



ROCKY  
MOUNTAIN  
COLLEGE

Student Conduct Board  
Revised, May 2022

## STUDENT CONDUCT BOARD

### Purpose

The basic purpose of the Student Conduct Board is to protect the quality of the living and learning environment at Rocky Mountain College. Throughout this judicial process, there is a commitment to the fundamentals of fair play in the judgment of violations. The system is designed to insure procedural and substantive due process.

### Composition

The Student Conduct Board is composed of four students selected by ASRMC and four faculty members elected by the faculty. The Academic Vice President may nominate faculty, from outside of the judicial council if members encounter a conflict of interest or of time. The Board will elect a chair as their first order of business.

### Jurisdiction

The Student Conduct Board can serve as either a court of original jurisdiction or a board of appeal. It judges student disciplinary matters in which there are violations of college regulations. It also hears matters related to the constitution of ASRMC.

### Powers

The Student Conduct Board will have the authority to use any one or a combination of the following disciplines.

- Censure or assign appropriate sanctions or duties including disciplinary work and monetary fines not to exceed \$100 excluding restitution costs.
- Require restitution for damages to personal or College property.
- Limit or deny a non-resident's access to College residence(s).
- Evict a student from a college residence(s) and limit or deny use of College facilities.
- Suspend a student's enrollment at the College for one semester as deemed consistent with the offense.
- Recommend to the President of the College that a student be expelled with final termination of enrollment at the College.
- Limit a student's activities or participation by means of probationary sanction.
- Utilize any formal sanctions approved by the Executive Vice President/Dean of Student Life.

### Filing Procedure

- In cases where the Student Conduct Board is the board of original jurisdiction, the Executive Vice President/Dean of Student Life requests a hearing by contacting the ASRMC President and Academic Vice President and requesting a Council be constituted.
- Once seated, the Executive Vice President/Dean of Student Life will send a statement to the Student Conduct Board.

- Included in the statement are: name(s) of the parties involved, charges, testimony, evidence, and recommendation for council action.
- The charged student(s) will receive a formal statement of charges from the Executive Vice President/Dean of Student Life.
- From the statement, the Student Conduct Board will determine whether there are sufficient grounds for a hearing. In making this determination, the Student Conduct Board may also request an interview with the Executive Vice President/Dean of Student Life and other plaintiffs involved.
- The Student Conduct Board must accept the case by a two-thirds vote.
- If the Student Conduct Board decides that grounds are not sufficient for a hearing, the request will be rejected.
- In cases where the Student Conduct Board serves as a board of appeal, refer to the Appellate Jurisdiction section.

#### Hearing Procedure

- The Student Conduct Board will decide to hear a case within 48 hours of receiving a request for a hearing whenever possible.
- Parties to all cases have the right to council of their choosing. Council is defined as any advisory individual (not to exceed two persons) that will serve only in an advisory capacity.
- A majority of the Student Conduct Board must be present for a hearing to occur.
- The Student Conduct Board may seek a preliminary hearing with each party to preview information and charges before convening prosecution and defendants.
- A record of each hearing is kept by tape recording. Transcripts are available only to those authorized by the Student Conduct Board. No further copies are to be made or distributed.
- Prosecution and defense will present their arguments, providing cooperating witnesses if necessary. Opportunities for rebuttal will be provided.
- After each party has presented his or her case and has the opportunity for rebuttal, members of the Student Conduct Board may seek further information and clarification from both sides. The Student Conduct Board may also seek information from sources not provided by parties to the case.
- Hearsay evidence related by a witness that is not based on first-hand information must be clearly identified as such and will be given less weight than first hand evidence.
- Minutes of the hearing are to be sent to the defendant and the Executive Vice President/Dean of Student Life, accessible only to judiciary members.

#### Appellate Jurisdiction

The Student Conduct Board also functions as a board of appeals for students who feel they have been subjected to unjust sanctions on the part of a faculty member or administrative body.

## Procedure for Appeal

- A student has 24 hours from the time he or she is informed of a disciplinary response on the part of the College to decide to request an appellate hearing and then inform the Executive Vice President/Dean of Student Life, in writing, of his or her intention to appeal.
- The party will then have one week to prepare and present his or her request to the Student Conduct Board.
- If the party decides to appeal, the person or board which levied the disciplinary sanction, must be informed, as well as the Executive Vice President/Dean of Student Life.
- A request for an appellate hearing is made by sending a statement to the Executive Vice President/Dean of Student Life containing the following: names of persons involved, original charges made, previous disposition of the case, and the appellant's grounds for thinking the case deserves further hearing. **Grounds for appeal may be disciplinary sanction not in accord with the offense, illegal procedure, new evidence, etc.** Note: disagreement with findings of the original jurisdiction does not constitute grounds for appeal.

Revised, March 2022