

Coastal Carolina University

Code of Student Conduct

2011-2012



Office of Student Conduct
Division of Academic and Student Affairs
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I. INTRODUCTION

Human beings grow and mature in communities. Living in a community requires the knowledge, integrity, and decency of others. In turn, a strong and effective community helps individuals mold habits and values that will enable them to achieve the highest personal satisfaction and contribute to a better world. University rules and regulations are designed to protect individual liberties, and other values stated in the University’s mission statement, especially the commitment to: “develop students who are both knowledgeable in their chosen fields and prepared to be productive, responsible, healthy citizens with a global perspective... while adopting the highest standards of integrity and accountability, and committing itself to excellence through continuous self-improvement.”

II. STUDENT RIGHTS AND RESPONSIBILITIES

A. General Information

Responsibility for good conduct rests with students as individuals. All members of the campus community are expected to use reasonable judgment in their daily life to show concern for the welfare and rights of others. Educational institutions are not sanctuaries from the jurisdiction of the civil and criminal laws of the communities and states where such institutions exist. If a student violates city, state or federal laws, he/she may be prosecuted by those authorities, as well as by University authorities if the conduct violates University standards.

Students are entitled to be secure in their personal privacy. But the University will conduct facility inspections for maintenance, health or safety purposes. Also, the University may conduct search and seizure operations when the health and safety of persons or property are involved.

To serve the interests of all students, the University may decline admission, suspend enrollment, or require a student to withdraw from the University based on violations of the Code of Student Conduct. A student is not in good disciplinary standing with the University if he/she is currently suspended, on disciplinary probation or has past due sanctions.

Students agree to abide by all rules and regulations of the University as a condition of admission. Any violation of the Code of Student Conduct that occurs between the time of acceptance and enrollment at the University may be subject to review by the Office of Student Conduct.

B. Rights of the Accused

1. Persons accused of violating the University’s rules and regulations have the following rights:
 - a. Written/electronically mailed notice of charge(s), account of the alleged misconduct, and notice of the scheduled hearing;

- b. The right to a hearing;
 - c. The right to a timely student conduct process and decision;
 - d. The right to challenge the admissibility of evidence;
 - e. The right to appeal;
 - f. The standard of proof used to determine a violation is “a preponderance of evidence;”
 - g. The right to a personal adviser whose role is to advise the student rather than actively represent;
 - h. The right to participate in the conduct hearing or remain silent;
 - i. The right to present witnesses and a reasonable number of character statements;
 - j. A written decision specifying the violation, penalty assessed, and right of appeal;
 - k. The right to challenge the seating of any hearing officer for good cause;
 - l. The right to have the case heard only on the misconduct specified in the written notice;
 - m. The right to question all available witnesses;
 - n. The right to request a reasonable postponement of the hearing;
 - o. The right to face their accuser. Special conditions may be imposed in sensitive cases.
2. The University will make every effort to protect the rights and dignity of persons accused or victims of violations of this code within limits provided by FERPA and other federal, state and local law. In accordance with FERPA, prior consent is not required to disclose personally identifiable information to schools in which a student seeks or intends to enroll. Regarding these requests, the University will make an attempt to notify the student that records are being provided.

C. Rights of a Person Filing a Complaint and/or Victim of Offense

1. A person who has filed a complaint or is the victim of an offense will have the following rights:
 - a. The right to review the statements of the student who is the subject of the alleged violation;
 - b. The right to present evidence supporting his or her version of the alleged violation;
 - c. In cases of violence and sex offenses, the right to know (or have next of kin know in case of death of victim) the outcome, including sanctions of the hearing.
2. The University will make every effort to protect the rights and dignity of victims of violations of this code within limits provided by FERPA and other federal, state and local law.

III. ACADEMIC INTEGRITY CODE

A. Statement of Community Standards

Coastal Carolina University is an academic community that expects the highest standards of honesty, integrity and personal responsibility. Members of this community are accountable for their actions and are committed to creating an atmosphere of mutual respect and trust.

B. Expectations of Community Members

All members of our community – students, faculty, staff and administrators – share responsibility for promoting a culture of academic integrity. Each group plays a different role and, together, cultivates mutual respect and ethical behavior.

Students:

- Understand and abide by the Code of Student Conduct
- Take responsibility for personal behavior
- Actively oppose every instance of academic dishonesty

Faculty Members:

- Serve as mentors, advisors and educators for students
- Uphold and enforce University rules and guidelines
- Clarify academic expectations for students

Administrators and Staff:

- Educate the campus and surrounding communities about academic integrity
- Ensure reasonable and consistent enforcement of standards

C. Honor Pledge

Students will receive copies of the Honor Pledge, learn what it means and commit to the statement of community standards.

Students will take the following pledge:

Coastal Carolina University is an academic community that expects the highest standards of honesty, integrity and personal responsibility. As members of this community, we are accountable for our actions and are committed to creating an atmosphere of mutual respect and trust.

On my honor, I pledge:

- *That I will take responsibility for my personal behavior; and*
- *That I will actively oppose every instance of academic dishonesty as defined in the Code of Student Conduct.*

From this day forward, my signature on any University document, including tests, papers and other work submitted for a grade is a confirmation of this honor pledge.

D. Prohibited Conduct

1. Plagiarism, cheating and all other forms of academic dishonesty
 - a. Examples of plagiarism include, but are not limited to, the following:
 - (i) borrowing words, sentences, ideas, conclusions, examples and/or organization of an assignment without proper acknowledgment from a source (for example, a book, article, electronic documents or another student's paper);
 - (ii) submitting another person's work in place of his/her own;
 - (iii) allowing someone else to revise, correct or edit an assignment without explicit permission of the instructor;
 - (iv) submitting work without proper acknowledgment from commercial firms, websites, fraternity or sorority files or any other outside sources, whether purchased or not;
 - (v) allowing another person to substitute for them any part of a course for them, including quizzes, tests and final examinations;
 - (vi) submitting any written assignments done with the assistance of another without the explicit permission of the instructor;
 - (vii) submitting work that was originally prepared for another class without the explicit permission of the instructor;
 - (viii) knowingly aiding another student who is engaged in plagiarism.
 - b. Examples of cheating include, but are not limited to, the following:
 - (i) using unauthorized information, materials or assistance of any kind for an assignment, quiz, test or final examination;
 - (ii) knowingly aiding another student who is engaged in cheating.
2. Furnishing false information to any University official, faculty member or University office to obtain academic advantage.
3. Forging, altering or misusing any University document or record to obtain academic advantage.

E. Resolution Process for Academic Violations

1. Alleged academic violations should be reported in writing to the instructor of the class or the Office of Academic Integrity within ten (10) business days of receiving knowledge of a possible violation. The report may be submitted by anyone who is aware of the violation, including the student who committed the violation or any student, faculty or staff member who observed or has knowledge of the violation. The faculty member will report the alleged violation through the Academic Integrity on-line reporting system. (Case files will be maintained by the Office of Academic Integrity.)
2. Reports of academic violations should include the following information:
 - name of the accused student,
 - type of violation,
 - name(s) of witness(es), and
 - name of person filing the complaint.

NOTE: Anonymous written reports may alert a faculty member to an existing problem in the classroom, but these reports cannot serve as the sole basis for disciplinary action. Intentionally making a false accusation may also be an integrity code violation.

3. A student who has been charged with an academic violation may not withdraw from the class or the University without the permission of the Academic Integrity Officer or designee.
4. Hearing Process
 - a. Student-Faculty Hearing
 - (i) Within ten (10) business days of receiving knowledge of a possible violation, the student will receive notice in writing of:
 - the alleged violation,
 - a summary of student rights and responsibilities, and
 - the date, time, and location of student-faculty hearing, which will take place no later than ten (10) business days from the date of notice. If the violation occurs within the last two weeks of a semester or during a period between semesters, the hearing will occur as soon as practical the following semester. Faculty may give an Incomplete for the course if a violation is pending.
 - Unusual circumstances may warrant adjustments in the timeline.
 - (ii) At the student-faculty hearing, the alleged violation(s) and possible sanction(s) will be reviewed. The student may respond to the charge(s) in writing in advance of the hearing and/or may respond verbally at the hearing. If a student does not attend the hearing, the hearing may proceed in the student's absence.
 - (iii) Participants at a student-faculty hearing will include the instructor and the accused student, and may also include the student(s), faculty or staff member(s) who observed and reported the infraction. At the request of the faculty member or student, an Academic Integrity Officer may be present at this meeting. The chair of the department of the course in which the incident occurred should not attend this meeting as they may be involved in the resolution process if the student decides to appeal the decision of the instructor.
 - (iv) At the student-faculty hearing, the faculty member will determine if the student is in violation of the alleged misconduct.
 - (v) If the student is found in violation, the faculty member will determine a sanction (see Section F). One of the following will occur:
 - a. the student agrees with the faculty member's decision; or
 - b. the student does not agree with the faculty member's decision, feels that the imposed penalty is too severe or believes that the University process has been violated. The student may submit a written request for an appeal hearing to the Academic Integrity Officer. This letter will include a brief explanation of the alleged

violation and the specific reason for requesting the appeal. The request for an appeal hearing must be made within five (5) business days of receiving the decision of the instructor from the student-faculty hearing.

(vi) The Office of Academic Integrity will receive all reports of alleged violations. Students who have been found in violation of a previous offense (academic or non-academic) will be referred to the CAIC for sanctioning. More serious sanctions will automatically be considered for students with more than one violation.

b. College Academic Integrity Committee (CAIC)

(i) The CAIC will consist of both faculty and student representatives (two faculty members for every student representative). Each college will determine the procedures for committee representation and publish this information on the Office of Academic Integrity (www.coastal.edu/aic). The student representative will be selected from a list of nominees developed by the Student Government Association. The student appointee must be in good disciplinary standing, meaning that he/she is not on probation and/or has no incomplete sanctions. Also, the student member must have completed at least 60 credit hours, be a full-time student and have a GPA of 2.5 or better.

(ii) The Office of Academic integrity will notify the accused student in writing of the date, time, location and purpose of the hearing. At the hearing, the CAIC will review the case. The instructor of the course will be present to summarize the incident and the student will have an opportunity to respond. If the student does not respond to the notification the hearing may proceed in the student's absence.

(iii) The CAIC may uphold or modify the decision from the student-faculty hearing. In second-offense cases, the CAIC will not issue a lower-level sanction than was assigned in the faculty hearing.

c. Appeal Process

If the student believes that due process has failed or that substantive issues related to the case were not reviewed at the CAIC hearing, he/she may submit a written appeal to the Dean of the College in which the course under consideration was offered or his/her designee within five (5) days of receiving the decision of the CAIC. The decision from the Dean is the final step in the resolution process.

F. Academic Sanctions

1. Following the student-faculty hearing, the faculty member may impose one (1) or more of the following sanctions when a student is found in violation:
 - a. Written warning
 - b. Grade of F on the assignment

- c. Grade of FX in the course – (If a penalty grade of FX is imposed in the course, the student will not be able to drop the course, petition a grade change or use the grade forgiveness policy.)
- d. Require the student to attend an academic integrity workshop.
- e. Other educational sanctions (in consultation with the Academic Integrity Officer).

2. The CAIC, Dean of the College in which the course under consideration was offered or his/her designee may impose one (1) or more of the following sanctions when a student is found in violation:
 - a. Any student-faculty hearing sanctions
 - b. Loss of privileges
 - c. Disciplinary suspension from the University
 - d. Permanent dismissal from the University

Students who do not complete required sanctions may be referred to the CAIC for additional sanctions.

IV. NON-ACADEMIC CONDUCT CODE

A. General Guidelines for Non-Academic Violations

1. The Dean of Students (DoS) has primary responsibility and authority for the administration of student discipline for non-academic violations. Further delegation of this authority may be made by the Dean of Students to the Office of Student Conduct, Director of University Housing and other staff members.
2. Anyone may initiate a complaint regarding a University student by submitting the following information to the Office of Student Conduct:
 - The name(s) of the accused.
 - A clear, signed statement explaining the nature and circumstances of the complaint.
 - The names, addresses and telephone numbers of those filing the complaint.
3. Anonymous reports may alert an administrator to an existing problem, but these reports cannot serve to initiate disciplinary action.
4. Any student who is arrested for any alleged offense other than a minor traffic violation must notify the Office of Student Conduct within 72 hours of the arrest.
5. Any student who becomes a registered sex offender prior to or during their tenure at the University will be subject to permanent dismissal.
6. The Office of Student Conduct will maintain student disciplinary files,

which are considered education records as defined by The Family Education Rights and Privacy Act (FERPA). The current or former student's conduct file may contain copies of all necessary and appropriate correspondence, name(s) of the conduct officer(s), Student Conduct Board and appeal decisions, recorded sessions, as well as other documentation pertinent to any case for which a student was found responsible for a violation of the Code of Student Conduct. The term "file" or "record" means any information relating to a current or former student which is stored in a fashion that facilitates recovery of that information by reference to the individual in whatever form or medium such gathering of information is created, kept or maintained. A password-protected, electronic software system is used to maintain the student conduct records. Hard copy files are stored in a locked file cabinet that can only be accessed by authorized University personnel. Disciplinary records will be maintained for a period of seven (7) years. The University reserves the right to retain any disciplinary records for longer periods.

B. Off Campus Conduct

1. Cases of alleged misconduct by any student, on or off campus, are within jurisdiction of the student conduct process if the behavior conflicts with the mission of the University.

C. Prohibited Conduct

1. Abuse of the Student Conduct System – The University prohibits any and all abuses of the student conduct system. Abuse includes but is not limited to the following:
 - a. failure to inform conduct officer of student's choice not to appear for a conduct conference or before a hearing body when proper notice is given.
 - b. falsification, distortion or misrepresentation of information before a hearing officer, hearing body or University official prior, during or after a student conduct proceeding.
 - c. disruption of or interference with the orderly conduct of a student conduct proceeding.
 - d. attempting to discourage an individual from participation in or use of the student conduct system.
 - e. attempting to influence the impartiality of a member of a Student Conduct Board, the charging party, a witness or victim prior to, during the course of, or after a student conduct proceeding.
 - f. influencing or attempting to influence another person to commit an abuse of the student conduct system.
2. Accessory to Prohibited Conduct – The University prohibits acting as an accessory to any conduct which is deemed a violation of University policy.

3. Alcohol

- a. The University prohibits the possession, sale, distribution, consumption of and being in the presence of alcohol on campus regardless of age. Refer to the current Coastal Carolina University Alcohol and Drug Policy for specific guidelines and limited exceptions.
- b. The University prohibits the possession, sale, distribution and consumption of alcohol off campus for those under the legal age to possess alcohol.
- c. The University prohibits the sale or distribution of alcohol to those under the legal age to possess alcohol.
- d. The University prohibits driving while under the noticeable effect of alcohol.
- e. The University prohibits any behavior that is the direct result of alcohol consumption. Any student found to be visibly overcome by alcohol consumption will be found in violation of the alcohol policy.
- f. The University prohibits possession of any items that provide for the common distribution of alcoholic beverages and/or alcohol paraphernalia on property owned, occupied, leased by the University or in University facilities.

NOTE: The Good Samaritan Policy is designed to prevent dangerously intoxicated students from being put to bed and/or left alone by friends because of fear that a request for medical assistance will lead to formal disciplinary action. When a student contacts the Department of Public Safety or a member of University Housing staff to seek assistance with another intoxicated student, neither the student making the contact nor the student in need of assistance will be charged with violations of the Alcohol Policy. The students, however, will be required to meet with the Director of University Housing or the Director of Counseling Services to discuss the incident. The Director may refer the student(s) to Counseling Services for alcohol education and/or treatment. No disciplinary action will be taken unless the student(s) involved demonstrate a repeated lack of care for their well-being and that of the University community or fail to follow the recommendations of the Director of University Housing or the Director of Counseling Services. This policy does not prevent action by local/state/federal authorities.

4. Assault

The University prohibits:

- a. physical assault or abuse – tries to or does physically strike another,
- b. sexual assault or abuse – actual or attempted non-consensual sexual activity including but not limited to intercourse or sexual touching by a person known or unknown, and
- c. other conduct which threatens or endangers the health or safety of

- any person or any act which unreasonably interferes with, impedes or harasses other students in the pursuit of their education or way of life.
5. Hostile Communication
Threatening another individual physically, verbally or by any other means in a manner to make that individual reasonably believe that the threat or threats are likely to be carried out; harassment; intimidation; or coercion by any means including electronic communication.
 6. Disorderly Conduct
 - a. Disruptive behavior or other conduct that, taken alone or considered in the aggregate, interferes with the institution's operations or with the ability of faculty, staff or students to work or learn.
 - b. Conduct that disrupts the academic and social environment of the campus or surrounding areas may be deemed disorderly. Examples include but are not limited to obscene conduct and/or indecent exposure, disruption of social and/or academic functions, excessive vulgarity and the use of fighting words.
 7. Drugs
 - a. The University prohibits the illegal selling, manufacture, possession, delivery, professionally unsupervised usage of all prescription drugs, hallucinogenic drugs and controlled substances, or being in the presence of such substances.
 - b. The University prohibits the sale, possession, and/or distribution of drug paraphernalia including, but not limited to, hookahs, bongos, pipes, etc.
 - c. The University prohibits driving while under the noticeable effect of drugs.
 - d. The University prohibits behavior that is a direct result of drug consumption. Any student found to be visibly overcome by the usage of drugs will be found in violation of this policy.
 8. Failure to comply
Persons on University property or in the surrounding areas must comply with the lawful directions of University law enforcement officers and other University officials, including the request to identify one's self. Also, students must comply with the sanctions that are issued through the student conduct process.
 9. Fire Safety
 - a. The University prohibits the attempt to set, the setting of or the adding to unauthorized fires on property owned, occupied or leased by the University.
 - b. It is a violation of University policy to tamper with, damage or misuse any fire protection equipment. In addition to University disciplinary action, the student may be subject to criminal prosecution.
 - c. The University prohibits the possession and/or usage of any explosive devices, materials or dangerous chemicals. This rule prohibits but is not limited to all types of fireworks.
 10. Misrepresentation of Information
 - a. The University strictly prohibits the possession or use of a false, forged, borrowed or altered identification card of any kind or the use of the identification of another.
 - b. The University strictly prohibits the alteration, falsification or other misuse of a student's documents or University documents or records. Additionally, this may include but is not limited to the following: furnishing false information to the University or other parties, forgery, unauthorized alteration of any documentation or misuse of a University official's signature.
 11. Hazing
Hazing is any reckless or intentional act, occurring on or off campus, that produces physical, mental or emotional pain, discomfort, humiliation, embarrassment or ridicule directed toward other students or groups (regardless of their willingness to participate), that is required or expected of new members and which is not related to the mission of the team, group or organization. This includes any activity, whether it is presented as optional or required, that places a new or current member in a position of servitude as a condition of membership.
 12. Information Technology
The University prohibits unauthorized access to or abuse of University network and computing systems, or any other violations of the University computer use policy including but is not limited to:
 - a. Unauthorized entry into a file, to use, read or change the contents, or for any other purpose.
 - b. Unauthorized transfer of a file.
 - c. Use of computing facilities and resources in violation of copyright laws.
 13. University Housing policies
See Community Living Guide
 14. Smoking
Smoking or the possession of lighted smoking material in any form is allowed only in designated smoking areas of the campus. Smoking is prohibited in buildings, outdoor areas and in University-owned vehicles.
 15. Theft
Coastal Carolina University prohibits the unauthorized taking, misappropriation or possession of any property owned or maintained by the University or any person on campus or attending a University-related function. In addition, it is a violation of University policy to possess

stolen personal or public property belonging to others outside the University community.

16. Unauthorized entry or usage

The University prohibits unauthorized entry into or usage of a University facility and/or property or elsewhere. This includes unauthorized solicitation and/or distribution of marketing materials. Additionally, this policy applies to unauthorized possession, duplication or use of keys or access cards to any University premise.

17. Vandalism

The University prohibits the willful abuse or damage of property owned, occupied or leased by the University, as well as the property of others. This includes tampering with emergency buttons.

18. Weapons and/or Dangerous Instruments

- a. It is a violation of University policy to illegally possess firearms or ammunition on property owned, occupied or leased by the University whether operable or inoperable, loaded or unloaded.
- b. No student may possess or use a dangerous instrument. Any instrument may be defined as dangerous if it is used, attempted or threatened to be used, or is readily capable of being used to cause physical injury.

19. Nuisance

The University prohibits conduct of a student who uses, owns, occupies, or leases any building or residence where the behavior or misconduct at that location either disturbs the public peace or violates University policies so that the building, business or residence may be viewed by the community or the University as a nuisance.

20. Other

Violation of federal, state or local law on University premises, at University sponsored or University-supervised activities, or elsewhere including off-campus locations, if such conduct adversely affects the University community is a violation of University policy.

21. Students are required to engage in responsible social conduct that reflects credit upon the Coastal Carolina University community and to model good citizenship in any community.

D. Disciplinary Hearing Process

1. Preliminary Investigation

- a. The Office of Student Conduct will investigate reports of alleged violations of the Code of Student Conduct or local, state or federal law.
- b. After completing a preliminary investigation and finding evidence of an alleged violation, the accused student will be notified by email and/or in writing to appear at a Student Conduct Conference.

- c. In certain circumstances, based on campus or external incident/police reports, the DoS or designee may impose a “No Contact” order (CSC.IV.H.13), residence hall suspension (CSC.IV.H.8), or interim suspension prior to the hearing.
 - Interim Suspension – Interim suspension is an action requiring that a student immediately leave the campus and property owned, occupied or leased by the University. It may be imposed upon a student by the DoS or designee when there is reasonable cause to believe, based on available facts, that the student poses a threat to self or others. This is done because the immediacy of the danger caused by the student’s presence on campus makes it impossible to follow the normal disciplinary procedures. When a student is suspended on an interim basis, he or she is given notice of the reasons for the suspension, the duration and any special conditions that apply. A student who is suspended on an interim basis will have their case heard by an administrator or by the Student Conduct Board within ten (10) business days of the interim suspension, unless circumstances such as incarceration of the accused prevent scheduling within ten (10) days. Any student who is suspended on an interim basis and returns to the campus and property owned, occupied or leased by the University during the suspension will be subject to further disciplinary action and may be treated as a trespasser. Permission to be on campus for a specific purpose (i.e., to take an exam, to consult with the DoS or designee, or to participate in the disciplinary procedures against him or her) may be granted in writing by the DoS or designee.
- c. A student who has allegedly violated any non-academic regulation of the University will not be permitted to withdraw from the University without the permission of the DoS or designee. If a student withdraws without approval, the University may hear charges assessed. If the student is found to be in violation, the University may restrict the student’s readmission on such terms or under such circumstances as it may prescribe.
- d. The University’s action shall be independent of civil and/or criminal proceedings pending in City, State or Federal court. The outcome of court proceedings has no bearing on the University student conduct process or sanctions. At a disciplinary hearing, the technical rules of evidence applicable to civil and criminal cases shall not apply.

2. Conduct Conference

- a. A conduct officer will conduct the conference. The complainant may or may not be present.
- b. This conference will occur within two weeks or as soon as possible after the report or complaint is received. The conduct officer will inform the accused student of these facts:
 - The charge(s) assessed.

- The disciplinary hearing options.
 - Possible sanctions involved.
- c. At the Conduct Conference, one of the following will occur:
- (i) The conduct officer and the student agree to move into an informal administrative hearing.
 - (ii) The conduct officer may delay completion of a hearing until further investigation is completed.
 - (iii) The conduct case is referred by either the conduct officer or the accused student to a formal hearing with the Student Conduct Board. (Refer to Section E: Student Conduct Board)
3. Student Conduct Informal Administrative Hearing
- a. A conduct officer will provide the accused:
 - (i) A written notice of the charge(s) and an outline of rights. In the event that additional charges are assessed, a further written notice must be forwarded to the student. These notices may be mailed, hand delivered or electronically mailed.
 - (ii) Review of all available information, documents, exhibits and a list of witnesses.
 - (iii) Choice not to appear at the hearing. In that case, the hearing will be conducted in the student's absence.
 - (iv) Assistance by a personal adviser. The personal adviser provides the student moral support and may or may not be a member of the University community. The University has the right to disqualify a particular adviser when participation of that adviser allows the potential for disruption of the student conduct process. Upon request of a student, the personal adviser may:
 - a.) Advise the student concerning the preparation and presentation of the case. The adviser may not speak for the student, except in exceptional circumstances with the discretion of the conduct officer.
 - b.) Accompany the student to all student conduct proceedings whenever possible.
 - c.) Not also serve as a witness.
4. In cases of violence and sex offenses, the alleged victim may have support person(s) present during the Conduct Conference/Hearing and Student Conduct Board hearing. The support person(s) may not participate in any way in the hearings.
5. Appeal Process
Refer to Section G: Appeal Process for Non-Academic Violations for process.
6. Student Conduct Board Hearing
Refer to Section E: Student Conduct Board for the hearing process.

E. Student Conduct Board

1. Members
 - a. The Student Conduct Board (SCB) will consist of ten (10) elected faculty at large; six (6) administrative staff or faculty members appointed by the University president; and twelve (12) students.
 - (i) The chair of the SCB will be a faculty member, elected by members of the SCB. A vice chair (faculty member) will also be elected and will serve in the absence of the chair.
 - (ii) The student members must be in good standing, have completed a minimum of 60 semester hours, carry a minimum of 12 hours per semester for the duration of their service, maintain a cumulative GPA of 2.5 or higher, and be appointed by the Student Government Association so that each academic college is represented. A student is not in good disciplinary standing if he/she is currently suspended, on disciplinary probation or has past due sanctions.
 - (iii) If a SCB hearing is scheduled during breaks or summer sessions and the SCB appointees are not available, members will be appointed as follows: The University president will appoint four members of the faculty and/or administrative staff. The president of the Student Government Association will appoint two students who are in good standing with the University.
 - (iv) If a member of the SCB is not fulfilling his/her responsibilities, the DoS or designee may recommend replacement of the member to the appointing body.
 - b. A sitting panel will be selected for each case based on the availability of SCB members and will consist of two students, and four of the faculty/staff members.
 - c. The DoS or designee may serve as an adviser to a sitting panel and share the discipline file of the accused.
2. Term of Office
 - a. Elected faculty members will serve three-year staggered terms. Appointed members will serve a one-year term. SGA student members will be appointed for a one-year term.
 - b. When a Student Conduct Board member resigns, vacancies will be filled as follows: the Faculty Senate Executive Committee will appoint or elect faculty for elected faculty vacancies; the University president will make a new appointment for appointed vacancies; and the SGA president will make a new appointment for student representative vacancies.
3. Jurisdiction
 - a. The SCB will conduct hearings and appeals of students alleged to have committed violations of the Code of Student Conduct.

- b. The SCB has jurisdiction over alleged violations committed by University students other than academic violations, including by way of example, but not limited to: theft; assault; violations of alcohol/ substance abuse policies and/or the Code of Student Conduct; and all matters arising under the Student Government Association Constitution as referred by the SGA or DoS or designee (SGA impeachment proceedings will be held according to the procedures outlined in the SGA Constitution).
 - c. To accomplish fundamental fairness, the SCB may change or modify its rules and procedures to apply to particular facts, circumstances or cases before it.
4. Referrals
The DoS or designee may refer cases to the SCB.
5. Powers, Decisions and Effects of Noncompliance
- a. The SCB has the authority to enforce its decisions and to impose sanctions.
 - b. In the event that a student called before the SCB fails to appear at his or her scheduled hearing, the board will not find the student in violation solely because the student did not participate in the hearing.
 - c. The failure of a student to comply with the decision of the SCB may result in additional penalties. The Office of Student Conduct on behalf of the SCB may notify the Office of the Provost, Registrar and other relevant University offices of noncompliance with any of its decisions.
 - d. The DoS or designee will monitor the compliance of SCB decisions.
6. Rights and Responsibilities of a student called before the Student Conduct Board
- a. All University students have rights and responsibilities.
For a complete list, refer to Section II: Student Rights and Responsibilities
 - b. A student called before the SCB will also have the following rights:
 - (i) A written notice of charges and an outline of student rights and hearing options.
 - (ii) All hearings will be closed to parties not directly involved with the case.
 - (iii) A notice of the date, time, place and format of the hearing.
 - c. A student called before the SCB has the following responsibilities:
 - (i) Prompt response to all delivered correspondence is necessary to expedite student conduct matters.
 - (ii) If the student does not respond to the charge letter by the date requested, the student forfeits the above rights and the hearing will continue in his or her absence.
 - d. During the SCB hearing, a student charged with a violation is entitled or subject to:

- (i) Advisory assistance. The adviser may be any individual of the student's choice and may assist the student in all phases of the student conduct process. Only one (1) adviser is permitted. The University maintains the right to disqualify a particular adviser when participation of that adviser allows the potential for disruption of the student conduct process. The adviser may not also serve as a witness.
 - (ii) Appear in person and to present witnesses and any information relevant to the case. Witnesses will be present only during the time they are testifying.
 - (iii) Present signed written statements from person(s) who are unable to attend the hearing.
 - (iv) Hear and question all witnesses, and have access to all relevant information and evidence. Special conditions for questioning witnesses may be imposed in sensitive cases.
 - (v) Challenge sitting panel members for cause. The removal of a panel member will be at the discretion of the chair of the panel.
 - (vi) Refuse to answer any question(s) or to make a statement. However, the adjudicating agent will make its decision on the basis of information introduced at the hearing.
 - (vii) Elect not to appear at the hearing. The hearing will be conducted in the student's absence.
 - (viii) Be found in violation, based upon the information introduced at the hearing and if responsibility is strongly indicated.
7. The Procedure of the Student Conduct Board
- a. Prior to the Hearing
 - (i) Members of the SCB will be contacted by the Office of Student Conduct regarding their availability for a case. A sitting panel will be chosen based on availability of members as noted in Section IV E.1a. Documents and details of the case will be available at the time of the hearing.
 - (ii) The student who is the subject of the alleged violation(s) will receive notification of the time and place of the hearing.
 - b. General Information about the Hearing
 - (i) Members of the SCB may be removed or disqualify themselves from sitting on a particular case for reasons of conflict of interest and a substitute may be appointed by the chair.
 - (ii) The chairperson of the sitting panel will be responsible for conducting the hearing, ensuring that proper records are kept and informing the appropriate officials of the decision and sanctions imposed.
 - (iii) Statements, evidence or comments given during hearings will be held in confidence by members of the panel.

- (iv) A record of all hearings will be made by the SCB by tape recording or by another method determined by the board. These recordings will constitute the official record of all such proceedings.
 - (v) During the hearing any mitigating circumstances may be introduced by either side to the panel.
 - (vi) Proceedings of the SCB will take precedence over all non-academic activities and may, in extreme cases, need to take precedence over academic activities. Board members, students who are the subjects of a complaint, and all witnesses notified by the board will appear at the times designated by the board and will be excused from other obligations to participate in board proceedings.
 - (vii) The chair will determine the appropriateness of questions and make decisions regarding procedural questions arising during the hearing.
- c. Procedures of a Student Conduct Board Hearing
- (i) The chair will summarize the complaint and inform the student who is the subject of the complaint of the specific nature of the complaint or alleged infraction.
 - (ii) The chair will call upon the DoS or designee to present evidence of violations of the Code of Student Conduct, documentation of past violations and/or sanctions of the accused.
 - (iii) The student who is the subject of the complaint may be present throughout the hearing and may consult with his or her adviser during testimony.
 - (iv) The SCB may hear and question each witness separately.
 - (v) The SCB may call any witnesses whose testimony bears on the case.
 - (vi) The SCB insists on honest and forthright responses to its questions and may issue sanctions, including suspension or dismissal, for any witness who is not truthful or who intentionally misleads the board. All students who testify before the board may be required to sign a statement attesting to the truthfulness of their testimony.
 - (vii) The student who is the subject of the complaint may be required to submit questions for a witness in writing. The chair will determine the appropriateness of questions and may choose to direct questions to the witness in the place of the accused student.
 - (viii) Decisions are based upon a majority vote from the SCB sitting panel. The chair of the SCB only votes in case of a tie.
- d. Post-Hearing
- (i) Only sitting panel members and the DoS or designee may be present and participate in the deliberations.
 - (ii) The DoS or designee will be responsible for notifying the student of the SCB decision in writing, ensure that proper record entries are made and that appropriate action on the penalty is taken.
 - (iii) After complaints of violence or sex offenses, the DoS or designee

will be responsible for notifying the victim and/or complainant (or next of kin in case of death of victim) of the decision, ensure that proper record entries are made, and that appropriate action on the penalty is taken.

- (iv) SCB case files will be maintained in the Office of Student Conduct.
- e. Decisions and Appeals
- (i) Refer to Section F: Hearing Decisions and Notification for Violations and Section H: Non-Academic Sanctions.
 - (ii) Refer to Section G: Appeal Process for Non-Academic Violations for appeal procedures.
 - (iii) A student who has violated or who has been charged with a violation of any non-academic regulation of the University may not be permitted to withdraw from the University without the permission of the DoS or designee. A notation of the circumstances under which the accused student was permitted to withdraw will be entered in the student's conduct record. The withdrawal of a student with or without such approval will not deprive the University of the power to hear charges against him or her and in the event he or she is found to be in violation, the University may restrict his or her readmission on such terms or under such circumstances as it may prescribe.
 - (iv) If a student is found in violation of the Code of Student Conduct, the Office of Financial Aid and Scholarships may be informed and subsequent financial aid decisions may be impacted.

F. Hearing Decisions and Notification for Violations

1. Finding of "Not In Violation"
 - a. A finding of "not in violation" as a result of a decision by any hearing or appeal body will result in a complete reversal of all sanctions or penalties previously imposed. A finding of "not in violation" by any of the appellate bodies may not be appealed further, and the action is ended. After a finding of not in violation, all record of the sanction(s) or penalty or penalties previously imposed will be removed from the student's record.
2. Finding of In Violation – Penalties and Sanctions
 - a. Disciplinary sanctions may be imposed upon students found in violation of the Code of Student Conduct. All sanctions may be imposed either singularly or in combination. Sanctions do not take effect until the completion of the appeal process unless otherwise specified by the conduct officer hearing the case or Student Conduct Board.
 - b. The purpose of imposing sanctions is twofold: to protect the University community from behavior that is detrimental to the community and to

assist students in identifying acceptable limits and consequences of future behavior that fall within the regulations of the University. From the date of suspension to the date of return, the student does not have access to the petition process. The Office of the Registrar will inform instructors of a W or WF assigned for non-academic reasons.

- c. Sanctions include, but are not limited to those listed within Section H: Non-Academic Sanctions.
3. Notification
 - a. At the discretion of the DoS or designee and in compliance with FERPA, decisions of cases and sanctions may be shared with the student's parents or guardian, the complainant and/or the academic dean or other appropriate University officials on a need-to-know basis. In cases of violence and sex offenses, both the complainant/victim (or next of kin in cases of victim death) and the accused will be notified of the outcome of the proceedings by the DoS or designee.
 - b. Notifications and hearing decisions to the student will be in writing and mailed on a certified/return receipt requested basis or hand-delivered.

G. Appeal Process for Non-Academic Violations

1. If a student believes he or she has been wrongly accused, the appeal authority will generally limit its review of the original hearing record to the following two issues: 1) whether University disciplinary procedures were followed which provided notice of the charges and an opportunity to respond; and/or 2) whether new evidence exists sufficient enough to alter the original decision and why such evidence was not available or not presented at the original hearing. In accordance with Title IX, the accuser has the opportunity to submit an appeal in Title IX cases.
2. The student must submit the appeal in writing and should be specific about which decision(s) and/or sanction(s) is being appealed. The appeal must be submitted within three (3) business days of the decision.
3. If a University Housing conduct officer served as the original hearing body, the case is appealed to the Director of University Housing or designee. If a conduct officer from the Office of Student Conduct served as the original hearing body, the case is appealed to the SCB. If the SCB served as the original hearing body, the student may appeal to the DoS. The appeal authority may uphold the decision, modify the decision or require a new hearing. The decision of the appellate body is final.

H. Non-Academic Sanctions

The University adheres to a minimum sanction policy for alcohol and other drugs. Exceptions to minimum sanctions must be approved by the DoS or

designee. Sanctions issued for Code of Student Conduct violations include but are not limited to the following:

1. Warning – A written notice to the student that the student is violating or has violated University policy.
2. Fines – Requirement that a student remit a specific amount of money as a consequence for his/her misbehavior. (Refer to the *Community Living Guide* for a schedule of fines.)
3. Restitution – An order to make restitution issued when a student has engaged in conduct injurious to the property of another (individual, group or the University) for which monetary damages may be determined. For example, this sanction may be assessed in cases of property damage, theft, fraud, deception or misappropriation.
4. Community Service – Provide some type of community service to the University or community as a whole. The service should be relevant to the nature of the violation, should have some educational value and should not be unduly burdensome to other staff or students. This sanction may include, but is not limited to, accompanying staff on duty, researching and writing a paper on a relevant issue, providing assistance to a disabled student.
5. Educational Programs – Assigned as an opportunity for personal development. This includes but is not limited to alcohol education, drug education, psychological assessment, essay, presentation, development of publicity material, etc.
6. Conditions – Limitations upon a student's behavior and/or department privileges for a period of time, or an active obligation to complete a specified activity. This sanction may include, but is not limited to, denial of the right to represent the University in any way, denial of the right to hold an office with a student organization, restriction of visitation privileges, restriction of contact with another person or persons, required attendance at a workshop or participation in community service.
7. Disciplinary Probation – A designated period of review and observation during which a student is under an official warning that his or her conduct, although not serious enough to warrant a form of suspension, violated the code. Subsequent violations of University rules, regulations or policies could result in a more severe sanction.
8. Residence Hall Suspension – Separation of the student from the residence halls for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
9. Loss of Housing – Permanent separation of the student from the residence halls.

10. Deferred Suspension – A more severe sanction than disciplinary probation, given for a period of time, which indicates that the serious nature of the conduct violation would normally result in a student's suspension from the University, but given extenuating circumstances, this suspension is not put into effect. Any violation of rules, regulations or laws while under deferred suspension will result in suspension from the University. In the event a student violates the conditions of a deferred suspension, the student will be notified to appear before the conduct officer or Student Conduct Board to show cause why the student should not be suspended. The procedures for a regular hearing will not apply.

11. Suspension for a Period of Time – Denial of enrollment, attendance and other privileges at the University for a given period; conditions for readmission may be specified. When the sanction of suspension is imposed, the student must leave the campus at the conclusion of the appeal process or immediately if there is no appeal filed and may not participate in academic, extracurricular or other University activities except as may be authorized by the DoS or designee. During the period of suspension the student is denied the right to register for classes or to visit the University. The student is subject to arrest for trespassing should he or she be found on property owned, occupied or leased by the University.

A student who is on disciplinary suspension from Coastal Carolina University may be required by the Office of Student Conduct or the Student Conduct Board, at a specified approved level of engagement, to perform some approved combination of:

- Paid work;
- Community service;
- Taking courses (that would transfer back to CCU from a regionally accredited institution with a GPA of 2.0 or higher, and with any necessary college/departmental permissions based on the exact courses taken); or,
- (When prescribed by SCB or the Office of Student Conduct) Participating in treatment/rehabilitation programs.

12. Permanent Dismissal – Involuntary separation of the student from the University without future readmission. The student must leave the campus and is not eligible to participate in classes or any University-sponsored or University-related activities. The student is subject to arrest for trespassing should he or she be found on property owned, occupied or leased by the University.

13. "No Contact" Order – A no contact order is a University directive that restricts contact between individuals in any way, including in person, via email, telephone, text messaging, social networking or any other method of communication. Direct or indirect contact would be considered a

violation of harassment (CSC.IV.C.5) and failure to comply (CSC.IV.C.8). This violation could be grounds for suspension or permanent dismissal.

I. Community Standards Process

1. The University will maintain a Community Standards Committee consisting of the following individuals:
 - DoS or designee
 - Chief of the Department of Public Safety or designee
 - Director of University Housing or designee
 - Provost or designee
 - Director of Counseling Services or designee
 - Director of Student Conduct, ex-officio nonvoting member.
2. The purpose of the Community Standards Committee is to review and approve applications of students who have indicated prior school disciplinary or criminal history to determine if such individuals meet community standards for inclusion in the University community.
3. Procedures of the Community Standards Committee
 - a. The Office of Admissions will provide applications indicating prior school disciplinary or criminal history to the Director of Student Conduct.
 - b. The Director of Student Conduct will complete a preliminary review of applications and approve those who would normally be permitted to continue at the University if the infraction had occurred while enrolled at the University.
 - c. The Director of Student Conduct will refer other applications for full committee review. The full committee will review, investigate and vote on the acceptability of those applicants. A majority vote will determine the status of the application.
4. Decisions of the Community Standards Committee
The Community Standards Committee may make the following determinations:
 - a. The applicant may not be admitted to the University.
 - b. The applicant may be admitted to the University under conditions.
 - (i) It will be the responsibility of the Office of Admissions to communicate those conditions to the applicant.
 - (ii) It will be the responsibility of the Office of Student Conduct to ensure that those conditions are met and to address failure to meet those conditions.
 - c. The applicant may be admitted without conditions.

Questions or concerns regarding this Code of Student Conduct should be referred to the Dean of Students or the Office of Student Conduct.

Coastal Carolina University provides equal opportunity in education and employment for all qualified persons regardless of race, color, religion, sex, national origin, age, disability or veteran status. The University does everything reasonably possible in an attempt to accommodate each disabled student in the attainment of his/her academic objectives.

The existence of these procedures does not prohibit individuals from also filing claims under Title VII (Civil Rights Act of 1964) with the Equal Employment Opportunity Commission or under Title IX (Education Amendments of 1972) with the Office of Civil Rights, U.S. Department of Education. The EEOC representative can be contacted at eeoc@coastal.edu and the Title IX Coordinator can be contacted at title9@coastal.edu. Complaints can also be reported through the anonymous tip line at 843-234-2388.

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