

matters. The offices for these vice presidents are located at York Hall in Savannah (mailing address: P.O. Box 3146, Savannah, GA 31402). The vice president reviewing the appeal determines the final action and responds to the student within 30 days of receipt of the appeal. The decision of the vice president is final.

Complaint and appeal policies apply uniformly across SCAD locations and learning modalities. The college protects a student's right to lodge a complaint under these procedures and seeks to resolve all student concerns fairly and in a timely manner.

Procedures for Specific Types of Complaints and Appeals

Academic Appeals

Academic appeals are student requests for exceptions to the college's academic policies or review of academic decisions. Academic appeals are submitted in writing to the vice president for academic services within 30 days of notification of the action or decision. The appeal is routed to the appropriate college administrator. A committee may be assembled to review the appeal. Procedures are found in the student handbook and online on MySCAD.

Grade Change Requests and Appeals

Questions regarding grade assignments must be addressed directly with the faculty member issuing the grade and, if needed, with the department chair. The chair and school dean may authorize grade changes in cases of numerical miscalculation by the faculty member. An appeal to change a final grade based on reasons other than numerical miscalculation must be submitted in writing by the student to the department chair or school dean within 30 days following the posting of the final grade. Grade changes require department chair and school dean approval.

The appeal must be signed or sent from the student's SCAD e-mail account. Procedures are found in the student handbook and online on MySCAD.

Code of Conduct and Disciplinary Action Appeals

A judicial finding of a violation of the Code of Student Conduct and/or imposing a sanction(s) may be appealed by the accused student (or by the injured party) within three business days of the decision. Appeals must be submitted in writing to the dean of students at the respective location (Savannah, Lacoste and eLearning student complaints should go to the dean of students in Savannah; SCAD-Atlanta student complaints should go to the dean of students at SCAD-Atlanta). Procedures are found in the student handbook and online on MySCAD.

Americans with Disabilities Act Grievance

A student can file a formal grievance with the SCAD ADA grievance committee by submitting a grievance in writing within 30 days of the alleged violation. Procedures are found in the student handbook and online on MySCAD.

Financial Aid Appeals

A student can appeal a loss of financial aid due to lack of satisfactory progress by submitting an Unsatisfactory Progress Appeal form with documentation to the financial aid office. An appeal must be received within 30 days of the date on the Unsatisfactory Progress notification letter. Procedures and the Unsatisfactory Progress Appeal form are found in the Financial Aid Guide on the college's web site.

Sexual Harassment

Complaints may be initiated either orally or in writing by either (a) signing and delivering a written complaint to the office of the vice president for student services, or (b) presenting the complaint in person to the office of the vice president for student services. In the event that the complaint is made in person, and the complainant decides to proceed formally, the complaint is put in writing during the meeting and signed by the complainant. Procedures are found in the student handbook and online on MySCAD.

Code of Student Conduct

Section I. Purpose

The Savannah College of Art and Design is committed to providing a living and learning environment for all students, a place where they may develop as both creative individuals and responsible citizens. Consistent with that purpose, efforts are made to foster the personal and social development of students as they are held accountable for violations of college regulations. As members of the SCAD community, students are expected to behave in ways that are respectful of the rights of all other community members to live, learn, work and teach in such an environment. This Code of Student Conduct is meant to address any student behavior that disturbs or detracts from this goal of the SCAD community.

Section II. Definitions

1. The terms "institution," "college," or "SCAD" mean Savannah College of Art and Design.
2. The term "student" includes all persons enrolled in courses at the college, either full-time or part-time, pursuing undergraduate, graduate, or professional studies, or taking courses for credit or not for credit on any enrollment basis and those who attend postsecondary educational institutions other than SCAD and who reside in SCAD residence halls. Persons who withdraw after allegedly violating the Code of Student Conduct, or who are not officially enrolled for a particular quarter but who have a continuing relationship with the college or who have been notified of their acceptance for admission are considered "students." The Code of Student Conduct applies at all locations of the college, including the locations in Savannah, Atlanta, and Lacoste, France, as well as those

- students who are enrolled in SCAD's eLearning programs and off-campus programs.
3. The term "faculty member" means any person hired by SCAD to conduct classroom or teaching activities or who is otherwise considered by the college to be a member of its faculty.
 4. The term "SCAD official" includes any person employed or engaged by the college who has assigned professional, administrative and/or safety responsibilities.
 5. The term "member of the SCAD community" includes any person who is a student, faculty member, SCAD official, or any other person employed by SCAD. Any question concerning a person's status in a particular situation shall be determined by the dean of students or vice president for student services.
 6. The term "SCAD premises" includes all land, building, facilities and other property in the possession of or owned, leased, used or controlled by SCAD (including adjacent streets and sidewalks).
 7. The "vice president for student services" is the person designated by the college president to be responsible for the administration of the Code of Student Conduct, although the president may assign another person to discharge those duties if the president deems it appropriate to do so.
 8. The term "hearing officer" refers to any person or persons authorized by the vice president for student services on a case-by-case basis to determine whether a student has violated the Code of Student Conduct and to impose sanctions. The vice president for student services may authorize the same hearing officer to impose sanctions in all cases. Unless otherwise specified by the vice president for student services, the dean of students will assign the director of student conduct to serve as the hearing officer.
 9. The term "organization" refers to any number of persons who have complied with the formal requirements for SCAD recognition.
 10. The term "appeal officer" means any person authorized by the vice president for student services to consider an appeal of the hearing officer's determination that a student has violated the Code of Student Conduct or to consider an appeal of sanctions imposed by the conduct officer. In Savannah, the dean of students will act as the appeal officer unless otherwise designated by the vice president for student services. In Atlanta, the vice president for SCAD-Atlanta will act as the appeal officer unless otherwise designated by the vice president for student services.
 11. The term "may" is used in the permissive sense.
 12. The term "shall" is used in the imperative sense.
 13. The term "policy" means the written regulations of the college as found in, but not limited to, this Code of Student Conduct, other policies in the SCAD student handbook and the SCAD housing license agreement. These policies may be added to, modified or changed by SCAD at any time.
 14. The term "business day" refers to days that SCAD is open for business (excluding holidays) even if no classes are scheduled.
 15. The term "accused student" or "accused party" means any student or organization, as defined herein, accused of violating this Code of Student Conduct.
 16. The term "complainant" means any person who submits a charge alleging that a student violated this Code of Student Conduct. When a student believes that he or she has been a victim of another student's misconduct, the student who believes he or she has been a victim will have the same rights under this Code of Student Conduct as are provided to the complainant, even if another member of the college community submitted the charge itself.
 17. The term "weapon" means any object or substance used, attempted to be used, or capable of inflicting a wound, causing injury, or incapacitating, including but not limited to, all firearms, pellet guns, switchblade knives, bowie knives, chemicals such as "Mace" or tear gas, or any explosive agents. Additionally, this definition applies to lifelike or replica weapons.
 18. The term "sexual harassment" means unwelcome sexual advances, requests for sexual favors, stalking, or other verbal, nonverbal, written or physical conduct of a sexual nature when the employment or academic advancement of another is made contingent upon submission to such conduct, or when submission to or rejection of such conduct is used as the basis for employment or academic decisions affecting such an individual, or when such conduct has purpose or effect of substantially interfering with an individual's performance or creating an intimidating, hostile or offensive working and/or learning environment or is gender-based including acts of verbal, nonverbal, written or physical aggression, intimidation or hostility based on biological sex, but not involving conduct of a sexual nature, and is sufficiently severe, persistent or pervasive and is directed at the individual because of his or her gender.
 19. The term "sexual misconduct" means engaging in a sexual act or exposing the private parts of one's person in any public place or in the presence of other persons.
 20. The term "sexual invasion" means engaging in a sexual act with another person without the other's consent.
 21. The term "sexual assault" means intentionally touching the sexual parts (breast, genitals or buttocks) of another without that person's consent or intentionally touching another with one's sexual parts, without the other person's consent.
 22. The term "without consent" means that an act was committed either by threat, force or intimidation, or through the use of the victim's mental or physical inability such as when the victim is physically or mentally incapacitated by alcohol or other drugs. One who is incapacitated as a result of alcohol or other drug consumption (voluntary or involuntary), or who

is unconscious, unaware or otherwise physically helpless, is incapable of giving consent.

23. The term “hazing” means any act that endangers the mental or physical health or safety of a student, or that destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization.

Section III: Code of Student Conduct Authority

1. The vice president for student services is responsible for administration of the Code of Student Conduct. The dean of students shall be designated by the vice president for student services to provide oversight to the operation of the Code of Student Conduct, and may develop forms and policies related to its administration.
 2. Decisions made by the hearing officer shall be final, pending the normal appeal process. Disciplinary action by SCAD shall be independent of any criminal or civil proceedings. For action to be taken and sanctions to be imposed at the college, the college’s interest as an academic and professional community must be distinct and clearly involved. When there is a relationship between the college’s interest and an off-campus incident, the incident may be adjudicated by the college.
 3. In certain circumstances, the dean of students or vice president for student services may authorize or impose an interim suspension prior to a hearing before a conduct officer and until a final decision including any appeal decision is issued. Specific information regarding interim suspension can be found in Section VI of this Code of Student Conduct. When deemed appropriate, the interim suspension may include the student’s immediate removal from the classroom setting or the imposition of a disciplinary hold on the student’s college account, which temporarily suspends the student’s ability to register for classes or conduct business with the college.
2. Any student found to have committed or to have attempted to commit the following misconduct is subject to the disciplinary sanctions outlined in Section V. A student’s presence during a violation of the Code of Student Conduct in such a way as to condone, support or encourage that act or behavior can also be considered a violation of the same act or behavior.
 - a. Possessing, consuming or distributing alcoholic beverages without college authorization, including but not limited to:
 - i. Possessing, consuming or distributing alcoholic beverages in campus residences, regardless of age;
 - ii. Displaying of alcohol containers in campus residences, regardless of age;
 - iii. Operating a motor vehicle under the influence of alcohol or while impaired by the consumption of alcohol; or
 - iv. Furnishing or selling any alcoholic beverages to any person not of sufficient legal age to possess or consume such alcoholic beverage.
 - b. Creating a safety hazard, including but not limited to, starting a fire or failing to exit a building when a fire alarm is sounded.
 - c. Engaging in acts of dishonesty or improper use of college offices, facilities or processes. Examples of such behavior may include but are not limited to:
 - i. Forgery, alteration or misuse of any college document, record or instrument of identification;
 - ii. Furnishing false information to any SCAD official, faculty member or office;
 - iii. Displaying or using an ID that is not one’s own or is fictitious, canceled, revoked, suspended or altered;
 - iv. Counterfeiting, loaning or selling an ID to another person not entitled thereto; or
 - v. Initiating or furthering a claim, complaint or appeal that interferes with the normal functioning of the college and:
 1. Is not based on facts and circumstances presented by the student for which the student has a good faith basis to believe are accurate, complete and not materially misleading (“Basis of Action”); or
 2. The Basis of Action, if found to be correct, would provide insufficient grounds for the action or remedy being sought by the claim, complaint or appeal.
 - d. Theft or attempted theft of property, money or services; knowingly purchasing or possessing stolen or embezzled property, money or services; the unauthorized use or access to private or confidential information in any medium.

Section IV: Proscribed Conduct

1. **Jurisdiction:** The Code of Student Conduct shall apply to conduct that occurs on college premises, at college-sponsored or supervised activities, and to off-campus conduct or online activity that adversely affects the college community and/or the pursuit of its objectives. Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if their conduct is not discovered until after a degree is awarded). The Code of Student Conduct shall apply to a student’s conduct even if the student withdraws from college while a disciplinary matter is pending. The vice president for student services

- e. Disrespectful behavior shown by any student to a member of the SCAD community, in or out of the academic setting.
- f. Disruptive behavior, including, but not limited to:
 - i. Disruption or obstruction of teaching, research, administration or other SCAD activities, including public service functions, on or off SCAD premises or other non-SCAD activities, when the act occurs on SCAD premises;
 - ii. Participation in an on-campus or off-campus demonstration, riot, or activity that disrupts the normal operations of SCAD and/or infringes on the rights of other members of the college community; leading or inciting others to disrupt schedule and/or normal activities within any college building or area or other SCAD premises; intentional obstruction that unreasonably interferes with freedom of movement, either pedestrian or vehicular, on SCAD premises;
 - iii. Conduct that is lewd, disorderly or indecent; being publicly intoxicated or engaging in other irresponsible acts committed under the influence of alcohol; committing a breach of peace; or aiding, abetting or procuring another person to breach the peace on SCAD premises or at functions sponsored by or participated by SCAD; or
 - iv. Any unauthorized use of electronic or other devices to make an audio or video record of any person while on college premises without his/her prior knowledge, or without his/her effective consent when such a recording is likely to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room or restroom.
- g. Disruption of the student conduct process, including but not limited to:
 - i. Failing to obey the direction or summons of the hearing officer or other SCAD official attempting to investigate an incident;
 - ii. Falsification, distortion or misrepresentation of information before the hearing officer or other SCAD official attempting to investigate an incident;
 - iii. Disruption or interference with the orderly conduct of a student conduct proceeding;
 - iv. Institution of a matter under this Code of Student Conduct knowingly without cause;
 - v. Attempting to discourage an individual's proper participation in or use of the Code of Student Conduct system;
 - vi. Attempting to influence the impartiality of the hearing officer or appeal officer;
 - vii. Harassment (verbal or physical) and/or intimidation of a hearing officer prior to, during, and/or after a student conduct proceeding;
 - viii. Failing to comply with the sanctions imposed under the Code of Student Conduct; or
 - ix. Influencing or attempting to influence another person to commit an abuse of the Code of Student Conduct system.
- h. Possession, use, distribution or manufacture of controlled substances, including, but not limited to:
 - i. Possession, use, distribution or manufacture of narcotics or other controlled substances;
 - ii. Misuse of any legal pharmaceutical drugs, except as expressly permitted by law and SCAD regulations;
 - iii. Possession of drug-related paraphernalia, including, but not limited to pipes, bongs, hookahs and other water pipes;
 - iv. Manufacturing, selling, or delivering any controlled substance or possessing with intent to manufacture, sell or deliver any controlled substance; or
 - v. Huffing or sniffing any substance not intended for such use.
- i. Failing to comply with the directions of SCAD officials, college security officials, residence life staff or local police acting in performance of their duties.
- j. Tampering with or misusing fire and/or other life safety equipment or elevators.
- k. Initiating or causing to be initiated any false report, warning or threat of fire, explosion or other emergency.
- l. Participating in acts of hazing. The express or implied consent of the victim will not be a defense of these acts. Apathy or acquiescence in the presence of hazing are not neutral acts; they are violations of this regulation.
- m. Unauthorized possession, duplication or use of keys to any SCAD premises or unauthorized entry to or use of SCAD premises, including trespass upon, forcibly entering or otherwise proceeding into unauthorized areas of college-owned or college-leased facilities, or the residential space of another without permission.
- n. Attempted or actual use of property of the college, property of a SCAD community member, or other personal or public property without proper authorization, or in a manner for which the property was not intended.
- o. Physical abuse, verbal abuse, threats, intimidation, harassment, coercion, crimes of hate and/or other conduct that threatens the health or safety of any person, including but not limited to the following:
 - i. Inflicting physical injury upon another person or one's self;
 - ii. Placing a person in fear of or at risk of imminent physical injury or danger;
 - iii. Committing sexual harassment, sexual invasion, sexual assault or sexual misconduct, as those terms are

- defined herein; or
- iv. Inflicting mental or emotional distress upon a person through verbal abuse, threats, intimidation, harassment or coercion.
 - p. Damaging or destroying the property of others or SCAD property.
 - q. Theft or misuse of college computing resources, including but not limited to the following:
 - i. Unauthorized entry into a file to read or change the contents, or for any other purpose;
 - ii. Unauthorized transfer of a file;
 - iii. Use of another person's computing identification and/or password;
 - iv. Use of computing facilities to interfere with the work of another student, faculty member or SCAD official;
 - v. Use of computing facilities to send obscene or abusive messages;
 - vi. Use of computing facilities to interfere with normal operations of the SCAD computing system; or
 - vii. Any other violation of the SCAD technology policies.
 - r. Illegal or unauthorized possession of firearms, explosives, fireworks, other weapons or dangerous chemicals on SCAD premises or use of any such item, even if legally possessed, in a manner that harms or threatens others.
 - s. Violating any SCAD policy, rule or regulation published in hard copy or available electronically on the college Web site.
 - t. Violating federal, state or local law on SCAD premises, at SCAD-sponsored or SCAD-supervised functions, or which otherwise adversely affect the SCAD community or the pursuit of its objectives, whether on or off SCAD premises.
3. Student groups and organizations may be charged with violations of this code without regard to whether members of such groups or organizations are individually charged with violations arising from the same occurrences.
 - a. A student group or organization and its officers, leaders or any identifiable spokespersons may be held collectively or individually responsible when violations of this code by those associated with the group or organization have received the tacit or overt consent or encouragement of the group or organization or of the group's organization's leaders, officers or spokespersons.
 - b. Groups and organizations may be held accountable collectively if either of these situations apply:
 - i. An alleged violation was committed by one or more members of a group or organization; or
 - ii. An alleged violation occurred as a result of a group or organization sponsored function.
 4. **Violations of Law and College Judicial Proceedings:** As members of the SCAD community, students also are expected to conduct themselves in accordance with federal law, state statutes and local ordinances. Violations of any of these standards may result in disciplinary action through the student conduct process outlined in Section V; prosecution in the criminal and civil courts may also result from the same violation.
 - a. If a student is charged only with a violation of federal, state or local law off SCAD premises and with no other violation of SCAD rules, no sanction will be imposed unless the student has been found guilty in a court of law or has declined to contest such charges although not actually admitting responsibility (e.g., "no contest").
 - b. The SCAD student conduct process may be instituted against a student charged with a violation of law, which is also a violation of this Code of Student Conduct (for example, if both violations result from the same factual situation), without regard to the pendency of civil litigation in court or criminal arrest and prosecution. Proceedings under this Code of Student Conduct may be carried out prior to, or simultaneously with, or following civil criminal proceedings off campus, as may be determined in the judgment of the dean of students or the vice president for student services.
 - c. When a student is: (1) charged by federal, state or local authorities with a violation of law, and (2) the alleged offense is also being processed under the Code of Student Conduct, then the college may advise off-campus authorities of the existence of the Code of Student Conduct and of how such matters are typically handled within the SCAD community. SCAD may cooperate with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators (provided that the conditions do not conflict with campus rules or sanctions). Individual students and other members of the college community, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

Section V: The Student Conduct Process

1. **Investigation:** Upon receipt of a report or other information about an alleged violation of the Code of Student Conduct, the director of student conduct or other college official authorized by the dean of students or the vice president for student services may conduct an inquiry to determine whether the allegation(s) being reported appears to have merit. The person(s) filing a report, the person(s) alleged to be involved in the violation, and/or the person(s) who may have witnessed pertinent acts or who may have pertinent information about the incident may be summoned to provide information prior to student conduct charges being issued. A student who fails to appear when summoned during an investigation may be charged with a violation of the Code of Student Conduct.

2. **Student Conduct Charges:** A student will be charged and summoned to a student conduct hearing when there is reasonable basis to believe that the student may have committed a violation of the Code of Student Conduct. Charges shall be presented to the accused student in writing, and a time shall be set for the hearing, which shall be not less than two or more than ten calendar days after the accused student has been notified. Maximum time limits for scheduling hearings may be extended at the discretion of the judicial officer. Students may waive their right to at least two days notification through a written agreement with the hearing officer. Notification shall be sufficient if by e-mail or hand delivery or by telephone followed up by a letter confirming the telephone notice. All claims of failure to receive adequate notice are waived by the accused student if the accused student appears at the hearing and does not formally raise the issue of adequate notice at the first opportunity.
 - a. SCAD and its faculty and staff do not monitor online communities (such as Facebook or MySpace) on a routine basis. Further, the college does not forbid students from joining and participating in online communities as individuals not acting as agents of the college. However, if a SCAD official is made aware of any online activity that allegedly violates the Code of Student Conduct, it may be treated as any other violation and can be referred through channels outlined in this code.
 - b. Any member of the SCAD community or surrounding community may report an incident regarding any student for misconduct to the office of student conduct. All reports shall be prepared in writing, except in unusual circumstances, and may include, without limitation, reports from college security officials and police reports, and should be directed to the director of student conduct. Any report should be submitted as soon as possible after the event takes place.
3. **Mutual Agreement and Waiver of a Student Conduct Hearing:** Students agreeing to a mutual settlement and a waiver of a hearing must accept responsibility for the violation(s) and the sanction imposed by the director of student conduct or designee. The director of student conduct or a designee must determine that the acceptance of a mutual settlement and waiver of a hearing is voluntary and that the charge and sanction have factual support. The waiver and acceptance must be in writing and signed by the party and the director of student conduct or designee. A mutual settlement and waiver of hearing may not be appealed. At any time up to one day before a hearing, the director of student conduct or a designee may offer or accept mutual settlements and a waiver of hearing for any violation(s) under this code.
4. **Initial Hearing Procedures:** The following procedures will be applied when an initial hearing occurs with residence directors serving as the hearing officer.
 - a. Hearings shall be conducted in private.
 - b. The hearing officer shall provide an overview of the hearing process for the student and answer any questions the student may have about the process or the Code of Student Conduct.
 - c. The hearing officer shall review all pertinent reports and exhibits for the student and relate the information contained therein with the charges outlined in the student's charge letter.
 - d. Upon responding to the charges the student shall have an opportunity to provide information to the hearing officer about the alleged incident.
 - e. A student charged with alleged misconduct may offer the names of witnesses to the hearing officer, but must do so prior to the hearing.
 - f. Burden of proof shall be on the college, which must establish that the accused party is responsible for the violation by a finding of more likely than not that the accused student violated the Code of Student Conduct as charge. This determination must be based solely on the information presented at the hearing.
 - g. When the hearing officer has gathered the pertinent information, the hearing officer will determine if a decision about the student's responsibility can be communicated immediately and may result in a mutual agreement according to the terms defined herein. If deemed appropriate by the hearing officer, he or she will inform the student of his or her responsibility, and any sanctions that may be imposed.
 - h. The hearing officer may continue the initial hearing on a future date if needed, and if deemed appropriate by the hearing officer.
 - i. Following the mutual agreement, the hearing officer will communicate the decision and any sanctions to the student in writing, pending final acceptance of the agreement by the director of student conduct.
 - j. If neither the accused student nor the hearing officer agree to a mutual settlement, the alleged incident will be referred to a student conduct hearing.
5. **Student Conduct Hearings (not to include initial hearings):** The following standards apply to all student conduct hearings:
 - a. Hearings shall be conducted in private.
 - b. Hearings shall be recorded and those records will be maintained in accordance to the same record retention schedule as any written or electronic records.
 - c. In situations where more than one student is charged with an alleged violation, the hearing officer will

determine, at his or her discretion, whether to hold one hearing for all charged students or a separate hearing for each student.

- d. A student charged with alleged misconduct may offer documentary evidence for consideration prior to and during the hearing. Evidence may include pertinent records, exhibits and other written statements.
- e. A student charged with alleged misconduct may offer the names of witnesses to the hearing officer, but must do so prior to the hearing.
- f. At the discretion of the hearing officer, any student who claims to be impacted by the alleged conduct or other witnesses may attend and/or participate in the hearing. In the instances when this occurs, the charged student may ask questions of each person who does participate, after questioning by the hearing officer, as the hearing officer sees fit.
- g. Parents, guardians, attorneys, or other adviser or representatives are not permitted to attend or participate in the hearing. Admission of any other person to the hearing would be unusual and only at the discretion and with the permission of the hearing officer.
- h. The hearing officer may continue the student conduct hearing on a future date if needed, and if deemed appropriate by the hearing officer.
- i. A student shall be found to have violated the Code of Student Conduct when, based on information presented at the hearing and otherwise available to the college, the college determines that the accused party more likely than not was responsible for the charged violation of the Code of Student Conduct.
- j. When a student denies responsibility for a violation of the rules governing student behavior, the hearing officer shall determine the student's responsibility on the basis of preponderance of the evidence; that is, if it is more likely than not that the evidence supports that the charged student violated the rule. If it is so determined, the student will be found responsible.
- k. The hearing officer will inform the charged student in writing of the results of the hearing. In cases where the violation involved an allegation of violence and a student is determined to be a victim of that act, the hearing officer will also inform the victim in writing of the results of the charged student's hearing and sanctions imposed, if any.
- l. When a student is charged with a violation of the rules governing student behavior and fails to attend the pertinent hearing, the hearing officer may proceed with the hearing despite the student's absence and shall base any determination upon the evidence received.
- m. A student who is charged with failing to obey the

summons of the hearing officer may be found to have violated the Code of Student Conduct solely because the student failed to appear at the student conduct hearing.

- n. A student who fails to obey the direction of the hearing officer may be found to have violated the Code of Student Conduct solely because of that failure.
 - o. A student who fails to complete a sanction may be found to have violated the Code of Student Conduct solely as a result of that failure or have a hold placed on his or her records as a result of that failure.
 - p. All procedural questions are subject to the final decision of the hearing officer.
6. Appeals Process:
- a. A decision reached during a student conduct hearing or a sanction imposed through that process may be appealed by the accused student or complainant to the appeal officer within three business days of the decision. Such appeals shall be in writing and shall be delivered to the appeal officer.
 - b. Mutual agreements, as agreed to by the accused student and judicial officer, are not subject to the appeals process (Note Section V.3).
 - c. A student's notice of appeal suspends the imposition of sanctions until the appeal is finally decided, except in cases of interim suspension which will remain in effect during the appeals process. The student may be called to attend a meeting with the appeal officer to discuss the student's notice of appeal.
 - d. Except as required to explain the basis of new information, an appeal shall be limited to a review of the record of the hearing and supporting documentation for one or more of the following purposes:
 - i. To determine whether the hearing was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures giving the complaining party a reasonable opportunity to prepare and to present information that the Code of Student Conduct was violated, and giving the accused student a reasonable opportunity to prepare and to present a response to those allegations. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.
 - ii. To determine whether the decision reached regarding the accused student was based on substantial information; that is, whether there were facts in the case that, if believed by the fact finder, were sufficient to establish that a violation of the Code of Student Conduct occurred.
 - iii. To determine whether the sanction(s) imposed were

appropriate for the violation of the Code of Student Conduct that the student is found to have committed.

- iv. To consider new information, sufficient to alter a decision or other relevant facts not brought out in the original hearing, because such information and/or facts were not known to the person appealing or the hearing officer at the time of the original hearing.
- e. If either the sanctioned student or the student victim appeals, the appeal officer may respond in one of the following ways:
 - i. Affirm the finding of responsibility and the sanction(s).
 - ii. Affirm the finding of responsibility and reduce, but not eliminate the sanction(s).
 - iii. Remand the matter back to the hearing officer for a reopening of the hearing to allow reconsideration of the original determination in accordance with the ruling on the appeal.
- f. The appeal officer shall notify, in writing, within five business days, the charged student and student(s) determined to be a victim as to the results of an appeal.
- g. If no appeal is made or if the appeal officer concludes the appeal without remanding it back to the hearing officer, the matter will then become final and will not be subject to further appeal or review.

Section VI: Sanctions

Any student or student organization found responsible for any violation of the Code of Student Conduct can expect to receive sanctions. The following sanctions may be applied singularly or in combination, and may affect financial aid, scholarships or loans. Students should refer to the financial aid office for information about how these may be affected.

1. **Disciplinary reprimand:** A reprimand is written notification that a violation of the Code of Student Conduct has occurred and may include requirements and restrictions as circumstances warrant. A reprimand indicates that the student or organization's good standing with SCAD is in jeopardy should necessary changes to future behavior fail to occur. A reprimanded student or organization is expected not to violate the Code of Student Conduct again.
2. **Definite Disciplinary Probation:** Disciplinary probation is the highest sanction imposed on a student other than suspension and/or expulsion from the college. Definite disciplinary probation is a status in which a student is deemed not to be in good disciplinary standing with the college for a definite period of duration not less than the remainder of the quarter. This sanction is imposed for serious misconduct and/or a history of multiple violations of the Code of Student Conduct. Future violations will likely result in the student's suspension or expulsion from college. Probation may include other

requirements and restrictions as circumstances warrant. A student or student organization on disciplinary probation may not be eligible to represent SCAD in any official capacity and may lose eligibility to participate in SCAD events such as athletics, college production, clubs, off-campus programs or other events. The probationary status becomes part of the student's disciplinary record.

3. **Indefinite Disciplinary Probation:** Disciplinary probation is the highest sanction imposed on a student other than suspension and/or expulsion from college. Indefinite disciplinary probation is a status in which a student is deemed not to be in good disciplinary standing with the college for an indefinite period of duration. Indefinite disciplinary probation usually remains in effect for a period of no less than one calendar year and until the student successfully petitions, in writing, the director of student conduct for reinstatement to good standing. This sanction is imposed for serious misconduct and/or a history of multiple violations of the Code of Student Conduct. Future violations will likely result in the student's suspension or expulsion from college. Probation may include other requirements and restrictions as circumstances warrant. A student or student organization on disciplinary probation may not be eligible to represent SCAD in any official capacity and may lose eligibility to participate in SCAD events such as athletics, college production, clubs, off-campus programs or other events. The probationary status becomes part of the student's disciplinary record.
4. **Definite Suspension:** A student who is suspended is separated from the college for a designated time period after which the student is eligible to return. The student is required to forfeit his or her SCAD identification card to the office of the dean of students, and is prohibited from SCAD premises and from attending SCAD-sponsored or supervised events. While reapplication to the college is not generally necessary following the suspension period, conditions for readmission may be specified. A student who is suspended may not be entitled to any refund or reimbursement by the college. A disciplinary hold will be placed on a student's record for the duration of the suspension.
5. **Indefinite Suspension:** A student who is suspended indefinitely is separated from the college for a period of at least one calendar year and until the student successfully petitions, in writing, the director of student conduct, for a reinstatement to good standing and is eligible to return. The student is required to forfeit his or her SCAD identification card to the office of the dean of students, and is prohibited from SCAD premises and from attending SCAD-sponsored or supervised events. While reapplication to the college is not generally necessary following the suspension period, conditions for readmission may be specified. A student who is suspended

may not be entitled to any refund or reimbursement by the college. A disciplinary hold will be placed on a student's record for the duration of the suspension.

6. **Expulsion:** This sanction permanently separates a student from SCAD, and represents the most severe response by the college to violations of the Code of Student Conduct. The student is required to forfeit his or her SCAD identification card to the office of the dean of students, is prohibited from SCAD premises and from attending SCAD-sponsored or supervised events, and may not be entitled to any refund or reimbursement by the college. A disciplinary hold will be placed on a student's record for the duration of the expulsion. A student may request the removal of the hold through written request to the director of student conduct.
7. **Residence Hall Suspension:** This is the separation of the student from the privilege of living in campus residences for a specified amount of time, after which the student is eligible to return. Condition(s) for readmission may be specified. While suspended from the residence halls, a student may not enter any college residence hall except to conduct business in any official SCAD office that may be housed in a residence hall.
8. **Residence Hall Expulsion:** This is the permanent separation of the student from the privilege of living in campus residences. When expelled from the residence halls, a student may not enter any college residence hall except to conduct business in any official SCAD office that may be housed in a residence hall.
9. **Revocation of Admission and/or Degree:** Admission to or a degree awarded from the college may be revoked for fraud, misrepresentation or other violation of SCAD standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.
10. **Withholding Degree:** The college may withhold awarding a degree otherwise earned until the completion of the process set forth in this Code of Student Conduct, including the completion of all sanctions imposed, if any.
11. **Educational Sanctions:** The following sanctions may be imposed in addition to those listed in lines 1-10 above:
 - a. **Residence hall relocation:** A student may be relocated to a new residence hall room. Final determination of room assignments will be the responsibility of the associate dean of students/director of residence life.
 - b. **Loss of privileges:** Denial of specified privileges, including, but not limited to, participation in intercollegiate/intramural athletics, student organizations, student government, dining services, entrance into specific buildings, and temporary blocks from current classes or the ability to register for future classes.
 - c. **No-trespass order:** The college may prohibit a student or organization from entering particular buildings, residence halls or other areas. In addition, SCAD may prohibit a student or organization from engaging in personal contact with an individual when such contact may potentially lead to harassment, threats, etc.
- d. **Restitution:** Compensation for loss, damage or injury may be required. Payment for expenses incurred by individuals or the college as a result of providing educational programs or other educational experiences related to the violation(s) may be required. This may take the form of appropriate service and/or monetary or material replacement.
- e. **Discretionary sanctions:** When deemed appropriate, the hearing officer may require completion of a variety of educational sanctions. These may include, but are not limited to, assessment with a personal counselor, educational seminars, alcohol or other drug education, reflection papers, letters of apology, behavioral agreements, work service hours or completion of other special community projects.
- f. **Notification of parents/guardians regarding alcohol and drug violations:** The dean of students and the vice president for student services have the authority to notify a student's parents/guardians when that student is under the age of 21 and is found to have committed violations of SCAD's rules and policies related to the possession, use or distribution of alcohol and/or drugs. Notification of parents/guardians shall occur when:
 - i. The violation involved harm or threat of harm to persons or property;
 - ii. The violation involved an arrest in which the student was taken into custody;
 - iii. The student who committed the violation became physically ill and/or required medical intervention as a result of consumption and/or drugs;
 - iv. The violation resulted in, or could result in, the student being suspended from the college and/or dismissed from the residence halls;
 - v. The student has shown a pattern of violations, even if they are minor (two or more violations associated with alcohol use shall be reasonable cause for notification); or
 - vi. The student committed any violation of the college's rules regarding drugs or drug paraphernalia.
12. The following sanctions may be imposed upon student organizations:
 - a. Any of those sanctions listed in Section VI (1-6) or (11).
 - b. Loss of selected rights and privileges for a specified period of time.
 - c. **Deactivation:** Loss of all privileges, including SCAD recognition, for a specified period of time.

13. Other than suspension, expulsion or revocation/withholding of a degree, disciplinary sanctions shall not be made part of the student's permanent academic record, but shall become part of the student's disciplinary record. Cases involving the imposition of sanctions other than suspension, expulsion or revocation/withholding of a degree shall be expunged from the student's confidential record seven years after the final disposition of the most recent incident.
14. In situations involving both an accused student (or organization) and a student(s) claiming to be the victim of another student's conduct, the records of the process and of the sanctions imposed, if any, shall be considered to be the education records of both the accused student(s) and the student(s) claiming to be a victim because the educational career and chance of success in the academic community of each may be impacted.

Section VII: Interim Suspension

In certain circumstances, the dean of students or the vice president for student services may impose an interim suspension prior to a student conduct hearing before a hearing officer, until a final decision including any appeal is issued.

1. Interim suspension may be imposed if there is any reason to believe that it is necessary:
 - a. To ensure the safety and well-being of members of the SCAD community;
 - b. To ensure the student's own physical or emotional safety and well-being; or
 - c. If the student poses an ongoing threat to, disruption of, or interference with the normal operations of the college.
2. Interim suspension may take either of the following forms:
 - a. Interim suspension from the college: When imposed, the student is temporarily separated from the college until such time as the incident is resolved before a hearing officer and until a final decision including any appeal is issued. A student under interim suspension from the college is strictly prohibited from college premises (including participation in classes), and may not attend any SCAD-sponsored or supervised event, until otherwise directed by the dean of students or the vice president for student services. A residence hall student under interim suspension from the college is required to temporarily vacate his or her residence hall room and the residence hall setting until otherwise directed by the dean of students or vice president for student services.
 - b. Interim loss of privileges: When imposed, the student may be denied or have limited access to the residence halls or other college premises (including participation in classes), and all other SCAD activities or privileges for which the student otherwise might be eligible, as determined to be appropriate by the dean of students or the vice president

for student services.

3. The interim suspension does not replace the regular process, which shall proceed on the normal schedule, up to and through a conduct board hearing and appeals process, if necessary.
4. The accused student shall be notified in writing of this action and the reasons for the suspension. The notice shall include the time, date and place of a subsequent hearing at which the student may show cause why his or her continued presence on campus does not constitute a threat (and at which they may also contest whether a college regulation was violated).

Section VIII: Interpretation and Revision

1. Any question of interpretation regarding this Code of Student Conduct shall be referred to the dean of students or the vice president for student services for final determination, which shall not be subject to appeal.
2. Under the direction of the dean of students or the vice president for student services, the Code of Student Conduct shall be reviewed and revised when, and to the extent, deemed necessary or appropriate.