



## **OCC CONDUCT PROCESS: Main Campus Students**

### **Introduction**

The mission of Ozark Christian College is to prepare men and women for Christian service. As an institution committed to the development of the whole person, students will be held accountable for conduct that is inappropriate for Christian leaders. The conduct process listed below describes some, but not all, conduct that violates school policy and the steps that school administrators will take in seeking to address the issue and restore the student.

### **Obligations of College Administrators**

OCC is committed to fair and appropriate discipline by following the commands of Scripture to speak the truth in love, hold one another accountable, and pursue holiness.

In this commitment, Ozark administrators seek to address misconduct using the following guidelines:

1. Sanctions are administered in a spirit of Christian concern and compassion for all involved.
2. Sanctions are in direct proportion to the misconduct.
3. Sanctions are to be administered impartially and redemptively.
4. Sanctions are for the good of the student and the college.

### **Student Obligations**

Students are encouraged to be respectful and honest with school leaders when questioned about their conduct. If a student violates the student conduct policy, they are encouraged to confess to appropriate school personnel and to be held accountable for their conduct. The college may provide educational or supportive options rather than sanctions to those who struggle with addictive behaviors or ongoing conduct violations.

In matters of sexual misconduct including sexual harassment, sexual assault, dating violence, domestic violence, stalking, or retaliation, the college encourages victims and witnesses to report all allegations directly to the Title IX Coordinator to be resolved using the OCC Title IX Sexual Harassment Policy and Procedures if Title IX applies. The school recognizes that victims and individuals with information about sexual misconduct may hesitate to come forward out of fear that their actions violate the college's student conduct policies, especially the policies related to the use of drugs, alcohol, marijuana, and/or sexual activity. It is in the best interest of the community that victims and witnesses report what they know to college officials. To encourage reporting, the college offers witnesses and victims of misconduct amnesty from other policy violations that may be disclosed as a result of reporting the incident.

As brothers and sisters in Christ, it is appropriate for students to hold one another accountable for conduct appropriate for Christian leaders. Students are called upon to take responsibility for one another and to admonish fellow students in Christian love. Students can do the following to help one another:

1. Abiding by the spirit and letter of the conduct policies in the OCC Student Handbook and Student Covenant.

2. Applying Matthew 18:15-17 if they witness a fellow student failing to abide by the conduct policies.
3. Praying for those in authority and submitting to their leadership.

**Major Violations.** The following categories of misconduct are examples of serious violations that may result in severe sanctions:

1. plagiarism, cheating, fabrication, or facilitating academic dishonesty (see Academic Integrity Policy in Academic Catalog);
2. forgery or alteration of college records;
3. deliberate destruction of, damage to, defacing of, malicious misuse of, or abuse of property of the college or any private individual;
4. any criminal behavior or the threat thereof;
5. hazing as defined by Missouri and Federal law;
6. theft of the property of the college or any private individual;
7. sexual activity outside of biblical marriage (between one man and one woman), adultery, homosexual activity or use of pornography (including engaging in soliciting, condoning, supporting, or promoting such practices);
8. sexual harassment as defined by Title IX and the Clery Act (see the full list of definitions in the OCC Title IX Sexual Harassment Policy and Procedures);
9. purchase, possession, or use of alcohol, marijuana, tobacco, e-cigarettes, JUUL, vaping devices, or illegal drugs, or the inappropriate possession or use of legal substances;
10. use or possession of fireworks and firearms on campus;
11. unauthorized entry into campus facilities;
12. reckless driving or speeding on campus;
13. numerous repeated minor violations;
14. failure to provide truthful testimony or statements;
15. false and malicious accusations;
16. publishing vulgar, profane, libelous, false, or malicious statements, including graphic images, on any form of social media or social networks;
17. insubordination (defiance of authority and/or refusal to comply with directives);
18. unauthorized use of the OCC computer system and network;
19. any form of gambling.

**Minor Violations.** The following categories of misconduct are regarded as less serious and result in lighter sanctions for first offenses:

1. curfew violations;
2. parking violations;
3. violations of housing regulations (see OCC Residence Hall Guidelines);
4. violations of campus regulations (see OCC Community Guidelines).

### **General Conduct Process Procedure**

The Associate Dean of Students (or an appointed designee) is responsible for investigating, processing, and reviewing all alleged violations of campus regulations or complaints which are referred to the Student Affairs Office. The Chief Academic Officer (or an appointed designee) is responsible for investigating, processing, and reviewing all alleged violations of academic policies or complaints which are referred to the Academics Office.

The Clery Act defines a "recognized student organization" as any organization at an institution of higher

education where two or more members are enrolled students, regardless of whether the organization is formally established or recognized by the institution. This definition encompasses a wide range of groups, including clubs, societies, athletic teams, fraternities, sororities, and student government.

### **Informal Process**

In order to guarantee students' rights to fair and appropriate procedures, the college offers an informal process or a formal conduct process for handling disciplinary matters. During the informal process there are no formal charges and no defense is required. The student is asked to respond to questions regarding a violation of student conduct policy. If the student acknowledges responsibility, they may be allowed to enter into a written agreement with the Associate Dean of Students, Chief Academic Officer, or other school personnel regarding appropriate sanctions. Descriptions of potential sanctions are provided below.

The formal conduct process will be used if:

1. Informal means are not satisfactory to either the student or the college.
2. Any case in which a person's health and safety are at risk.
3. Cases involving sexual harassment or misconduct that are governed by Title IX and the Clery Act must be investigated and resolved according to the OCC Title IX Sexual Harassment Policy and Procedures.

### **Formal Process**

A formal conduct process allows for both the accused and the accuser to have a fair and impartial conduct proceeding. A Conduct Committee will consider both sides of the dispute using a written conduct procedure.

A Conduct Committee shall consist of at least two faculty members, one staff member, one administrator, and one student representative. For issues involving the Student Affairs Department, the Associate Dean of Students (or an appointed designee) will act as chair of the committee but will not vote. For issues involving the Academics office, the Chief Academic Officer (or an appointed designee) will act as chair of the committee but will not vote.

An accused student can choose to acknowledge responsibility and waive a conduct proceeding. If they choose to do this, they must sign a written statement to that effect with the understanding that they will accept the decision of the Associate Dean of Students, Chief Academic Officer, or Conduct Committee. In this case, the student/student organization waives their opportunity to present evidence of witnesses for their defense.

### **Conduct Procedure**

When a complaint or alleged violation comes to the attention of the Student Affairs Office, the Associate Dean of Students (or an appointed designee) will investigate the matter and assess the validity and seriousness of the charge. When a complaint or alleged violation comes to the attention of the Academics Office, the Chief Academic Officer (or an appointed designee) will investigate the matter and assess the validity and seriousness of the charge.

Typically, the Associate Dean of Students or Chief Academic Officer will meet with the student to ascertain if the matter might be handled through the informal process described above. If the student acknowledges responsibility and agrees to abide by the sanctions that may be imposed, the matter will be closed. If the informal procedure is not satisfactory to either the student or the college, or if it meets one of the criteria listed above as requiring a formal conduct process, then

formal proceedings will be started. The time and place of a written conduct proceeding by the Conduct Committee will be determined and communicated to the student.

Pending a final decision on the charges, the status of a student will not usually be altered. In extraordinary circumstances, for instance relating to the health and safety of the student or others, the student may be temporarily restricted or sanctioned pending the outcome of the case.

If a complaint is brought before the Conduct Committee, the student will be informed of the charges against them. The student will be given the right to present written testimony from witnesses and a written defense on their own behalf. They will be given at least forty-eight hours to prepare for the proceeding.

The typical order of a conduct proceeding is as follows:

1. the charges are read by the committee;
2. written evidence is introduced in support of the charges;
3. written evidence is introduced in support of the accused;
4. deliberation and finding of the Conduct Committee;
5. in the case of a hazing incident, the student organization will receive a formal letter of finding of responsibility; Findings of Responsibility will also be recorded at the end of each semester on the Campus Hazing Transparency Report found at [Hazing Policy and Campus Hazing Transparency Report](#).

The committee may reach one of four decisions:

1. Responsible;
2. Not responsible;
3. Case dismissed for lack of evidence; or
4. Case remanded for further investigation.

The decision will be based on a preponderance of evidence standard of whether it is more likely than not that the accused violated the college's standards of conduct. Sanctions will be assigned only if the accused is found responsible. Students/student organizations found responsible for subsequent offenses may be subject to more severe sanctions. An official written summary of the conduct proceeding will be maintained. The written summary, with the exception of the deliberative process, will be made available to all relevant parties. If an accused fails to provide any written testimony or defense, his or her rights will be waived, and the Conduct Committee will make a decision without it.

### **Appeal Procedure**

Appeals must be made in writing to the President's office within forty-eight hours after the decision of the Conduct Committee has been communicated and must be based on at least one of the following criteria:

- Procedural irregularities sufficient to deny the student a fair process.
- Lack of sufficient evidence to support the decision.
- New and relevant evidence not known at the time of the conduct proceeding.
- Imposition of a sanction which is excessive or inadequate relative to the facts of the case.

### **Appellate Reviewer**

- Actions of the Associate Dean of Students, Chief Academic Officer, the Vice President of Student Affairs or the Conduct Committee may be appealed to the President within forty-eight hours after

the decision has been communicated.

- The President will review the appeal and the written evidence to make a decision that will be final.

## **Sanctions**

**Minor Violations.** Most minor violations are handled by the resident assistants and residence directors. The sanctions include verbal reprimands or community service.

**Major Violations.** Major violations are usually referred to the Associate Dean of Students or the Chief Academic Officer. The sanctions at their disposal include verbal reprimands, fines, restitution, community service, disciplinary written warning, specified behavioral requirements, eligibility restriction, loss of privileges, confiscation of prohibited property, restriction of visitation privileges, housing probation, housing reassignment, housing expulsion, probation, suspension, and expulsion. Sanctions for violations of academic integrity are in the Academic Catalog.

Conditions such as community service, reflective papers, or follow-up meetings with a designated official may be added to Written Warnings, Fines, Disciplinary Probation, and Deferred Suspension. Where appropriate, the student may be referred for counseling, substance abuse screening, and educational programs not only as a disciplinary matter, but rather a redemptive matter. Loss of vehicle privileges may be imposed. In addition, the college may implement the following protective measures for sexual harassment, sexual assault, dating violence, domestic violence, stalking, or retaliation: issuance of no contact order to the accused, issuance of campus ban letter to the accused, arrangement of alternative safe living, and other academic accommodations for the complainant.

**Fines or Restitution.** Fines may be appropriate sanction for some violations. Fines or restitution may be fixed for traffic violations, or flexible for cases involving property damage.

**Community Service.** Students may be assigned community service.

**Verbal Reprimand or Written Warning.** These are the mildest forms of action that may be taken against offenders. First offenses are often handled in this way. A verbal reprimand or written warning means that future violations of policy will result in more severe sanctions.

**Disciplinary Probation.** This is a severe type of sanction which places a student “not in good standing.” Students on probation typically cannot represent the college in extracurricular activities such as athletics, performing arts, or traveling groups. While on Disciplinary Probation students may forfeit any institutional scholarships in future semesters. Such probation indicates to students that violations of regulations while the probation is in effect will result in more stringent disciplinary action (including suspension). Disciplinary probation may be imposed for any period of time up to one year.

**Deferred Suspension.** This is a very severe type of sanction used for offenses serious enough to warrant suspension but where the offense is mitigated by circumstances specific to the case. Deferred suspension is typically limited to the period of time extending to the end of the semester, after which the student may be suspended, continued on deferred suspension, or placed on probation. Deferred suspension is not available to students in the final semester of their program and in no instance will be continued beyond the end of the next semester after imposition. During the period of deferred suspension, the student will have the opportunity to demonstrate the ability to live according to the community standards described in the college’s *Student Covenant* and *Student Handbook*. A student who violates those community standards during the period of deferred suspension will be suspended

for a minimum of one semester. During a deferred suspension, the student is “not in good standing” with the college and cannot represent the college in extracurricular activities such as athletics, performing arts, or traveling groups. Also, while on Deferred Suspension a student will forfeit any institutional scholarships in future semesters.

**Suspension.** This is a very severe sanction which lasts until the conditions for readmission are satisfied as determined by the Associate Dean of Students, Chief Academic Officer, or Conduct Committee. When placed on suspension, students are required to leave the campus within a time limit set by the Associate Dean of Students, Chief Academic Officer, or Conduct Committee. During the duration of the sanction, suspended students are restricted from participating in all college functions, including classes and extracurricular activities. To return to campus for any reason during the time of suspension, prior permission must be obtained in writing from the VP of Student Affairs. The minimum duration of suspension is the remainder of a semester. The maximum duration is three years. Suspended students must obtain clearance from the VP of Student Affairs or the Chief Academic Officer before they can be considered for readmission as students in good standing. The steps to re-admittance consideration after a suspension are outlined below. As a penalty, suspension means loss of funds and loss of time. Students cannot graduate in the semester when they have been suspended. Under some circumstances, students on suspension may be allowed to continue their education by distance learning.

**Steps to Re-Admission Consideration after Suspension for Conduct violations.** At the time of suspension, a suspended student may be given written instructions outlining the steps the student must take to be considered for readmission after their suspension is fulfilled. For example:

If you desire, you will be eligible for consideration for re-enrollment to Ozark Christian College for the [specified] semester or thereafter. You will be required to follow the below outlined steps for future admission consideration:

1. Residential campus students will need to contact the Vice President of Student Affairs and online campus students will need to contact the Associate Dean of Online Learning to express a desire and choose to be mentored by a mutually agreed upon respected Christian leader. Within the context of the mentoring relationship you will need to deal specifically with the following areas: (a) the circumstances and conduct that led to your dismissal from school; (b) your view of what has led to or contributed to counter-productive choices which have led to your dismissal from school; (c) an explanation of what has changed from your perspective that should enable you to be successful as an OCC student if readmitted and; (d) an indication of your involvement with a local congregation, bringing yourself under the oversight of spiritual leaders in pursuit of spiritual development since your departure from school.
2. If readmission is permitted, you will be placed on a one-year Disciplinary Probation.
3. Upon readmission, for at least the first two semesters you are enrolled, you will be required to be in a mentoring relationship with an Ozark Christian College faculty or a church pastor.

**Steps to Re-Admission Consideration after Suspension for Academic violations:** The process to petition for reinstatement is outlined in the Academic Catalog.

**Expulsion.** This form of dismissal is a termination of enrollment. It is only imposed if it is determined that no conceivable contingency would allow the student to be reinstated.

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