

# B. Student Disciplinary Proceedings

## Training

1. All individuals involved in conducting disciplinary proceedings and appeals shall receive annual training on the student code of conduct, investigations and the hearing process which shall include training on how to conduct an investigation and hearing process that protects the safety and welfare of victims and promotes accountability.

## Filing a Complaint

1. Any person who witnesses or learns of a violation of the Student Code of Conduct may bring a complaint forward to the appropriate Judicial Body by filing an incident report.
2. Incident report forms may be obtained from the Academic or Student Affairs Offices as well as from the Judicial Advisor. In addition, forms may be made available through Campus Safety or on the college web site. Information in the incident report should include but not be limited to the following:
  - a. Reporting person's name, address, phone, and student identification number (contact information and ID number shall not be released to the Respondent without written permission of the person reporting the incident);
  - b. Date, time, and location of incident;
  - c. Person(s) involved in the incident;
  - d. Victim(s) or damages involved in the incident;
  - e. Complete narrative description of the incident;
  - f. Names of witnesses to the incident;
  - g. Any other information deemed appropriate.

## Investigation and Resolution of Complaint by Judicial Body

1. The fact that a complaint has been filed creates no presumption that the Respondent has committed the alleged offense.
2. The complaint will be referred to the appropriate Judicial Body, which will investigate (or request a formal investigation by an impartial investigator) and hear all complaints and may a) dispose of the complaint as unfounded; b) mediate an informal resolution; or c) issue (or authorize to be issued) sanctions as described in Section IV above.
3. The Respondent and the Complainant, where applicable, have the right to be assisted by an advocate of their choice. An advocate, however, is not permitted to speak or to participate directly in any investigation or hearing before the Judicial Body.
4. A time shall be set for an initial hearing before the Judicial Body not less than one (1) business day after nor more than five (5) business days after the Respondent has been notified. At the initial hearing, the Judicial Body may receive evidence from the Complainant and the Respondent regarding any interim sanctions and shall determine whether a) the Complaint should be disposed without further investigation and a report issued setting forth the findings and the sanctions, if any, to be imposed; b) mediation is appropriate; or c) a formal investigation is required. In the event a formal investigation is required, the Judicial Body will accept the findings of the investigator(s) and provide a report of the findings to Respondent.
5. Whether the investigation is completed by the Judicial Body or an impartial investigator, all findings will be based on a preponderance of the evidence; i.e., evidence that would lead a reasonable person to believe that it was more likely than not that the Respondent committed the alleged offense.
6. If the investigator's report contains a finding that the Respondent committed the alleged offense, a time shall be set for a sanction hearing before the Judicial Body to be held not less than one (1) day nor more than ten (10) days after the investigation report is issued.