any student group or organization similarly accused, shall be subject to the procedures set forth in this policy.



In summary, the administrative process set forth in this policy provides that the student has:

- The right to be notified in writing of the charges with sufficient detail and time to prepare for the hearing.
- The right to a hearing before an appropriate Student Conduct Officer within five days of receipt of charges.
- The right to be notified of the general nature of the evidence which will be used in the hearing.
- The right to present evidence and witnesses in his/her own defense.
- The right to appeal the decision of the Student Conduct Officer or the Appeals Board. Student must request hearing within five days of the notification from the Student Conduct Officer's decision.

A. INITIATION OF PROCEDURE

Disciplinary procedures shall be initiated in writing. All incidents and violations to the Code must be reported to the Student Conduct Officer through the Incident form found at www.yc.edu/content/studentaffairs/scc/default.htm.

In all cases, a hearing with the Student Conduct Officer shall first be initiated in an effort to resolve the matter.

B. STUDENT CONDUCT HEARING PROCEDURES

Upon receipt of the Incident Report form, the Student Conduct Officer shall:

Consult with the complainant and accused student and, to the extent the Student Conduct Officer deems appropriate or necessary, conduct an additional review and investigation to (1) ascertain the facts and (2) determine if the matter should be pursued; and (3) make

findings, a decision, and determine any sanctions to be imposed.

The findings, decisions and sanctions, if any, to be imposed (the “decision”) shall be in writing and provided to the accused student within five days of the hearing.

If the accused student is willing to accept the decision of the Student Conduct Officer, all action on the referral shall be considered closed.

In all cases where the accused student desires to appeal the decision of the Student Conduct Officer, the accused student shall complete the Request for Hearing before the Appeals Board form (found at www.yc.edu/content/studentaffairs/scc/default.htm) within five days of receipt of the Student Conduct Officer’s decision. Along with the Request for Hearing before the Appeals Board form, the accused student must provide a list of witnesses the student intends to have testify and copies of any documents or other exhibits the student intends to offer in evidence at the hearing by the accused student or witnesses.

An accused student is presumed to have received notice of a decision within five (5) days of it being mailed, by registered or certified mail, to the accused student’s most recent address listed with the college.

The Student Conduct Officer’s decision shall remain in full force and effect pending the appeal procedures before the Appeals Board.

C. APPEALS PROCEDURES

Membership of the Appeals Board is established by the Dean of Student Affairs. The following procedural guidelines shall be applicable in proceedings before the Appeals Board:

1. At least five (5) days prior to the date set for the hearing, the Student Conduct Officer will deliver or mail to the accused student and each member of the Appeals Board the following information:
 - A statement of the time, date, and place of hearing;
 - A statement of the specific Code provisions alleged to have been violated by the accused student;
 - A concise statement of the particulars of the alleged violation including, if known, the time, date, and place of the alleged violation;
 - The name of the complainant who initiated the case referral (this may be omitted in appropriate cases at the discretion of the Student Conduct Officer); and
 - A copy of the Code
 - A list of all witnesses and exhibits the Student Conduct Officer

intends to offer at the appeal hearing, and the names of the Appeals Board members

2. Any party may challenge an Appeals Board member on the grounds of personal bias. The challenge must be made in writing and submitted to the Student Conduct Officer at least two days prior to the date of the hearing.
3. If an accused student fails to appear at a scheduled hearing, voluntarily departs from a hearing, or is removed from a hearing, the student will be deemed to have waived the right to present evidence and testimony on his/her behalf. The hearing will continue, and a ruling of misconduct will be required before any sanction is imposed.
4. If the accused student fails to submit the written list of witnesses and exhibits as described above; within the required five (5) day timeline, then the hearing will proceed and the student may be denied the opportunity to call witnesses and introduce exhibits at the hearing unless the accused student can demonstrate good cause to the Appeals Board for the failure to provide the information by the deadline set forth above.
5. The Chairperson shall preside over and conduct the hearing and shall rule upon all matters of procedure, including the admission of evidence, subject only to expressly being overruled by the Appeals Board. The hearing shall be conducted as follows:
 - a. The hearing shall be conducted in an executive session closed to the public, except for the Student Conduct Officer, the accused student, and at the discretion of the Appeals Board, the complainant. An open hearing can be requested by either party and may be granted at the discretion of the Appeals Board. Deliberations are conducted in closed sessions.
 - b. The hearing shall be conducted in a fair and expeditious manner. The Chairperson shall exercise control over the hearing to avoid needless consumption of time and to prevent the harassment or intimidation of witnesses. Immaterial, irrelevant, privileged and/or unduly repetitive evidence will be excluded. Any person, including the accused student, who disrupts a hearing or who fails to adhere to the rulings of the Chairperson, may be excluded from the proceedings.
 - c. The Chairperson, as presiding officer, may, upon request and for good cause or on his/her own, grant a postponement or continuance of the hearing.
 - d. A mechanical and/or stenographic record of the hearing shall be

made. It shall be transcribed on request of any party, and the cost of such transcript shall be paid by the party making the request. All matters made part of the record shall be maintained by the Student Conduct Officer and shall be kept for three years after the academic year of last attendance.

- e. Except as noted below, the testimony of any witness shall be given under oath. Prospective witnesses, other than the accused students may, at the discretion of the Appeals Board, be excluded from the hearing during the testimony of other witnesses. In addition, the complainant may, in the discretion of the Appeals Board, be permitted to remain in the hearing even if other witnesses are excluded.
 - f. The written statement of a witness, whose presence cannot be obtained after reasonable efforts to do so, may be admitted into evidence, but only if such statement contains the signature of the witness.
6. The accused student is responsible for presenting his/her own testimony before the Appeals Board. If the student is appealing the decision of the Student Conduct Officer, the Student Conduct Officer is responsible for presenting to the Appeals Board. No third party representation by an attorney or other person will be permitted.
 7. After the hearing, the Appeals Board shall determine, by majority vote the violation in each section of the Code which the student is charged. The Appeals Board's determination shall be made based on the preponderance of evidence that the accused student violated the Code. If a determination is made that a violation has occurred, the student's past records will be provided to the Appeals Board, and the Appeals Board shall then reach a final decision as to sanctions.
 8. If the student is accepting responsibility for violating the Code, but is appealing the sanction(s) given for the violation, the Appeals Board will determine whether the given sanctions shall remain in effect or determine alternative sanctions.
 9. The decision of the Appeals Board, which shall include a brief statement of the reasons for the Appeals Board's recommendation and findings of facts shall be reduced to writing and forwarded to the Student Conduct Officer within five (5) days of the conclusion of the hearing.
 10. Upon receipt and review of the Appeals Board's written decision, the Student Conduct Officer shall issue a final decision in writing no later than five (5) days following the hearing. A copy of this final decision shall be delivered or mailed to the parties and the date of delivery or

mailing shall be the effective date of the decision. In certain circumstances, at the discretion of the reviewing administrator, a copy of the final decision may be provided to the complainant.

VIII. APPEAL TO DEAN OF STUDENT AFFAIRS

A student may appeal to the Dean of Student Affairs:

- a. To present new evidence which through the exercise of reasonable diligence could not have been introduced in evidence during the Appeals Board hearing.
- b. To appeal the procedure for which the decision was made
- c. In the case of expulsion

If the appeal does not meet one or more of the above qualifications the matter shall be deemed concluded and the Appeal's Board decision is final.

The student must appeal in writing no later than five (5) days after the conclusion of the Appeals Board decision indicating the alleged procedural violation, list of new evidence or the expulsion. The Dean of Student Affairs will review the appeal and respond no later than ten (10) days from receipt of the appeal.

IX. FINAL APPEAL OF EXPULSION TO THE PRESIDENT

If an expulsion is upheld by the Dean of Student Affairs, the accused student has the right to appeal the decision in writing to the President.

The appeal must be received in writing, including all supporting documentation, witness statements, and other information within five (5) days of the effective date of the Dean of Student Affairs decision, including, when applicable, any decision following a rehearing.

The President will review the petition and determine whether to grant a Presidential hearing, or make a determination based on a review of the appeal and the record of prior proceedings in the matter being appealed. The final determination will be made by the President no more than twenty (20) days from the date the petition is filed with the President's office, unless the President requires additional time to conclude the appeal. If a Presidential hearing is scheduled, the parties (and, in the discretion of the President, the complainant) shall be notified in writing of the hearing no fewer than five (5) days prior to the hearing.

The parties will be notified in writing as to the final determination of the President. The decision of the President is final, and there is no appeal beyond the President's decision.

X. DISCIPLINARY FILES AND RECORDS

Student discipline referrals may result in the development of a disciplinary file in the name of the accused student. The file of a student found in violation of any charges will be retained as a disciplinary record for three (3) years after the academic year of last attendance. Disciplinary records may be retained for longer periods of time or permanently, if so specified in a sanction. After the minimum retention period of three (3) years, disciplinary records may be purged by the Student Conduct Officer.



MENTAL HEALTH EVALUATION POLICY

Violence on college campuses raises a serious risk of harm to the faculty, staff, students and guests of the College. As a result, the College takes the threat or risk of violence very seriously. Any student whose conduct causes reasonable apprehension of a serious risk of harm to the faculty, staff, students or guests of the College, by the student acting in a violent, dangerous, threatening or intimidating manner, shall be subject to discipline, up to and including suspension or expulsion from the College. In determining the appropriate level of corrective action necessary, the College may require that the student undergo a mental health examination that is narrowly tailored to the specific level and type of risk involved. This examination is limited to the College being provided only with the recommendations of a state licensed professional as to whether or not the student can safely return to the classroom and benefit from continued education. The College does not require, nor will it accept, any other medical information on the student with respect to the examination.

Depending on the severity of the situation, the student may be suspended pending the out come of the evaluation and readmission will be dependent on the results of the examination. For any mental health examination performed pursuant to this policy, the College will select the mental health professional who will perform the examination and pay for the cost of that examination. The student will be responsible for executing an appropriate medical records release in favor of the College which may be required by the examining professional pursuant to the Health Insurance Portability and Accountability Act.

Only the Student Conduct Officer, Assistant Deans of Student Affairs or Dean of Student Affairs may initiate a mental health evaluation.

DEFINITIONS

In this Code of Conduct, unless the context otherwise provides or requires:

“Accused student” refers to any student or student organization accused of violating this Code.



“Aggravated violation” means a violation which resulted or could have resulted in significant harm to persons or property or which otherwise posed a substantial threat to the continuance of normal College or College-sponsored activities.

“Appeals Board” means any person or persons authorized by the Dean of Student Affairs (or designee) to consider an appeal from the Student Conduct Officer’s determination that a student has violated the Student Code of Conduct or residence hall regulations, or from the sanctions imposed by that officer.

“Board” means the Yavapai County Community College District Governing Board.

“Cheating” includes, but is not limited to 1) the use of any unauthorized assistance in taking quizzes, tests, or examinations; 2) use of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; 3) the acquisition, without permission, of tests or other academic material belonging to a member of the College faculty or staff; 4) engaging in any behavior specifically prohibited by a faculty member in the course syllabus or class discussion.

“College” means Yavapai College, under the governance of the District Governing Board of the Yavapai County Community College District.

“College Community Member” means College students, administrative and staff personnel, members of the faculty and all other College employees.

“College Official” means any person employed by the College, performing assigned administrative or professional responsibilities, or any person affiliated with the College through a contracted service agreement acting in that capacity.

“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.

“College Property” means all real and personal property: (1) owned by the College; or (2) in the possession of or subject to the control of the College.

“College-sponsored activity” means any activity on or off campus which is initiated, aided, authorized, sanctioned or supervised by the College.

“Complainant” means any member of the College community who submits a charge alleging that a student violated this Code.

“Student Conduct Officers” means the College staff persons appointed by and authorized by the Dean of Student Affairs, or designee, to determine whether a student has violated the Code and to impose appropriate sanctions. These officers are responsible for overseeing the student discipline process.

“Day” means normal business day, not including Saturday, Sunday, or any officially recognized College holiday.

“Dean of Student Affairs” is the person designated by the College President as being responsible for the administration, interpretation, and application of the Code, as well as for the review and recommended revision of the Student Code of Conduct every two years.

“Distribution” means sale or exchange whether or not for personal profit.

“Fabrication” means intentional and unauthorized falsification or invention of any information or citation in an academic exercise.

“Faculty” mean all employees of Yavapai College in teaching or service whose notice of appointment is that of full-time or adjunct faculty or is designated as faculty on the notice of employment.

“Policy” means the written policies, rules, and /or regulations of the College as found in, but not limited to, the Code of Conduct, Student



Handbook/Planner, Residence Hall Handbook, Computer Acceptable Use policy, and the College Catalog.

“President” means the President of the College.

“Reckless” means conduct which one should reasonably be expected to know would create a substantial risk of harm to persons or property or which would otherwise be likely to result in interference with College or College sponsored activities.

“Reviewing Administrator” means the Dean of Student Affairs or a designated Student Conduct Officer not involved in a particular case, who is responsible for reviewing and approving the determination and sanctions imposed by the Appeals Board. The reviewing administrator is also responsible for reviewing requests for a rehearing before the Appeals Board.

“Student” means any person admitted, registered or enrolled in one or more classes, or living in the residence halls, except a faculty member or full-time employee who takes any course as a privilege of employment.

“Student conduct hearing” means a fact-finding meeting between the Student Conduct Officer and the accused student, to discuss the alleged violation of the Student Code of Conduct.

“Weapon” means any object or substance designed or used in a manner which would be likely to wound, cause injury or incapacitate, including, without limitation, all firearms, pellet guns, knives with blades four (4) or more inches in length, and chemicals such as “mace” or tear-gas, but excluding normally available over-the-counter self-defense chemical repellents.



Yavapai
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Prescott Campus

1100 East Sheldon Street
Prescott, Arizona 86301
(928) 445.7300

Verde Valley Campus

601 Black Hills Drive
Clarkdale, Arizona 86324
(928) 634.7501

**Agribusiness & Science
Technology Center**

2275 Old Home Manor Way
P.O. Box 4048
Chino Valley, Arizona 86323
(928) 717.7720

Prescott Valley Campus

6955 Panther Path
Prescott Valley, Arizona 86314
(928) 717.7910

**Sedona Center for
Arts & Technology**

4215 Arts Village Drive
Sedona, Arizona 86336
(928) 649.4265

**CTEC - Career and Technical
Education Center**

220 Ruger Road
Prescott, Arizona 86301
(928) 776.2002

Camp Verde School Complex

321 Apache Trail
Camp Verde, Arizona 86322
(928) 567.9080

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