

Polk State College Procedure

Subject	Reference	Date	Number
Student Code of Conduct: Sexual Misconduct Procedure	Board Rule 4.01 Procedure 5030	02/28/2012	5027

I. Purpose

The purpose of this procedure is to outline the process by which complaints against students who violate the Student Code of Conduct relating to sexual misconduct will be handled by the College. The administration of student discipline shall be flexible and consistent with the philosophy, educational objectives, and core values of Polk State College. In those cases not likely to result in termination of a student's enrollment at the College, the campus Dean of Student Services or designee shall have the responsibility for the administration of student sanctions and may impose varying degrees of disciplinary sanctions.

The Dean of Student Services or designee may suspend a student for an interim period pending disciplinary proceedings or medical or psychological evaluation. Interim suspensions are indicated whenever there is reason to believe that the continued presence of the student on the college campus poses a possible threat to himself/herself, to others, or to the stability and continuance of normal college functions. Before an interim suspension is implemented, the Dean of Student Services will confer with the student and conduct an informal hearing on the following issues only:

- A. The reliability of the information concerning the student's conduct, including the matter of the student's identity.
- B. Whether the conduct and surrounding circumstances reasonably indicate that the continued presence of the student on the college campus poses a possible threat to the student or to others or to the stability and continuance of normal college functions.

For limited admission programs, refer to each program's procedures manual or student handbook for specific rules and procedures pertaining to the Student Code of Conduct and sanctions.

II. Sexual Misconduct Cases

- 1) Victims of sexual misconduct will be encouraged and assisted in referring or filing charges in accordance with Section I. A victim advocate will be provided in all cases to assist victims throughout the discipline process.
- 2) The College will notify appropriate law enforcement officials in accordance with the following criteria and will proceed with the college discipline process.
 - a. Any assault that is alleged to have occurred on college-owned or controlled property or immediately adjacent to such property, including any assault that originated with an abduction from such property.

- b. Any assault that is alleged to have occurred at or during a college-sponsored activity and which involves any student, employee, or volunteer of the College as the alleged victim or perpetrator.
 - c. Any assault that is alleged to involve an employee or volunteer of the College as the perpetrator.
 - d. Any assault that is alleged to have or appears to have a connection to college facilities, employees, volunteers, or students, such that the incident may pose a continuing danger to the college community.
 - e. Any assault in which the alleged or apparent victim has specifically requested a college official to notify the local law enforcement agency.
- 3) The processing of all sexual misconduct cases will proceed in accordance with Section IV. below.

III. Sanctions and Assignment of Penalties

One or more sanctions or penalties may be assigned to the student as outlined in Polk State College Procedure 5028.

IV. Processing of Sexual Misconduct Cases

- 1) Charges will be referred to the Dean of Student Services or designee as in Section I above.
- 2) Students who have committed a crime and are identified as a sexual predator by law enforcement are subject to regulations outlined in Procedure 5030.
- 3) The Dean of Student Services or designee will ensure an appropriate investigation to determine the facts of the case for referral to the Discipline Committee. Procedure 5025, Student Appeals Hearing Protocol, will be followed in all cases brought before the Discipline Committee.

History: Adopted: August 28, 2007
 Revised: February 28, 2012

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Executive Responsible for Procedure	President's Staff Member's Approval
	
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