



Complaint and Disciplinary Procedures

2025-2026



WALLACE
COMMUNITY
COLLEGE

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Code of Student Conduct

As members of the learning community at Wallace Community College, students have a number of rights, privileges, and responsibilities. Those rights and privileges include the right to sound and professionally presented instructional programs and the right to due process in instances involving disciplinary actions or academic grievances.

The *Code of Student Conduct* is the standard of conduct by which students and organizations are expected to abide. They shall be aware of the Code and know they will be held accountable for its provisions. By enrolling at the College, a student or organization neither relinquishes rights nor escapes the responsibilities of local, state, or federal laws and regulations. The College has an interest in maintaining an environment that is conducive to its educational mission as well as the health, safety, and well-being of all students and other individuals. Students and organizations are obligated to abide by the rules and policies established by the College. Students at the College are considered responsible adults, serious of purpose, and enrolled for the primary purpose of furthering educational goals. It is assumed that students enrolling at the College are mature, have a desire for constructive learning, and are attending with that purpose in mind. Common courtesy and cooperation are expected of all students. Interference, injury, or intentional attempt to injure or interfere with the personal or property rights of any person—whether a student, member of the College community, or a visitor to the College—is strictly prohibited.

Note: Faculty, staff members, and students should note that any expectation of confidentiality does not include any illegal act. Faculty and staff members are required to notify law enforcement and College officials when they learn of a criminal act.

Application

The *Code of Student Conduct* applies to individual students and student organizations and is applicable to on- and off-campus College functions. Any student or group involved in unacceptable or prohibited conduct shall be disciplined in a manner commensurate with the nature and severity of the act of misconduct.

Any indication of facts that could cause imminent danger or harm to the health, safety, and welfare of the students, faculty members, other individuals, or College property, or any indication of mental or physical harassment of students (hazing) by an organization or student may result in immediate interim suspension of the organization or student by the designated College official on either campus. This interim suspension may continue only for a period of 72 hours until such time that a disciplinary hearing is held to consider the matter. The hearing shall be conducted by the Judiciary Committee.

Imposition of the sanctions stated above may be stayed pending appeal, at the discretion of the President of the College, on written request by the student or organization.

Misconduct

Student conduct is expected to be in accordance with standards of common decency and decorum, with recognition of and respect for the personal and property rights of others and the educational mission of the College. A student shall be subject to disciplinary action by the College, up to and including permanent expulsion, for misconduct on any property owned or controlled by the College; or off College property at any function that is authorized, sponsored, or conducted by the College; or in parking lots adjacent to areas or buildings where College functions are being conducted. Such misconduct shall include, but is not limited to, the commission of or attempt to commit any of the following acts:

1. Any form of dishonesty, including cheating, knowingly furnishing false information to the members of the College faculty or to any other officer or employee of the College, and alteration or use of College documents or instruments of identification with intent to defraud (cheating is defined as dishonesty in completing academic assignments, such as having in one's possession materials other than those specifically approved by one's instructor during tests; submission of work that was prepared by someone else to an instructor as one's own work; plagiarism, representation of someone else's writing or ideas as one's own; and assistance in the foregoing practices).
2. Plagiarism is the act of using the words and/or work of another author and attempting to pass it on as one's own work. An example of plagiarism includes, but is not limited to, a student submitting, under their own name, an essay, report, research paper, or some other assignment that has been written in part or in whole

by another person. Plagiarism also occurs when a pattern exists of failing to document and punctuate materials from research sources appropriately (as designated by the instructor and the research style that the instructor requires and publishes to their students) and/or the consistent failure to document accurately and in proper style any material that is not common knowledge, which the student has included in an assignment.

3. Forging, altering, or misusing College documents, records, or identification.
4. Issuing a worthless check made payable to the College or to its Bookstores. A student will be notified by the Business Office when a check for tuition, books, fees, or other charges is returned for insufficient funds. The student will have three (3) working days from the date of notification in which to satisfy that obligation. If the obligation is not satisfied within that time, the student's enrollment will be voided.
5. Failure to properly comply with any reasonable direction given by a College official acting within the capacity and performance of their position.
6. Violation of written College rules, policies, or regulations.
7. Obstruction or disruption of teaching, research, administration, service, disciplinary procedures, or policies and/or procedures of clinical affiliates while at their sites, other College activities, or other activities on College premises.
8. Destruction, damage, or misuse of College, public, or private property. The student is responsible for any damage done to College property.
9. Conduct in violation of federal or state statutes or local ordinances that threatens the health and/or safety of the College community or that could adversely affect the educational environment of the College.
10. Conviction of any misdemeanor or felony that adversely affects the educational environment of the College.
11. Obtaining College services by false pretenses, including, but not limited to, misappropriation or conversion of College funds, supplies, equipment, labor, materials, space, facilities, or services.
12. Hazing is any mental or physical requirement or obligation placed on a person by a member of any organization, or by an individual or group of individuals that could cause discomfort, pain, or injury or that violates any legal statute or College rule, regulation, or policy. Hazing is defined as, any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons, regardless of the willingness of such other person or persons to participate, see the College's [*Hazing Prevention Strategies*](#) and *Hazing Policy*.
13. Lewd, obscene, licentious, or indecent conduct or verbal or written threat of such action against another person, including sexual misconduct. See *Sexual Misconduct Policy* for specific details.
14. Harassment, intimidation, bribery, physical assault, or any other means, implied or explicit, to influence any member of a judicial body named in the Code, including witnesses, faculty members, staff members, and students before, during, or after a hearing. Organizations shall be responsible for the actions of their individual members, alumni, advisors, or others in this type of situation.
15. Possession of firearms or weapons (including hunting guns, bows, crossbows, etc.), ammunition, explosives, fireworks, or any other dangerous instruments in any building or classroom, and on any College-owned property in violation of Alabama Law 2013-286.
16. Intoxication from, or the possession and/or consumption of, any alcoholic beverage or non-prescribed controlled substance.
17. Unauthorized manufacture, sale, delivery, or possession of any drug or drug paraphernalia defined as illegal under local, state, or federal law.
18. Theft, accessory to theft, and/or possession, and/or transportation, and/or sale of stolen property.
19. Physical abuse, threat of violence, intimidation, and physical or mental harassment.
20. Trespassing or unauthorized entry.
21. Entering false fire alarms, tampering with fire extinguishers, alarms, or other safety equipment.
22. Publishing, aiding in publishing, circulating, or aiding in the circulation of anonymous publications or petitions of a libelous, slanderous, scurrilous, or unduly offensive nature.
23. Smoking or use of any tobacco product on any College property.
24. Playing a device such as a tape player, radio, or other electronic device in hallways, classrooms, or any other place where such activity would interfere with normal activity of the College.

25. Any form of illegal activity defined by state or federal law or municipal ordinance.
26. Disruptive or disorderly conduct that interferes with the rights and opportunities of those who attend the College to use and enjoy College facilities.
27. Failure to obtain clearance from an instructor to leave a class, lab, clinical, or campus during class and/or clinical hours.
28. Failure to wear appropriate dress for the department in which the student is enrolled. Appropriate dress is defined as shoes, shirt, blouse, pants, dress, or other appropriate items designed for safety purposes.
29. Participation in any form of gambling.
30. Unauthorized possession of a key to any College facility or vehicle.

If a student violates any of the provisions listed above while engaged as a representative of a student organization, the organization will be subject to having its approval suspended or terminated.

Hazing Prevention Strategies

1. **Zero-Tolerance Policy on Hazing.** The College strictly prohibits any form of hazing by individuals or organizations affiliated with the institution, regardless of intent or consent.
2. **Compliance with the Alabama and Federal Law on Hazing.** The College adheres to all state anti-hazing statutes and federal regulations, including those outlined in the Clery Act and the Stop Hazing Act.
3. **Mandatory Education and Training.** All students, especially members of student organizations and athletic teams, must complete annual hazing prevention training as part of the College's orientation or ongoing education programs.
4. **Reporting Mechanisms.** The College provides confidential ways to report hazing incidents, including using the electronic [Complaint Form](#) or contacting the Office of the Dean of Student Success and Sparks Campus at (334) 556-2266 or studentsuccess@wallace.edu.
5. **Investigation and Accountability.** All reports of hazing will be promptly investigated. Individuals and organizations found responsible will face disciplinary action, including possible suspension or expulsion.
6. **Amnesty for Reporting.** Students who report hazing in good faith may be granted amnesty for minor policy violations (e.g., alcohol use) that occurred in connection with the reported incident.
7. **Awareness Campaigns.** The College will host ongoing awareness campaigns, including workshops, speaker series, and/or social media outreach, to educate students on the dangers and signs of hazing.
8. **Primary Prevention Strategies.** Proactive strategies—such as leadership development, team-building alternatives, and bystander intervention training—are required for all recognized student groups.
9. **Organization Certification.** Student organizations must certify annually that they have reviewed and understand the College's anti-hazing policy and agree to uphold it.

Acceptable Use Policy

These guidelines are to assist with the interpretation and administration of the *Acceptable Use Policy for Information Technology Resources*. They outline the responsibilities each student and employee assumes when using information technology resources.

The purpose of information technology resources is to provide educational resources for Wallace Community College students and employees. Access to these resources is a privilege and must be treated with the highest standard of ethics. The College expects all students and employees to use information technology resources responsibly, respecting the public trust through which they have been provided, the rights and privacy of others, the integrity of the facilities and pertinent laws, and College policies and standards.

This policy outlines the standards for acceptable use of Wallace Community College information technology resources, which include, but are not limited to, equipment, software, networks, data, and telephones.

This policy applies to all users of College information technology resources, including the faculty and staff, students, guests, organizations, and individuals accessing external network services, such as the Internet via College facilities. Violation of this policy may result in suspension or revocation of user privileges, administrative discipline, or immediate termination of the violator's relationship with Wallace Community College and could lead to criminal and civil prosecution.

Acceptable use of the College Internet connection provided via the Alabama Research and Education Network

(AREN) is also governed by this document. Any activity that is not listed here that violates local, state, or federal laws, or violates the AREN Acceptable Use Policy, is also considered a violation of the Wallace Community College *Acceptable Use Policy for Information Technology Resources*.

User Responsibilities

Use of College information technology resources is permitted based on acceptance of the following specific responsibilities and the understanding that computer use may be monitored.

1. Use only information technology resources for which you have permission. Example: It is unacceptable to...
 - a. use resources you have not been specifically authorized to use;
 - b. use your own personal computer, laptop, or any other device to connect to the network with a wired connection. (Access to the Wallace network with a personal device through the appropriate wireless portal is permitted.);
 - c. use someone else's account and password or share your account and password with someone else;
 - d. access files, data, or processes without authorization; and
 - e. purposely seek out, exploit, or seek to exploit security flaws to gain system or data access.
 - f. (other types of evidence to look for are not limited to, but could include: camera footage, text messages, emails, social media posts, documents, etc.)
2. Use information technology resources only for their intended purpose. example: it is unacceptable to...
 - a. send forged e-mail;
 - b. use electronic resources to harass or stalk other individuals;
 - c. send bomb threats or hoax messages;
 - d. send chain letters that may interfere with the system's efficiency;
 - e. intercept or monitor any network communications not intended for you;
 - f. use computing or network resources for commercial advertising or other commercial purposes;
 - g. attempt to circumvent security mechanisms;
 - h. use privileged access for other than official duties;
 - i. use former privileges after graduation, transfer, or termination; and
 - j. use network resources to download news, music, graphics, or other communications not related to college activities.
3. Protect the access and integrity of information technology resources. example: it is unacceptable to...
 - a. knowingly release a virus that damages or harms a system or network;
 - b. prevent others from accessing an authorized service;
 - c. attempt to deliberately degrade performance or deny service;
 - d. corrupt or misuse information;
 - e. alter or destroy information without authorization; and
 - f. engage in spamming (sending an annoying or unnecessary message to a large group of people).
4. Respect the privacy of others. example: it is unacceptable to...
 - a. access or attempt to access another individual's password or data without explicit authorization;
 - b. access or copy another user's electronic mail, data, programs, or other files without permission;
 - c. use obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful language;
 - d. continue sending e-mail messages to someone after being told to stop; and
 - e. post derogatory information or statements about a person.
5. Abide by applicable laws and College policies and respect the copyrights and intellectual property rights of others, including the legal use of copyrighted software. Example: It is unacceptable to...
 - a. Illegally upload or download copyrighted music, movies, software, etc.;
 - b. Make more copies of licensed software other than the license allows;
 - c. Plagiarize works that you find on the Internet; and
 - d. Deliberately upload, download, distribute, or possess pornographic material.

System Administrators' Responsibilities

System administrators and providers of College information technology resources have the additional responsibility of ensuring the integrity, confidentiality, and availability of the resources they are managing. Individuals in these positions are granted significant trust to use their privileges appropriately for their intended purpose and only when

required to maintain the system. Any private information seen in carrying out these duties must be treated in the strictest confidence, unless it relates to a violation or the security of the system.

Although information technology providers throughout the College are responsible for preserving the integrity and security of resources, security can sometimes be breached through actions beyond their control. Users are urged to take appropriate precautions, such as safeguarding accounts and passwords, and promptly reporting any misuse or violations of the policy.

Violations

Every member of the College community has an obligation to report suspected violations of the guidelines above or of the *Acceptable Use Policy for Information Technology Resources*. Reports should be directed to the department responsible for the particular system involved. Reported violations will be addressed in conformance with published College policy.

Wallace Community College provides access to the Internet as a member of the Alabama Research and Education Network, which is supported by the Alabama Supercomputer Authority. Therefore, any users of the Internet are to be made aware of the Acceptable Use Policy of the Alabama Supercomputer Authority for full compliance with this policy.

Disciplinary Procedures

Classroom Integrity

Faculty members have the obligation to maintain order in the classroom to preserve the integrity of the learning environment. If a student's behavior disturbs or otherwise interferes with instruction, the student will be asked to leave the class. The student may be allowed to return to the next class meeting after consultation with the instructor and a third party. The third party may be another faculty member, division director, or a dean. If repeated disruption occurs upon an allowed return to class, or if the faculty member believes that the improper conduct should be subject to greater discipline, then the case should be referred to the Dean, Student Success and Sparks Campus for disciplinary review and determination if a referral before the Judiciary Committee is warranted.

Academic Dishonesty

With regard to a matter of academic dishonesty in taking a college course, the respective faculty members of the College are authorized to administer certain appropriate disciplinary action. If a given faculty member has substantial evidence of a student's having committed, attempted to commit, or solicited an act of cheating, plagiarism, or any other form of academic dishonesty, the faculty member shall have the authority to...

- impose a grade of *F* for the respective assignment or test;
- impose an *F* for the respective course;
- require that an assignment be redone or a test be retaken; or
- impose other similar sanctions designed to preserve academic integrity.

The faculty member shall not have the right to suspend or expel a student. That authority is reserved for the Dean, Student Success and Sparks Campus and the College Judiciary Committee. If the faculty member believes that the improper conduct should be subject to greater punishment, or additional punishment, then the case should be referred to the Dean, Student Success and Sparks Campus for disciplinary review.

In any situation where a student is alleged to have committed academic dishonesty of any nature, the faculty member making the allegation shall, within three (3) working days after the alleged wrongful act or the faculty member's first knowledge of the act, give the student written notice of the allegation and give the student the opportunity to respond to each allegation made ([Appendix A – Academic Dishonesty](#)).

The student shall have a maximum of three (3) working days to respond to any allegation made. No disciplinary grade imposed by a faculty member shall be considered final unless and until the student has been given written notice of the alleged wrongdoing and the opportunity to respond. It is not necessary that the student give a response for a grade to be finalized, only that the student has been given an opportunity to respond and that the instructor gives due consideration to any response that is made.

Each instructor shall keep a confidential file of any and all written allegations of academic dishonesty and all

actions taken with regard to such allegations.

Any student against whom a sanction is imposed by a faculty member as a result of an allegation of academic dishonesty shall have the right to appeal the sanction to the Dean, Student Success and Sparks Campus by completing the Appeals Request form on the College's website page titled [Complaint & Disciplinary Procedures](#). The appeal must be filed electronically with the Dean within five (5) working days after the student is first made aware of the date that the decision has been made to impose a sanction, and must include:

- a copy of the faculty member's written allegations of academic dishonesty;
- a statement of the sanction imposed;
- the dates on which the student received the written allegation and on which the student responded to the allegation;
- the nature of the student's response to the faculty member concerning the allegation; and
- the rationale for the appeal of the sanction.

The student shall have the option of admitting to the Dean, Student Success and Sparks Campus the act of academic dishonesty and proposing an alternative sanction or denying that academic dishonesty has been committed.

The Dean, Student Success and Sparks Campus shall, within 15 working days after receipt of the appeal, issue a report by which the Dean will:

- affirm the sanction;
- overrule the sanction; or
- modify the sanction.

The Dean shall not overrule or modify any sanction imposed by a faculty member except where a compelling and substantial academic or legal reason exists for doing so.

If the Dean determines that the student is not guilty, the student will be cleared of all charges. If the student is found guilty, the Dean will delineate appropriate sanctions on a *Sanction Agreement* form (see [Appendix B– Sanction Agreement](#)). When administering the *Sanction Agreement*, the student will select one of the following options:

- Sign the *Sanction Agreement*, indicating acceptance of the sanctions imposed and waiving all rights to appeal; OR
- Sign the *Sanction Agreement*, declining the opportunity to accept the sanctions imposed and request to appeal the decision before the Judiciary Committee by completing the *Appeals Request* form on the College's website page titled [Complaint & Disciplinary Procedures](#).

Any student who fails to select 'Accept' or 'Do Not Accept' and fails to sign the *Sanction Agreement* shall be deemed to have waived all rights to further appeal, and the sanctions imposed will be final.

Student Conduct

Student conduct is expected to be in accordance with standards of common decency and decorum, with recognition of and respect for the personal and property rights of others and the educational mission of the College. A student shall be subject to disciplinary action by the College, up to and including permanent expulsion, for misconduct on any property owned or controlled by the College; or off College property at any function that is authorized, sponsored, or conducted by the College; or in parking lots adjacent to areas or buildings where College functions are being conducted.

Disciplinary complaints in relation to the *Code of Student Conduct* are routed through the Office of the Dean, Student Success and Sparks Campus. The Dean will appoint a designated college official as the investigator, and the Complaint Process will begin.

Procedures outlined in this section do not apply to the following areas: Academic Grievances, Sexual Misconduct, Civil Rights, Americans with Disabilities Act, Title IX, Motor Vehicle Violations, Educational Records, and Financial Aid.

Interim Suspension – 72 Hours

In certain circumstances, there may be a need for an immediate Interim Suspension of 72 hours. Interim suspension recommendations must be routed through the office of the Dean, Student Success and Sparks Campus. During the interim suspension, the accused student shall be denied access to the campus (including classes) and/or all other College activities or privileges for which the student might otherwise be eligible, as the Dean may determine to be appropriate.

1. Interim suspension may be imposed for the following reasons:
 - To ensure the safety and well-being of members of the College community or preservation of College property;
 - To ensure the student's own physical or emotional safety and well-being; or
 - If the student poses a definite threat of disruption of or interference with the normal operations of the College.
2. The Dean shall request a hearing of the charges before the College Judiciary Committee within 72 hours of the interim suspension.
 - The Dean or designee shall provide the accused student(s) a written *Statement of Charges* as filed to provide the student(s) reasonable notice of the circumstances on which the alleged violation is based ([Appendix G – Statement of Charges](#)). The statement will be sent to the student's College Email AND by a Process Server. The written *Statement of Charges* shall include the following:
 - Date the original complaint was reported,
 - Name of person to whom the original complaint was reported,
 - Facts of the complaint, and
 - Action taken, if any, by the receiving official to resolve the complaint.
 - Notification to the student(s) that it is permissible to appear alone or with counsel before the Judiciary Committee and may be present during all phases of the hearing except during the committee's deliberation. Requestor of counsel shall be required to sign a FERPA release before the meeting begins.
 - Counsel shall be made aware of the following:
 - Counsel shall not speak for or on behalf of the accused student(s) but may act only in an advisory capacity.
 - Counsel may not question or cross-examine witnesses or committee members. (If counsel attempts to question or cross-examine a witness or committee member, they will be excused from proceedings.)
 - Notification to the student(s) that they will be provided the opportunity to present evidence and to conduct reasonable cross-examination of witnesses.
3. Upon Notification of an event necessitating an Interim Suspension, the Dean, Student Success and Sparks Campus will designate an investigator to complete the investigation process within two (2) business days.
4. Investigation documentation will be distributed to the Judiciary Committee Chair for a hearing to convene within 72 hours of the initial suspension.

The student(s) that is scheduled for a hearing before the Judiciary Committee and that fails to appear at the designated date, hour, and place of the hearing after notification thereof shall be deemed to have waived the right to a hearing and the right to appear before the Judiciary Committee. The Judiciary Committee may then proceed with the hearing. If the accused student(s) is unable to attend the hearing for good cause at the appointed time, prior written notice of the inability to attend shall be submitted to the Dean, Student Success and Sparks Campus, where upon a new date shall be set by the Dean in coordination with the chairperson of the Judiciary Committee. Only one such extension shall be granted, except where additional extensions would cause undue hardship to the student(s).

Complaint Process

1. A complaint regarding the conduct of any student(s) may be filed by any student, faculty, or staff having personal knowledge of the alleged activity. The College may also file complaints. Individuals are encouraged to report concerns within ten (10) working days of the occurrence of the event prompting the complaint.
2. Such complaints must be in writing and shall be directed to the Office of the Dean, Student Success and Sparks Campus. The *Complaint Form* must be submitted electronically. The *Complaint Form* can be found on the College's website page, *Complaint & Disciplinary Procedures* ([College Web Site – Complaint & Disciplinary Procedures](#)).
3. The Dean will appoint a designated College official as the Investigator. The Investigator has ten (10) working days to complete the investigation.
4. The office of the Dean, Student Success and Sparks Campus will work with the Investigator to schedule the date, time, and location of interviews with the complainant and the accused individual(s).
 - The student(s) shall be advised that it is permissible to appear alone or with counsel during the meeting. However, Counsel shall not speak for or on behalf of the student(s), but may act only in an advisory capacity.
 - The student(s) and Investigator will receive a calendar request through their College Email to solidify the meeting.
 - If the student(s) are unable to attend the hearing for good cause at the appointed time, prior written notice of the inability to attend shall be submitted to the Dean, Student Success and Sparks Campus, whereupon a new date shall be set by the office of the Dean in coordination with the Investigator. Only one such extension shall be granted, except where additional extensions would cause undue hardship to the student(s).
5. The Investigator shall initially meet with the complainant (individual filing the complaint) to hear the details of the case. The investigator shall do the following:
 - Document details of the case, including names, dates, locations, details of the incident, and evidence of the event (ex., text messages, emails, social media posts, documents, etc.).
 - Determine the type of Misconduct based on the *Code of Student Conduct*.
 - Determine what the outcome goal is for the Complainant.
 - Notify the Complainant to check their student email for final results.
6. The Investigator shall meet with the accused party to present the charges filed against them and hear their rebuttal of the events that they are being accused of. The investigator shall do the following:
 - Document details of the case, including names, dates, locations, details of the incident, and evidence of the event (ex, text messages, emails, social media posts, documents, etc.).
 - Notify the Accused to check their student email for future correspondence.
7. Upon completion of the interviews, the Investigator shall submit all original documents to the office of the Dean, Student Success and Sparks Campus, to be filed and recorded on the Student Complaint Drive.
8. Using the code of Student Conduct Sanctions, the Dean of Student Success and Sparks Campus will prepare a *Sanction Agreement* to be submitted by email to the accused (see [Appendix B – Sanction Agreement](#)).
 - The office of the Dean will prepare the *Sanction Agreement* for the students' signature, and email it to the students' college email accounts within three (3) business days.
 - The office of the Dean will send copies of the *Sanction Agreement* to the appropriate Dean(s) for notification of involved parties.
9. Upon receipt of the *Sanction Agreement*, the accused will select from one of the following options:
 - Sign the *Sanction Agreement*, indicating acceptance of the sanction(s) imposed and waiving all rights to appeal; OR
 - Sign the *Sanction Agreement*, declining the opportunity to accept the sanctions imposed and request to appeal the decision before the Judiciary Committee.

- **Any student who fails to select ‘Accept’ or ‘Do Not Accept’ and fails to sign the *Memorandum of Resolution/Sanction Agreement* shall be deemed to have waived all rights to further appeal, and the sanction(s) imposed will be final.**
 - **Students have five (5) working days from the date of the emailed *Sanction Agreement* to sign the document. At this time, the judgment is final.**
10. If the accused party does not agree to the *Sanctions Agreement*, they may begin the appeals process by completing the *Appeals Request* form on the College’s website page titled *Complaint & Disciplinary Procedures* (College Web Site – *Complaint & Disciplinary Procedures*).

Sanctions

A student or organization deemed to be in violation of the *Code of Student Conduct* is subject to the imposition of one or more of the following sanctions:

1. **Reprimand** - A written notice that continuation or repetition of improper conduct may be cause for further disciplinary action.
2. **Restitution** - Compensation for damages to property owned by the College, limited to the actual cost of repair or replacement.
3. **Probation** - This sanction is for a designated period of time, which may include exclusion from privileges, such as extracurricular activities and/or on-campus driving privileges. Furthermore, if the student is determined by any of the disciplinary procedures herein set out to be in subsequent violation of the Code of Student Conduct during the probationary period, the student may be either suspended or expelled. Provisions of the probationary period shall be determined and expressed by the committee.
4. **Voluntary Withdrawal** - A student may be given the option to voluntarily withdraw from a class or from the College in lieu of disciplinary action. The Judiciary Committee, Dean, Student Affairs and Sparks Campus, or the complaint officer, in some circumstances, may specify a period of time before the student may apply for readmission or reenroll in a class or classes. To qualify for readmission, the student must receive approval from the Dean, Instructional Affairs, and meet the academic standards for readmission. Students will not be eligible for any refund from the College. (If a student withdraws before disciplinary procedures are carried out, the student will be subject to discipline as may be imposed by the designated College official at the time of reentry into the College.)
5. **No Contact Orders** - Written notice to cease all contact with an alleged victim.
6. **Cease and Desist Orders** - The alleged perpetrator will be directed by written notice to cease and desist any activity noted by an alleged victim as offensive or threatening and that may be a violation of the Student Code of Conduct.
7. **Interim Suspension – 72 hours** - Interim suspension may be imposed for the following reasons:
 - To ensure the safety and well-being of members of the College community or preservation of College property;
 - To ensure the student’s own physical or emotional safety and well-being; or
 - If the student poses a definite threat of disruption of or interference with the normal operations of the College.
8. **Suspension** - Separation from the College for a definite period of time. A student may be suspended for a specific period of time not to exceed 2 years. To qualify for readmission after suspension, a student must receive approval from the Dean, Instructional Affairs, and meet all reasonable requirements and academic standards for readmission. Students will not be eligible for any refund from the College.
9. **Expulsion** - An indefinite termination of student status from the College for a period of not less than 2 years. To qualify for readmission after expulsion, a student must receive approval from the Dean, Instructional Affairs, and meet all reasonable requirements and academic standards for readmission. Students will not be eligible for a refund from the College. Under certain conditions, expulsion could mean permanent severance from the College.

Appeals Process

Appeal to the Judiciary Committee

1. Accused student(s) who choose to file an appeal of the sanctions imposed by the Dean, Student Success and Sparks Campus must request an appeal hearing within five (5) working days, in writing, to the Judiciary Committee. The *Appeal Request* form can be found on the website page titled, *Complaint & Disciplinary Procedures* ([College Web Site – Complaint & Disciplinary Procedures](#)). The appeal must expressly state the grounds of such appeal, which are limited to newly discovered evidence, violation of procedures, or that the imposed sanction was unduly harsh, improper, or lenient under the circumstances.
 - The appeal hearing before the Judiciary Committee shall be scheduled as soon as it is practical, but no later than 30 calendar days from the date of the student's appeal.

For more information on the Judiciary Committee process, please see the section titled *Judiciary Committee Disciplinary Procedures*.

Appeal to the President or Designee

1. The determination and sanction imposed by the Judiciary Committee are subject to review on appeal by the President of the College or his or her designee. The President or designee has discretionary authority to modify or affirm the sanction imposed by the Judiciary Committee, to exonerate the accused student(s), and/or to order a rehearing of the case in question.
2. A student(s) has five (5) working days from the day of the hearing and determination by the Judiciary Committee to request a review of the proceedings and/or the sanction. The *Appeal Request* form can be found on the College's website page titled, *Complaint & Disciplinary Procedures* ([College Web Site – Complaint & Disciplinary Procedures](#)). Such appeal requests must be submitted in writing to the office of the President. Failure to request an appeal as stated herein shall be a waiver of a review by the President or designee and all rights in relation thereto. Furthermore, failure to request an appeal as stated herein shall be an admission of the charges and a consent to the sanctions imposed by the Judiciary Committee.
3. A written appeal must expressly state the grounds of such appeal, which are limited to newly discovered evidence, violation of procedures, or that the imposed sanction was unduly harsh, improper, or lenient under the circumstances.
4. The student(s) shall be provided a written statement of the decision of the President or designee within seven (7) working days from the date of filing the request for appeal.
5. Appealing to the President is the final step in the College's judicial process; however, if a student wishes to appeal the decision further, he or she may utilize the State Student Complaint Process.
6. Upon completion of the investigation and administration of the written statement by the President to the accused, the originals of all documents pertaining to the investigation shall then be submitted to the office of the Dean, Student Success and Sparks Campus.
7. All documents pertaining to the investigation shall then be filed in the office of the Dean, Student Success and Sparks Campus, and will be recorded on the Student Complaint Drive.

Appeal, State Student Complaint Process

Students who wish to appeal the President or designee's decision should refer to the section titled *State Student Complaint Process*.

State Student Complaint Process

In 2015, the Alabama Legislature vested oversight of the state's public two-year institutions of higher education (known as the Alabama Community College System (ACCS)) with the Alabama Community College System Board of Trustees. The Alabama Legislature further directed the Board of Trustees to delegate to the System's Chancellor the authority to act and make decisions concerning the management and operation of the community and technical colleges. The Chancellor is assisted in these duties by the staff of the System Office, formerly known as the Alabama Department of Postsecondary Education. Consumer and student complaints that are not resolved at the

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institutional level are thus arbitrated at the state level by the ACCS System Office.

The ACCS is committed to respecting and supporting the work of its member institutions and to providing a quality educational experience for all students. The objective of the student complaint process is to ensure that the concerns and complaints of students are addressed fairly and are resolved promptly. The Alabama Community College System requires each institution to establish its own procedures to address student grievances and complaints. A student must exhaust his/her rights under the institution's official complaint/grievance policy before advancing any complaint to the System Office of the Alabama Community College System. Students may file consumer/student complaints with the Alabama Community College System by following these procedures:

1. If, after exhausting all available institutional processes, a student's complaint remains unresolved, the student may appeal to the Alabama Community College System using the System's official *Student Complaint Form* or *Online Student Complaint Form* (see [Appendix I – ACCS Student Complaint Form](#)). Students may submit completed complaint forms using one of the following options:
 - a. Printing the form, signing it, and then either (1) scanning it and emailing it to complaints@accs.edu or (2) mailing it to:
Alabama Community College System
Attention: Division of Academic and Student Affairs
P.O. Box 302130
Montgomery, AL 36130-2130
 - b. Electronically submitting the form using the *Online Student Complaint Form*.
2. The Division of Student Success will investigate the complaint.
3. The institution which is the subject of complaint has 15 days to provide a written response to questions and/or concerns raised during the investigation. Such response may or may not contain a resolution.
4. The Division of Student Success will adjudicate the matter within 30 business days of receipt of complaint and write a report or letter to the institution and student detailing corrective action, if any is necessary, or stating that the school has no violation of policies.
5. If corrective action is needed the institution will have 30 days to comply or develop a plan to comply with the corrective action.
6. The System Office will monitor the institution's compliance to ensure the completion of any required corrective action.
7. The decision made by ACCS is final and cannot be appealed.

Disciplinary Procedures by the Judiciary Committee

Judiciary Committee

1. The chairperson assumes the following duties:
 - Arranges for appropriate times and places for committee meetings and hearings.
 - Informs the Dean, Student Success and Sparks Campus, in writing when possible, of the location and time of the committee hearing and a list of individuals whom they request or require to attend the hearing.
 - Arranges for the hearing to be electronically recorded.
 - Conducts the hearing.
 - Maintains committee records and all documents that will be presented to the Dean, Student Success and Sparks Campus after the conclusion of the meeting.
 - Informs the Dean, Student Success and Sparks Campus, by *Memorandum of Record*, the decisions of the committee, to include findings and, if appropriate, sanctions (see [Appendix F – Memorandum of Record](#)).
 - Arranges for appropriate security when necessary, during hearings.
2. The office of the Dean, Student Success and Sparks Campus assumes the following duties:
 - Inform the appropriate individuals, including but not limited to the complainant and the accused, of the scheduled hearing date, time, and location.
 - Notification to the student(s) that it is permissible to appear alone or with counsel before the Judiciary Committee and may be present during all phases of the hearing except during the committee's deliberation. Requestor of counsel shall be required to sign a FERPA release before the meeting begins.

- Counsel shall be made aware of the following:
 - Counsel shall not speak for or on behalf of the accused student(s) but may act only in an advisory capacity.
 - Counsel may not question or cross-examine witnesses or committee members. (If counsel attempts to question or cross-examine a witness or committee member, they will be excused from proceedings.)
 - Notification to the student(s) that they will be provided the opportunity to present evidence and to conduct reasonable cross-examination of witnesses.
 - The student(s) that is scheduled for a hearing before the Judiciary Committee and that fails to appear at the designated date, hour, and place of the hearing after notification thereof, **shall be deemed to have waived the right to a hearing and the right to appear before the Judiciary Committee.** The Judiciary Committee may then proceed with the hearing. If the accused student(s) is unable to attend the hearing for good cause at the appointed time, prior written notice of the inability to attend shall be submitted to the Dean, Student Success and Sparks Campus, where upon a new date shall be set by the Dean in coordination with the chairperson of the Judiciary Committee. Only one such extension shall be granted, except where additional extensions would cause undue hardship to the student(s).
3. The hearing before the Judiciary Committee shall not be conducted as a courtroom trial, but shall proceed as follows:
- One appointed faculty or staff member shall serve as chairperson of the Judiciary Committee. The chairperson shall screen the committee members prior to the hearing for any prejudicial knowledge. In the event of special prejudicial knowledge, those members may be replaced by the President or his or her designee with other qualified faculty or staff members and/or students. A simple majority of the members present will be allowed to make a judgment and render a decision in the matter with regard to a finding of guilty and imposition of appropriate disciplinary action. (A minimum of 3 committee members must be present to hear and rule on the case.)
4. A record of all proceedings shall be kept in the form of a video or audio recording, and a copy may be reproduced at the expense of the accused student(s) or organization.

Proceedings

Proceedings shall open with the chairperson of the Judiciary Committee reading the following statement:

“A College is an academic institution, not a courtroom or administrative hearing. The Judiciary Committee is not bound by the rules of legal evidence which would apply in a court proceeding. The committee is allowed to admit and consider evidence that might not be admissible in a court of law. This includes hearsay; however, evidence must be relevant to the charge.”

Note: Formal rules of evidence shall not be observed in proceedings before the Judiciary Committee; however, the chairperson of the committee shall be authorized to exclude irrelevant, redundant, or unduly inflammatory evidence. The findings of the committee on the issue of violation(s) of the Code of Student Conduct will be based solely on evidence introduced at the hearing. Evidence of previous violations of rules and regulations or violations of local, state, or federal laws, ordinances, and regulations shall not be considered in any way by the committee in determining whether the violation charges were committed, but such evidence may be considered by the committee in consideration of the appropriate sanctions. They may also be introduced as evidence in rebuttal of any related character evidence introduced by the accused party.

1. The chairperson of the Judiciary Committee will then read the charge against the student(s). The student(s) shall then make a plea of guilty or not guilty. If the accused student(s) admit guilt, the committee will go directly into closed session to deliberate sanctions; however, students(s) who plead guilty may be permitted to explain the rationale for their behavior as a plea for leniency before the Judiciary Committee. Failure to make a plea by the student(s) is considered an admission of guilt.
2. If the accused denies guilt, the Judiciary Committee Chair shall present the evidence against the

- accused student(s). The accused student(s) will be afforded the opportunity for reasonable cross-examination.
- The accused student(s) may then present evidence of the event by oral testimony, witnesses, and/or written sworn affidavits. Reasonable cross-examination will be afforded.
 - Rebuttal evidence may be presented by either party as necessary, but not so as to be redundant. The accused student (s) may make a closing statement.
3. The complainant, College, and the accused student(s) may each have an attorney or other personal representative present to act as an advisor. The respective attorneys or personal representatives shall not be advocates and shall not question witnesses or have any role in the proceedings. The advisor may only communicate with the individual they are advising.
 4. After presentation of all evidence, the Judiciary Committee shall enter closed session. The committee shall deliberate and make its determination of findings and determine appropriate sanctions if the student(s) is found guilty. Student(s) shall be notified of the determination within three (3) business days of the close of the hearing. Any sanctions previously imposed to the time of the hearing shall remain in effect until official notification of the Committee's decision.
 - If the Judiciary Committee determines that the student is not guilty, the student will be cleared of all charges. If the student is found guilty, the Committee will disclose the findings and sanctions determined by the Committee. The Committee Chair informs the Dean, Student Success and Sparks Campus, by *Memorandum of Record*, the decisions of the committee, to include findings and, if appropriate, sanctions (see [Appendix F – Memorandum of Record](#)).
 - The Dean's office will send a hard copy of the final *Sanction Agreement* by Certified mail OR by a Process Server. The office of the Dean will prepare an additional copy of the *Sanction Agreement* for student signature and email it to the student's college email account.
 5. Upon administering the *Sanction Agreement*, the student will select one of the following options:
 - Sign the *Sanction Agreement*, indicating acceptance of the sanctions imposed and waiving all rights to appeal; OR
 - Sign the *Sanction Agreement*, declining the opportunity to accept the sanctions imposed, and an appeal may be filed with the President or designee. Imposed sanctions by the Judiciary Committee will remain in effect throughout the appeals process.
 - **Any student who fails to select 'Accept' or 'Do Not Accept' and fails to sign the *Sanction Agreement* shall be deemed to have waived all rights to further appeal, and the sanctions imposed will be final.**
 - Students have five (5) working days from the date of the emailed *Sanction Agreement* to sign the document. At this time, the judgment is final.
 - The complainant will be notified by email, the final resolution.
 6. Upon completion of the hearing and determination, the Committee shall submit a *Memorandum of Record*, by email, to the office of the Dean, Student Success and Sparks Campus (see [Appendix F – Memorandum of Record](#)).
 - The office of the Dean shall email copies of the *Memorandum of Record* to the appropriate Dean(s) for notification of all involved parties.
 7. All original documents shall be submitted to the office of the Dean, Student Success and Sparks Campus, to be filed and recorded on the Student Complaint Drive.

Appendices