

## Disruptive Student in Classroom Policy

### Purpose

The purpose of this judicial procedure is to provide the college with a method of due process to be used for relieving students in the classroom and their faculty from disruptive and/or potentially hazardous invasions of their time and learning.

### Definition

Disruptive student behavior in the classroom includes and is not limited to the following definitions:

1. Exhibiting excessive behavior, which through its constancy throws the classroom activity in disorder or does not permit others to hear, see or concentrate on classroom presentation and/or activity.
2. Demonstrating an attitude or action which is threatening or hazardous to the safety and welfare of others and/or him/herself in the classroom. This includes aggressive and/or bizarre behavior.
3. Disrupting the classroom with inappropriate verbal tone, volume or content which may be threatening and/or intimidating to the other members in the classroom.

### Step I - Informal

1. When a student engages in behavior which disrupts the class session, but poses no apparent hazard and/or danger to other students, faculty, or him/herself, the faculty member should ask the student to stop such behavior.
2. If the type of disruptive behavior described in #1 continues, the faculty member should ask the student to leave the class and to meet with the faculty member at the next mutually convenient scheduled time to discuss the matter informally. The faculty member will submit a written report to the department chairperson, the appropriate Dean (of the School, Graduate or Continuing Studies) and the Associate Vice President of Student Life. This begins the formal procedures.

### Step II - Formal

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#### A. Procedure

1. If the student, after leaving a class upon request, fails to report at the mutually agreed office hour appointment to discuss the incident, the faculty member submits a written copy of the incident to the chairperson of that department with copies to the Dean and Associate Vice President of Student Life.
2. If the student refuses to leave the class, or if the disruptive behavior is such that there is apparent hazard and/or danger to other students, to the faculty, and/or to the disruptive student, the faculty member should dismiss the class for the day. In this situation, the faculty member should not leave before the other students in the class. If appropriate, the faculty member should contact Campus Police to remove the student from the classroom. In no case if there is an apparent hazard and/or danger present should the faculty member leave ahead of the other students in the class. If the faculty member is forced to dismiss the class for the day, the faculty member should report the incident in writing to the Department Chairperson, with a copy to the Dean and Associate Vice President of Student Life.
3. Upon receipt of such a report from a faculty member, the Department Chairperson should in writing arrange a meeting among the chairperson, the faculty and the student to attempt to resolve the matter. All parties must receive written notification of the meeting time and place. This meeting should be held as soon as possible after the incident and no later than ten (10) working days from the date of the incident. The student may request postponement in writing. This will be taken into advisement and denial of request of the new date will be issued to the student in writing.
4. If the student refuses to attend the meeting, the Department Chairperson should immediately notify the student, in writing, that the incident has been referred to a Hearing Panel. A copy of this notification should be sent to the Dean and Associate Vice President of Student Life.
5. The student will be allowed to attend class during the time between the incident and meeting and/or Hearing, unless there is further disturbance or disruption. If a further disruption is caused by this student, the faculty member will report the incident in writing to the Department Chairperson, with copies to the Dean and Associate Vice President of Student Life. The Department Chairperson will immediately notify the student in writing that he/she is suspended from that class pending a Hearing. Copies of this notification will be forwarded to the Dean and Associate Vice President of Student Life.
6. The student has the right to appeal the decision of the Hearing Panel to the Vice President, Academic Affairs. Such an appeal must be requested in writing within ten (10) working days of the student's receipt of the decision by the Hearing Panel. The Dean will act on the request for appeal and hear the appeal

within ten (10) working days from receipt of the written request for appeal of the Hearing Panel's decision.

7. The student has the right to appeal the decision of the Vice President to the President. Such an appeal must be requested in writing within ten (10) days of the student's receipt of the decision by the Vice President of the denial of appeal or the hearing. The President will hear the appeal within ten (10) days of the written request for appeal of the Vice President's decision.
8. Only in cases where a sanction affects the student's immediate status at the College (e.g., the student has been dismissed from the College, or has lost financial aid because of dismissal from the course, or will be unable to graduate because of dismissal from the course), may the student appeal the decision of the Provost and Vice President, Academic Affairs to the President. Such an appeal must be requested in writing within ten (10) days of the student's receipt of the decision by the Provost and Vice President Academic Affairs.
9. Appeals, which will be heard only on the basis of the defendant's request, are limited to:
  - a. Procedural errors.
  - b. Excessive sanctions for offense.
  - c. New Evidence.

B. Format and Regulations

The Hearing Panel will consist of the Department Chairperson, a faculty member (other than the complainant) from that department selected by the Dean or designee and a faculty member of any department selected by the student. In selecting the departmental faculty member, the Dean or designee should make a reasonable effort to reflect the student's gender, race, and/or sexual orientation. The Department Chairperson will chair the Hearing Panel.

C. The Defendant and the Complainant have the right to:

1. Receive and review a copy of the written charge before the meeting.
  2. Present evidence and/or witnesses on their behalf.
  3. Cross-examine each other and all witnesses.
  4. Have an advisor or legal counsel present (such individuals, however, are there solely to advise their clients and not to address the Hearing Panel or to conduct a prosecution or a defense).
  5. Request a temporary recess for a period of not longer than two working days (such requests should be made in writing to the Hearing Panel and should specify the reason or reasons for the request — e.g. the need for additional preparation time, the need to locate witnesses, illness, and the like).
- D. The Hearing Panel may take the following actions:
1. Dismiss the charge as unproved or unfounded and reinstate the student to the course.
  2. Find the student guilty of disruptive behavior, end the temporary suspension, and reinstate the student to the course.
  3. Recommend that the student be dismissed from the course with a grade of W.
  4. Recommend that the student be dismissed from the course with a grade of F\*.
  5. Recommend that the student be dismissed from the College.

Note: Notification to the Student Life Area will enable the Associate Vice President, Student Life to review the charges or indictments, in order to be prepared and available to advise students of procedures/ processes and their responsibilities and actions. This does not preclude the right or need for legal counsel.