

ARIZONA WESTERN COLLEGE

Student Code of Conduct: Policies and Procedures 2025–2026







**ARIZONA
WESTERN**

COLLEGE

Equal Opportunity Statement

Arizona Western College does not discriminate in admission or access to, or treatment or employment in, its services, programs, or activities based on race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), disability or genetic information or handicapping condition in compliance with the laws of the United States and the state of Arizona. Any questions regarding the applicability of state and federal anti-discrimination laws to Arizona Western College and its services, programs or activities, and any grievances or claims of violation of such laws, should be directed to its compliance officer:

Dr. Nikki Hage

Dean of Students

P.O. Box 929

Yuma, AZ 85366-0929

(928) 344-7576

Nikki.Hage@azwestern.edu

Students with Disabilities Resources and Service Information

Arizona Western College seeks to provide reasonable accommodations for students with documented disabilities to facilitate access to College classes and activities. Students seeking such accommodation should make an official request at AccessABILITY Resource Services, located in the College Community Center (3C) on campus or at azwestern.edu/accessibility.

Any questions regarding the applicability of state and federal anti-discrimination laws to Arizona Western College and its services, programs, or activities, and any grievances or claims of violation of such laws, should be directed to its compliance officer(s):

Dr. Nikki Hage

Dean of Students

P.O. Box 929

Yuma, AZ 85366-0929

(928) 344-7576

Nikki.Hage@azwestern.edu

Mrs. Laura Sandigo

Executive Director of Student

Resource Services

P.O. Box 929

Yuma, AZ 85366-0929

(928) 344-7602

Laura.Sandigo@azwestern.edu

Table of Contents

1. Introduction	6
The College Community	6
Purpose of this Student Code of Conduct	6
Modification of Code	7
Questions Regarding Code	7
Definitions	7
2. Authority	9
Student Disciplinary Authority	9
Faculty Authority for Situations Involving Academic Misconduct and/or Classroom Misbehavior	9
3. Jurisdiction	9
Conduct Covered by this Code	9
Individuals Covered by this Code	10
Right To Restrict Non-Members of the College Community	10
Students Covered Under Additional Rules and Regulations	10
Prosecution for Violations	11
4. Supportive Provisions of This Code	11
Victims of Alleged Misconduct	11
Victims of Sexual Misconduct	12
Defense of Self, Others and Property	12
Civil Liability for Damage to College Property	12
5. Prohibited Conduct	12
Articles of Prohibited Conduct	12
6. Reporting, Investigation(s) and Finding(s)	20
Reporting (Compliant) Procedure	20
Investigation Process and Assigning the Matter to the Informal or Formal Process	20
Informal Conduct Meeting(s)	21
Informal Outcome Reviews for Appeals	23
Formal Investigation(s) and Hearing(s)	23
Requirement of Substantial Compliance	26
Discipline and Hearing Records	26
7. Sanctions	27
Temporary Injunction	31
8. College Disciplinary Appeals Process	32
Appeals:	32
Appeals Process:	32
9. Readmission	33

Student Code of Conduct

Policies & Procedures

1. Introduction

The College Community

Arizona Western College (the “College” or “AWC”) is a community in which intellectual growth, learning from others, mutual tolerance, and respect for freedom of thought and expression are of paramount importance. AWC was established, in part, to promote the exchange of knowledge in an environment that encourages reasoned discourse, intellectual honesty, cultural and intellectual diversity, and respect for the rights of all persons.

The College Community includes students, District Governing Board members, administrators, faculty, and other College employees or affiliates.

Attendance at a public community college is not compulsory; consequently, individuals entering the College Community voluntarily assume all obligations of performance and behavior reasonably expected by the College. The College is a “special purpose” institution and, as such, can set forth additional expectations than those of the community in general.

By accepting membership in this community, individuals neither surrender their rights nor escape their responsibilities as citizens but acquire the rights and obligations set forth in this code and responsibilities to the College Community. Each member of this community is responsible for their own actions and is expected to respect the rights of others.

Purpose of this Student Code of Conduct

This Student Code of Conduct (the “Code”) is intended to provide the framework for an orderly and stable College environment for the College Community. The Code is promulgated to protect the freedoms to which its members are entitled and to ensure that the College Community can pursue and accomplish its purposes and carry out its functions and activities without obstruction.

This Code obligates students to respect the rights, privileges, and property of other College Community members and campus visitors. Students and/or attendees must refrain from actions that would interfere with the College functions or endanger the health, welfare or safety of other persons, practice high standards of academic and professional honesty and integrity, and comply with the rules and regulations of the College and its departments.

AWC does not tolerate violence against any student, faculty, staff, or guest of the College.

In general, this Code sets forth duties owed by students to each other, the College, and other members of the College community. It also sets forth administrative procedures whereby students accused of violating College rules are afforded due process and, if the preponderance of evidence warrants, receive fair discipline. Finally, this Code specifies procedures by which a student may appeal certain decisions. ***Students are responsible for knowing and understanding the contents of this Code.***

Modification of Code

The College reserves the right to modify this Code, in its discretion.

The provisions of this Code shall not be construed to replace or supersede any state, federal, or local laws that also may apply to students or others.

Questions Regarding Code

Any question of interpretation regarding this Code shall be referred to the Campus Life Office, Dean of Students, or Designee. This Code will be reviewed and updated at the discretion of the Dean of Students or Designee. This Code will be reviewed at a minimum of every three years.

Definitions

Advisor — Any person chosen by a respondent, complainant, claimant, or appointed by the institution who may accompany the party to all meetings related to a conduct proceeding.

Appeal Decision-maker — A person or panel who accepts or rejects a submitted appeal request, determines whether any appeal grounds are met, and directs responsive action(s) accordingly.

Claimant — A student, faculty member, staff, or AWC affiliated party who makes an allegation against a student for violating the Student Code of Conduct or other published policy or procedure.

College Community Member — Any person associated with Arizona Western College through enrollment in classes, employment, status as a Governing Board member, or participation in College activities and/or programs.

College Representative — A person who presents evidence of student misconduct and represents the interests of the College administration at a Formal Conduct Hearing.

Complainant — Term utilized in Title IX Proceedings: Defined as the person alleged to be the victim of conduct that could constitute sexual harassment, discrimination or retaliation for engaging in a protected activity.

Complaint — Initial incident report or document filed with the Student Conduct Office or another authorized person that contains allegations of student misconduct.

Conduct Officer — A professional staff member, faculty member, or other person designated by the Dean of Students or Designee to serve as a Conduct Officer in order to determine if a violation of the Student Code of Conduct has occurred.

Consensual — An agreement or mutual consent between two or more parties that encompasses any action or pattern of behaviors.

Consent — An affirmative, unambiguous, acceptance or voluntary agreement without protest. This agreement can be provided by words or actions that create clear, mutually understood permission to engage in an activity or activities. Consent may be withdrawn at any time and must be active and not passive, given freely, specific, and provided knowingly. Any person(s) who lacks the legal capacity to consent (for example, a minor), is unconscious, unaware, seriously impaired by drugs or alcohol, or otherwise helpless, is incapable of giving consent. Additional information relative to Sexual Assault and/or Sexual Activity and its policy is located at azwestern.edu/titles.

Day(s) — A business day when Arizona Western College is in normal operation.

Evidence — Documents, including witness statements, testimony, photographs, video or audio recordings, texts, social media posts or comments, or physical items that provide relevant information in relation to a Conduct Investigation or during an Informal or Formal Conduct Hearing.

Formal Conduct Hearing Officer — The Dean of Students or designee who is designated to function as the hearing officer at a Formal Conduct Hearing.

Parties — The person(s) whom the complaint is made about and the College Representative.

Preponderance of Evidence — A standard of proof in which evidence is presented that is sufficient to make a reasonable person believe that a fact sought to be proved is more likely true than not.

Prohibited Conduct — Any behavior that is inconsistent with the standards of the College Community encompassed in the Student Code of Conduct and/or other standards of behavior published by the College.

Sanction/Action Items — A course of action or outcome imposed for violations of the Student Code of Conduct.

Student — All individuals who are matriculated and/or enrolled to attend class full or part-time at Arizona Western College, at Northern Arizona University (NAU) in Yuma, the University of Arizona (UofA), and/or Arizona State University (ASU) programs in Yuma.

Supportive Measures or Reasonable Modifications — non-disciplinary, non-punitive individualized services offered as appropriate and/or reasonably available to a respondent, complainant, or claimant.

Respondent — A student, group of students or Student Organization who has allegedly engaged in conduct that is prohibited within the Arizona Western College Student Code of Conduct or other applicable prohibited conduct manuals, procedures or regulations.



2. Authority

Student Disciplinary Authority

Pursuant to authority granted by A.R.S. §13-2911 and A.R.S. §15-1444, the Arizona Western College District Governing Board has established policies regulating student conduct and student discipline that occurs both on and off College property, as specified in more detail in Section 3 below. In accordance with these District Governing Board policies (including without limitation DGB Policy #550) and pursuant to applicable administrative procedures (including, but without limitations, AWC Procedure #550.1), the Dean of Students or Designee has primary authority and responsibility for the administration of student discipline. Further delegation of this authority may be made by the Dean of Students the Vice President for Student Services, or the Vice President of Workforce Development & CTE.

Faculty Authority for Situations Involving Academic Misconduct and/or Classroom Misbehavior

Any student who engages in dishonest academic work or who engages in prohibited conduct in the classroom may be subject to action by the instructor. In the event of disruptive student behavior in the classroom, faculty members have the authority to temporarily exclude a student from the current class session.

Persistent disorderly behavior, cases of academic dishonesty and other violations of the Code should be referred to the Conduct Office by submitting an Incident Report. A Conduct Officer has the authority to implement all aspects of the procedures as set forth in this Code.

3. Jurisdiction

Conduct Covered by this Code

This Code will apply to and govern all conduct, henceforth referred to as “Covered Conduct,” that: (1) occurs on College property; (2) occurs at a College sponsored, sanctioned or supervised class, activity, contest, conference, meeting or other function (Cumulatively “College Activity or Event”) regardless of location and is inclusive of travel, lodging and unscheduled time related to such College Activity or Event. ; Or (3) occurs at any location and at any time when such conduct disrupts or otherwise adversely impacts the operations of the College. A student who engages in Covered Conduct that is prohibited by this Code shall be subject to disciplinary processes set forth in this Code.

Individuals Covered by this Code

This Code, as well as other College rules and regulations governing student conduct, shall apply to the Covered Conduct of all individuals who are matriculated and/or enrolled to attend class full or part-time at Arizona Western College, at Northern

Arizona University (NAU) in Yuma, the University of Arizona (UofA), and/or Arizona State University (ASU) programs in Yuma. A student's withdrawal does not limit the College's right to commence and/or continue the processing of a conduct hearing or to impose sanctions following a determination that a Code violation occurred.

Right To Restrict Non-Members of the College Community

The College reserves the right to restrict or prohibit the presence of a person who is not a member of the College Community from being on College property or attending College events whenever that individual's presence is considered detrimental to the welfare of the College.

Students Covered Under Additional Rules and Regulations

Students may be subject to additional rules and regulations imposed by College departments or outside agencies. Examples of such situations include:

- 3.1 Residence Hall Students:** Students residing on campus will additionally be subject to Residence Life rules and regulations, as may reasonably be adopted or modified from time to time. The Director of Housing & Residence Life, Residence Hall Directors and Resident Assistants are authorized to issue warnings for violations of Residence Life rules and regulations. The Director of Housing & Residence Life may revoke certain Residence Life related privileges of individuals violating Residence Life rules.
- 3.2 Student Extracurricular Activities:** Students participating in extracurricular activities will additionally be subject to rules or otherwise established by the applicable departments. Students determined to be in violation of such rules may be sanctioned by the appropriate staff or administrator, which may include probation, suspension or withdrawal from the privilege of extracurricular activity participation. Such students may also be disciplined by a Conduct Officer.
- 3.3 NAU in Yuma, UofA and ASU in Yuma and Consortium Students:** In addition to the behavioral requirements and disciplinary procedures imposed by this Code on AWC students, students in partnership programs at AWC taking coursework or residing in the AWC Residential Community shall be subject to all applicable policies, rules and regulations promulgated by AWC and their home institution. A student may, therefore, face disciplinary action by AWC, NAU, UofA or ASU administrative personnel, depending upon the specific parameters of the case.
- 3.4 Students Participating in College Sponsored Activities:** Students who participate or are otherwise involved in a College sponsored event on or off College property will be subject to this Code and to such additional rules and regulations representatives related to such event. Lodging during



travel is considered an extension of College housing; and therefore, students are subject to all of the rules and regulations that apply to the residence halls.

- 3.5 Students with Outstanding Housing Debts:** Nonpayment of financial obligations constitutes authorization for administrative removal of the student from housing. Students who wish to dispute outstanding debts will be provided an adjudication process by the Vice President for Finance and Administrative Services or designee.

Prosecution for Violations

An individual may be charged and prosecuted for the same alleged conduct by both the College and the criminal justice system. Disciplinary action by the College is not subject to challenge or postponement on the grounds that criminal charges or civil litigation involving the same incident has been dismissed, reduced, or is pending in court.

4. Supportive Provisions of This Code

Victims of Alleged Misconduct

A victim of alleged misconduct, upon request, will be informed of the steps that can be taken if the accused student or another party intimidates or harasses the victim. Nothing in this Code shall be construed to preclude a victim from seeking criminal or civil judicial remedies against an alleged wrongdoer. To the extent permitted by applicable law, victims of alleged misconduct may be informed concerning the status and outcome of discipline proceedings.

Victims of Sexual Misconduct

College regarding their legal rights, counseling, classroom and campus residence relocation options and the names and telephone numbers of local agencies that are available to provide assistance. The College administration will seek to protect the identities and confidentiality of statements made by sexual misconduct victims to the extent permitted by law, unless and to the extent that such confidentiality unreasonably interferes with the College's ability to investigate and/or prosecute reported allegations of sexual misconduct.

Sexual Discrimination and Misconduct that rises to the level of a Title IX claim will be investigated through the Title IX Grievance process. For more information, refer to the Arizona Western College Title IX policy located at [*azwestern.edu/titleix*](http://azwestern.edu/titleix).



Defense of Self, Others and Property

A student shall not be disciplined for threatening or using physical force against another when, and to the extent a reasonable person would believe, such force is necessary to protect that person or a third person against another person's use or attempted use of unlawful or otherwise inappropriate physical force. Verbal provocation alone does not justify the use of physical force.

A student shall not be disciplined for threatening or using physical force against another when, and to the extent, a reasonable person would believe such force is necessary to prevent theft or criminal damage to property.

Civil Liability for Damage to College Property

A student shall be legally responsible for damage to College property caused by that student. The student may be required to pay for replacement or repair of damaged property through an appropriate civil process. The student also may face the imposition of discipline.

5. Prohibited Conduct

Articles of Prohibited Conduct

The following Covered Conduct is prohibited by this Code:

- 5.0 Disruptive Conduct:** An individual shall not engage in disorderly, lewd or indecent conduct or any conduct that is reasonably likely to cause a breach of peace, or that threatens to disrupt or actually disrupts any College function, process or activity including teaching, research, and administration of public service functions on or off campus.
- 5.1 Alcohol:** Arizona Western College is a “dry” campus meaning that an individual regardless of age are prohibited from hosting, possessing, consuming, and/or being in the presence of others consuming alcoholic beverages on all AWC grounds and/or at any College Event or Activity. Additionally, an individual shall not possess, sell, offer to sell, purchase, offer to purchase, use or transfer alcohol, or be under the influence of alcohol or furnish alcohol to a minor.
- 5.2 Drugs and Drug Paraphernalia:** Arizona Western College is a “dry” campus meaning that an individual regardless of age are prohibited from hosting, possessing, consuming, and/or being in the presence of others consuming drugs on all AWC grounds and/or at any College Event



or Activity. Additionally, an individual shall not possess, sell, offer to sell, purchase, offer to purchase, use or transfer illegal drugs, drug paraphernalia, or be under the influence of drugs or medication (except as prescribed by a physician and used in accordance with the prescription). The term “drugs” includes any narcotic, dangerous drug, steroid, vapor releasing toxic substance, marijuana, or controlled substance (imitation or otherwise) as defined by law. The term “medication” means any substance that is available legally by prescription only, but does not apply to marijuana, which for the purpose of this policy is considered a drug. The passage of Arizona Proposition 203, commonly known as the Medical Marijuana Law, notwithstanding, Arizona Western College prohibits the possession, use or transfer of marijuana on any College property and/or at any College Event or Activity.

- 5.3 Tobacco Use:** An individual shall not use tobacco on all school property. Smoking and the use of smokeless tobacco products are prohibited on campus property to include; all buildings, owned property, leased property, facilities, grounds, parking structures (including privately owned vehicles), campus-owned vehicles and rented vehicles (including chartered buses or vans). The term “tobacco” includes all tobacco derived or containing products, including and not limited to, cigarettes (clove, bidis, kreteks), electronic cigarettes, cigars, cigarillos, blunts, hookah, pipes and/or oral tobacco, smokeless chew and/or snuff. It also includes any product intended to mimic tobacco products or contain tobacco flavoring.
- 5.4 Academic Dishonesty:** The principles of academic integrity require that an individual shall properly acknowledge and cite the usage of the ideas, images, scholarly work, research, or words of others. Academic Dishonesty constitutes an individual who engages in any form of academically dishonest work, including but not limited to posting the work, assignment, or research of another individual without permission, utilizing Artificial Intelligence programs without approval, sharing knowledge with another individual during a test or quiz without prior approval, utilizing materials during an examination without prior approval, cheating, receiving or attempting to receive any test response from another student, fabrication, facilitating academic dishonesty, copyright violation, using or attempting to use the academic work or research of another person (or agency engaged in the selling of academic materials) or plagiarism.



- 5.5 Sexual Misconduct:** An individual shall not engage in conduct that constitutes sexual misconduct, whether forcible or non-forcible, including but not limited to, sexual assault, public sexual indecency, or indecent exposure. Sexual misconduct encompasses a range of behaviors including but not limited to inappropriate touching of a person's breasts/chest, buttocks, inner thighs, groin, or genitalia, either directly or indirectly, indecent exposure, public sexual indecency and sexual assault.
- 5.6 Sexual Harassment:** An individual shall not engage in sexual harassment which consists of any unwelcome sexual advance, request for sexual favors or other written, verbal, or physical conduct of a sexual nature when: (1) submission to or rejection of the conduct is made either an explicit or implicit condition for access or decisions relating to any College-related opportunities; (2) the expression or conduct substantially interferes with an individual's work or academic performance or creates an unreasonably intimidating, hostile or offensive work, learning or other College-related environment; or (3) the expression of sexual or social interest in an individual continues after being informed that the interest is unwelcome.
- 5.7 Sexual Exploitation:** An individual shall not engage in conduct that takes non-consensual or abusive sexual advantage of another for his/her own gain or benefit; or for the gain or benefit of anyone other than the one being exploited. Examples of sexual exploitation may include but are not limited to prostituting another person, non-consensual video or audio-taping of sexual activity, unauthorized presentation of such recordings, allowing others to observe a personal act of consensual sex, without knowledge or consent of the partner, engaging in peeping- tommery, voyeurism, and knowingly transmitting a sexually transmitted disease (STD) or Human Immunodeficiency Virus (HIV) to another student.
- 5.8 Stalking and Cyber-Stalking:** An individual shall not engage in stalking which consists of a course of conduct directed toward another person and knows or should reasonably know that such conduct is likely to alarm, harass, or cause reasonable fear of harm or injury in that person, or in a third party. The feared harm of injury may be to physical, emotional or mental health, personal safety, property, education, or employment. Stalking may include, but is not limited to, unwanted visual or physical proximity to a person, repeatedly conveying oral or written threats, extorting money or valuables, implicitly threatening physical conduct, using electronic media such as the

internet, pagers, cell phones, or other similar devices to pursue, harass or make unwanted contact with another person in an unsolicited fashion or any combination of these behaviors directed at/or toward a person.

- 5.9 Harassment and Discrimination:** An individual shall not harass another person. Harassment includes written or verbal abuse of a serious nature (either as a result of the severity or repetitive nature of the conduct) that humiliates or intimidates another individual and does not otherwise advance matters of public concern. Harassment also includes any conduct that could reasonably be expected to cause fear or apprehension on the part of another individual including persons submitting complaints, serving as witnesses or members of adjudicating committees. An individual shall not engage in conduct that is directed toward another person if that conduct would cause a reasonable person to fear for the person's safety or the safety of that person's immediate family member or close acquaintance, and that person in fact fears for his or her safety or the safety of an immediate family member or close acquaintance. An individual shall not engage in discriminatory conduct on the basis of age, ethnicity, gender, disability, color, national origin, race, religion, sexual identity, or veteran status.
- 5.10 Relationship Violence (Domestic Violence, Dating Violence and/or Relationship Abuse):** An individual shall not engage in conduct that constitutes relationship violence. Relationship and/or Domestic violence may include coercive and abusive behaviors including, but not limited to; physical, sexual, psychological, verbal and/or emotional behaviors directed towards a current or former intimate partner.
- 5.11 Threats, Assaults and Fighting:** An individual shall not verbally or physically threaten, abuse, assault or engage in a fight with any student, College employee or any other person.
- 5.12 Defamation:** An individual shall not use defamatory words or phrases or distribute defamatory materials. Defamatory words or materials are those that: (1) are false and expose any person or the College to hatred, contempt, ridicule, disgust or an equivalent reaction; or (2) are false and tend to impugn a person's occupation, business or office.
- 5.13 Obscenity and Vulgarity:** An individual shall not use or wear, obscene or vulgar language or gestures, distribute or exhibit obscene or vulgar materials. Obscene materials, language or gestures are those that an average person,

applying contemporary standards of the College community, would find that taken as a whole, appeal to prurient interests and lack serious literary, artistic, political or scientific value.


- 5.14 Initiation and Hazing:** An individual shall not engage in any activity involving an initiation, hazing, intimidation, assault, or other activity related to group affiliation that is likely to cause or does cause bodily danger, physical harm, mental harm, or personal degradation or humiliation. All initiations, including those related to any College club, athletic team, or other groups are subject to the above prohibitions whether or not the conduct occurs on College property.
- 5.15 Fraud, Misrepresentation, Extortion and Theft:** An individual shall not take, use or borrow any identification or property without that person's or institutions permission or otherwise obtain any benefit/property by fraud, misrepresentation, deception or by express or implied threat. An individual shall not make any false oral, non-verbal, or written statement to any person or entity with the intent to mislead or deceive.
- 5.16 Endangering the Health and Safety of Self and/or Others:** An individual shall not engage in conduct that endangers or reasonably could endanger, or that reasonably appears to endanger, the health or safety of students, College employees, other persons or themselves.
- 5.17 Obstruction:** An individual shall not obstruct the authorized use or enjoyment of College facilities by any other individual. Obstruction includes, but is not limited to: (1) interfering with the normal flow of pedestrian or other traffic; (2) use of sound amplifying equipment that unreasonably interferes with the activities of others; (3) disorderly conduct at any College activity; (4) use of facilities that are assigned to another individual or group; (5) unauthorized interference with any person's access to or from College facilities or events; and (6) participation in any activity with the intent or reasonably predictable effect of disrupting or otherwise depriving a group or individual of the ability to see, hear or otherwise experience a College function or activity.
- 5.18 False Imprisonment:** An individual shall not imprison, detain or exercise unlawful control over the freedom of movement of any person.

- 5.19 Vandalism, Littering, and Destruction of Property:** An individual shall not damage, destroy or deface any College property or property belonging to any other person, and shall not litter on College property or at a College event. Additionally, an individual shall not misuse the property of AWC which includes but is not limited to sitting, standing, or utilizing ledges, fire escapes, roofs, or window frames of college buildings outside of their intended uses.
- 5.20 Forgery:** An individual shall not use or attempt to use the identity or signature of another and represent that it is his or her own to obtain any benefit by fraud, misrepresentation, or deception.
- 5.21 Emergency Alarms and Fire Control Devices:** An individual shall not knowingly activate, use, or tamper with any College fire alarm, safety device or other device provided by the College for use in emergencies, unless the individual reasonably believes that an emergency exists justifying use of the device.
- 5.22 Arson:** An individual shall not willfully or maliciously start, attempt to start, or promote the continuation of any fire or explosion.
- 5.23 Unauthorized Entry and Duplication of Keys:** An individual shall not gain, or attempt to gain, or attempt to gain forceful or unauthorized entry into, or occupation of, College buildings or grounds or designated off-limits areas. In addition, an individual shall not loiter, cohabited, or occupy for extended periods of time College buildings or grounds or designated off-limits areas without the approval of an AWC College Official. Additionally, an individual shall not possess, reproduce, transfer or sell, or provide access to a key or key code to any College building or facility without receiving permission to do so from an authorized AWC College administrator.
- 5.24 Improper Utilization of Technology:** An individual shall not, without proper authorization, read, remove, copy, counterfeit, misuse, photograph, forge, alter, destroy or tamper with any College computer equipment (including any computer hard drive or zip drive, computer network or software), disk, file, document, library material, record, telephone message, telephone record or telephone equipment, or otherwise violate College policies pertaining to copyright law, computer software contracts, or computer use. Such prohibited activities are inclusive of (but not limited

to) unauthorized entry into a file, transfer of a file, use of another individual's identification and/or password, use of computers to interfere with the work of another student, faculty member or other College employee, sending or forwarding obscene, vulgar, threatening, or abusive messages, files, or website or other links, or otherwise interfering with the normal operation of the College's computer systems.

- 5.25 Solicitation and Posting of Notices:** An individual shall not solicit or post any materials, pictures, or writing on College property without first obtaining appropriate authorization. Additionally, an individual shall also not use any property of AWC for commercial or business purposes.
- 5.26 Violation of Federal, State or Local Law:** An individual shall not violate any federal, state or local law on or off College property.
- 5.27 Violation of College Policies, Rules or Directives:** An individual shall not violate any College policy, administrative regulation, rule or directive inclusive of the terms and conditions of a disciplinary sanction or stipulation or an "order to appear" issued by an authorized college official. (Note that this article is also inclusive of, but not limited to, regulations established by the offices of Residential Life, Financial Aid, Athletics, Campus Life, Admissions and Enrollment Services, Campus Police, Finance and Administrative Services, Learning Services, Student Services, Information Technology Services, and the President.)
- 5.28 Defiance of Authority and Untruthfulness:** An individual shall obey the reasonable orders of instructors, administrators, and other College employees and shall respond to lawful requests for information from these persons in a truthful manner. An individual shall not obstruct or resist any College official, employee, College police officer or other law enforcement officer in the performance of his or her duty. An individual shall not furnish false information, including false identification, or fail to provide information to the College or to any College employee or agent, including campus law enforcement or security officers or other agents acting in good faith.
- 5.29 Possession of Weapons or Dangerous Items:** An individual shall not possess or use firearms, weapons, ammunition, explosives, specific materials used to make explosives, fireworks, hazardous chemicals or any other instrument capable of harming any person or property or that

reasonably would create the impression of being able to induce such harm, without express authority from the College administration.

- 5.30 Pets and Animals:** An individual shall not bring pets or animals onto College property or to College sponsored events without administrative approval, with the exception of an animal specially trained to assist an individual with a disability.
- 5.31 Gambling: Gambling of any form is not permitted on any College property and/or at any College Event or Activity.** The dealing, playing, conducting, betting on, and providing facilities for games involving cards, dice, and other devices for money, checks, credit or representations of value is prohibited. This includes unlawful games of chance for money or anything of value and the sale, barter, or other disposition of a ticket, order, or any interest in a scheme of chance.
- 5.32 Conspiracy and Encouragement:** An individual shall not conspire, encourage, assist, or incite any other person(s) to engage in any conduct prohibited by this Code.
- 5.33 Retaliation:** An individual shall not engage in any adverse action taken against a person for making a good faith report of Prohibited Conduct or participating in any proceeding under this policy. Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging in activity protected under this policy. Retaliation may be present even where there is a finding of “no responsibility” on the allegations of Prohibited Conduct. Retaliation does not include good faith actions lawfully pursued in response to a report of Prohibited Conduct.
- 5.34 Attempted Violation and Complicity:** An individual shall not attempt to engage in any conduct prohibited by this Code. This includes any act taken with the purpose of aiding, facilitating, promoting or encouraging the commission of an act of Prohibited Conduct under this Code by another person. An attempted violation or complicity of this Code is punishable in the same manner as a completed violation without regard to whether the act was or could have been successfully completed.
-  **5.35 Boundaries and Personal Space:** An individual shall not engage in conduct that is reasonably likely to cause a breach in Boundaries or Personal Space of another individual. Boundaries and Personal Space can

be defined as physical, emotional, or digital. These behaviors may include but are not limited to; touching in a non-sexual manner, invasion of personal space, criticizing or invalidating one's ethnicity, racial background, religious beliefs, language or social groups of another individual.

6. Reporting, Investigation(s) and Finding(s)

Reporting (Compliant) Procedure

Arizona Western College offers an online system for reporting student code of conduct violations, academic misconduct, care reports, and Title IX violations. Please select the appropriate reporting form to route your submission to the responsible party.

The student discipline process normally begins with an Incident Report (I.R.) or police report. Verbal complaints will be accepted only in sexual harassment/misconduct or unusual emergency situations.

The College will not tolerate retaliation against any individual who in good faith submits a complaint or who in good faith participates as a witness or any other capacity in a disciplinary procedure.

A complaint/IR must describe the alleged misconduct by the individual and be filed with the Conduct Office for investigation(s) and investigative finding(s) or investigative outcome(s)

Investigation Process and Assigning the Matter to the Informal or Formal Process

Once a complaint, Incident Report or police report is received by the Conduct Office, a Conduct Officer shall be appointed to investigate the matter sufficiently in order to determine which discipline process to initiate:

1. The informal discipline process that involves an Informal Conduct Meeting or;
2. The formal discipline process that involves a Formal Conduct Hearing.

Once a Conduct Officer has determined which process to commence, the following processes will occur:

1. The alleged Respondent will be sent, via e-mail or via campus or US mail, a notice(s) which includes the following:
 - a. The date, time, and location of the Informal Conduct Meeting or the Formal Conduct Hearing;
 - b. A Summary of the Complaint, Incident Report or Police Report and alleged Code violations notifying the Respondent of the alleged acts of misconduct, the date and place of occurrence and the rule(s) of conduct allegedly violated.
 - i. Any temporary injunction(s) if applicable.
 - c. A Copy of this Student Code of Conduct Manual.

All notice information is provided as reasonably appropriate or available to the Conduct Officer.

2. At the Informal Conduct Meeting or Formal Conduct Hearing, the student will be asked to respond to the allegations of misconduct and will have the opportunity to submit written, physical and testimonial evidence relevant to the incident.
3. If a student does not appear for an Informal Conduct Meeting or Formal Conduct Hearing, the Conduct Officer of Formal Conduct Hearing Officer may render a decision and, if appropriate, impose sanctions, in the student's absence.
 - a. For Informal Conduct Meeting(s), the Conduct Officer may refer the matter for a Formal Conduct Hearing or take other action that is consistent with the informal discipline process.

Note: In some situations, temporary injunctions may be issued during an investigation process or pending the outcome of an informal conduct meeting or formal conduct hearing. Temporary injunctive relief may be imposed when it has been determined that the individual(s) continued presence constitutes an immediate threat of harm to the student, other students, College personnel or to other College disciplinary authorities. Whenever reasonably possible, a Conduct Officer shall contact a Respondent who may be the subject of temporary injunctive relief and allow the Respondent to discuss with the Conduct Officer whether such temporary injunctive relief should or should not be imposed.

6.1 Informal Conduct Meeting(s)

An Informal Conduct Meeting may be conducted with a student accused of misconduct. An Informal Conduct Meeting may involve nothing more than a face-to-face meeting between a Conduct Officer and the student. The purpose of an Informal Conduct Meeting is:

1. To provide an opportunity for the student to respond to allegations of misconduct before any conduct action is taken, and
2. To determine if the student engaged in misconduct according to this Student Code of Conduct.

If deemed appropriate for the particular circumstances, the Informal Conduct Meeting may be delayed in order for the student to be able to present physical evidence, testimony or written statements related to the allegations of misconduct, or for the Conduct Officer to further investigate the allegations.

During/Following the Informal Meeting

1. An Informal Outcome Letter will be provided to the student.
This outcome will include:
2.
 - a. a final determination of the alleged misconduct;
 - b. any applicable sanction(s) with due dates;
 - c. additional directions and information on how to complete a sanction(s).

The student waives any rights to an informal meeting by his/her failure to attend.

During the informal meeting, the student must be provided the following information:

- 6.1.1 The alleged misconduct and the reasons for the College's belief that the student engaged in the misconduct.
- 6.1.2 The specific section(s) of the Code allegedly violated.
- 6.1.3 At the conclusion of the Informal Conduct Meeting, the Conduct Officer shall enter in writing one of the following orders:
 - An order dismissing the conduct proceedings if it appears there has been no misconduct;
 - An order approving and confirming an Informal Outcome Agreement that has been entered into between the student and the Conduct Officer;
 - An order referring the matter to a Formal Conduct Hearing. This referral shall occur whenever it appears that misconduct has occurred and the matter cannot be resolved by means of an Informal Outcome Agreement. In such situations, the Formal Conduct Hearing process must be used.

Failure of a student to comply with and complete all requirements imposed in an Informal Outcome Agreement will result in restrictions being placed on the student, such as but not limited to a hold being placed on the student account, and/or possible escalation requiring a Formal Conduct Hearing.



6.2 Informal Outcome Reviews for Appeals

Request to review an Informal Outcome can be provided to the Arizona Western College Conduct Office via e-mail at Conduct@azwestern.edu (2) business days following notice of an Informal Outcome.

Request for Informal Outcome review and appeal need to include following:

1. **The Informal Outcome Letter,**

Reason for case review and appeal

Additional evidence or information not available during the Informal Conduct meeting.

Informal Outcomes are not Reviewed or Appealable if Rendered and/or reviewed by the Formal Conduct Hearing Officer or if the student does not attend the Informal Conduct Meeting.

6.3 Formal Investigation(s) and Hearing(s)

In some cases, a Conduct Officer may determine the student needs to be referred to the Formal Conduct Hearing Process. These referrals may be escalated following an incident report prior to an informal meeting depending on the nature of the misconduct. Additionally, a student may also be referred to the Formal Conduct Hearing Process if the student does not complete the sanctions identified in an Informal Outcome.

The Formal Conduct Process will follow the outlined process: Notice of Formal Conduct Hearing:

In accordance with the principles of due process, the Hearing Officer will provide notice to the alleged party of the time, date and location of the Formal Conduct Hearing. The notice will describe the alleged misconduct, and the Code provisions allegedly violated. The notice will also inform the student that he or she has the option to waive the Formal Conduct Hearing and accept sanctions imposed from The Formal Conduct Hearing Officer.

The hearing notice, plus a copy of this Code, shall be provided to the student accused of misconduct no less than four (4) business days prior to the hearing. In cases where students are resident hall students and housing is affected, the student may waive his/her right and request an earlier scheduled formal conduct hearing.

Access to the Case File:

The student, by appropriate request, shall have reasonable access to the case file and relevant evidence that may be used at the Formal Conduct Hearing. Note that access will not be inclusive of the privilege of reviewing the personal conduct files or other records of any other individual student or any attorney client privilege documents.

Who May Attend the Formal Conduct Hearing:

Persons who may be present at a Formal Conduct Hearing include:

1. The Formal Conduct Hearing or Designee assigned to be the Formal Conduct Hearing Officer,
2. An assigned recorder,
3. The accused student,
4. An Advisor to the student,
5. A “College Representative” whose task it is to present the case on the behalf of the administration,
6. Witnesses called by the student or the College Representative (each of whom may be present only during his/her testimony or statement), and
7. College legal counsel (if called to assist the Hearing Officer)

Exceptions to the above may include, in appropriate cases at the discretion of the Hearing Officer:

1. The parent(s) of a minor student;
2. A language interpreter;
3. A College Advisor, and/or
4. An assigned College police officer.

These individuals permitted by the Formal Conduct Hearing Officer to be in attendance cannot participate in the actual hearing process.

At least two (2) work day (s) prior to the hearing, the accused student and the College Representative shall each furnish to the Formal Conduct Hearing Officer with a written list/e-mail of the names of witnesses each intends to call and a list of the anticipated exhibits each party anticipates offering into evidence.

All witnesses shall be excluded from the hearing room except when testifying.

All Formal Conduct Hearings are recorded. Recording wavier(s) are not granted.

Option for Student to have Advisor Assist Student at Formal Conduct Hearing:

A student who is subject to a Formal Conduct Hearing has the right to bring to that hearing a person who may assist the student in his or her defense. The Advisor to the student may not actively participate in the Formal Conduct Hearing by actions such as making statements, questioning witnesses, etc.



The Advisor may provide:

- Advice to the student during the hearing in a manner deemed non-disruptive by the Conduct Hearing Officer.

If the Advisor to the student is an attorney, the student must inform the Hearing Officer not less than three business days before the hearing that an attorney will be present at the hearing.

Procedures for the Formal Conduct Hearing:

The Conduct Hearing Officer is not required to adhere to the formal rules of evidence used in criminal proceedings. The Formal Conduct Hearing will be conducted as follows:

- 6.2.1 The Conduct Hearing Officer reads the charge(s) against the student.
- 6.2.2 The student and the College Representative shall each be permitted to make a brief opening statement.
- 6.2.3 The College Representative shall next present the evidence, witness statements, or witnesses to substantiate the charges. The student shall be permitted to ask questions of any witness presented by the College Representative.
- 6.2.4 The student shall next present evidence, witness statements, or witnesses to defend against the charges. The College Representative and Hearing Officer shall be permitted to ask questions of any witness presented by the student.
- 6.2.5 If the student or College Representative desires to read from or submit a written statement or document, copies of the statement or document must be provided to the Conduct Hearing Officer and the other party.
- 6.2.6 The student and the College Representative shall each be permitted to make a brief closing statement.
- 6.2.7 Following the presentation of evidence and closing statements, the Formal Conduct Hearing Officer will, following any private deliberations deemed necessary, reach a decision on the matter by determining whether the College administration has demonstrated that it is more likely than not that a violation of the Code has occurred. If so, an appropriate disciplinary sanction will be imposed. A copy of a written decision rendered by the Conduct Hearing Officer shall be presented to the student within ten (10) business days of the hearing.



Non-Attendance

If the student does not attend the Formal Conduct Hearing, the Formal Conduct Hearing Officer may proceed with the Formal Conduct Hearing in the student's absence and impose a sanction, -- probation, suspension, or expulsion -- if warranted by the evidence.

Student Waiver of the Formal Conduct Hearing

Whenever a student is faced with the prospect of being subjected to a Formal Conduct Hearing the student has the option to waive the hearing and accept sanctions for the misconduct, warranted by the evidence, by the Formal Conduct Hearing Officer. This option is available to a student at any time up to the 2 hours prior to the commencement of a Formal Conduct Hearing.

If the student decides to request to waive his/her rights to the Formal Conduct Hearing, the student will be presented with the document entitled "Students Agreement" and will be allowed to sign it.

The Formal Conduct Hearing Officer will have ten (10) business days from signature of the "Student Agreement" to adjudicate the case and give a copy of the Formal Conduct Outcome/Decision Letter to the student.

In accordance with *the Family Educational Rights and Privacy Act* of 1974 ("**FERPA**"), upon case conclusion, the Formal Conduct Hearing Officer may communicate his/her finding(s) to College personnel. Additionally, the final results or findings of a Formal Hearing involving certain crimes may be released to appropriate persons, including but not limited to victim(s) of a crime of violence.

Requirement of Substantial Compliance

Technical errors made by the College or any employee or administrator thereof in the application of this Code that do not prejudice the student shall not be grounds for invalidating discipline that has been imposed.

Discipline and Hearing Records

A discipline record is maintained for each student in the Conduct Office or designated conduct office archive and contains information concerning that student's disciplinary history. A taped and/or digitized record of any Formal Conduct Hearing(s) shall be made and, at the discretion of the College, may be transcribed. The taped and/or digitized record of the hearing, documentary evidence or other exhibits, case records, and other information pertinent to the hearing, with the exception of



bulky exhibits, will be maintained as part of the student's discipline record. The digital record is to provide a record of the disciplinary proceedings by the Arizona Western College Conduct Hearing Officers. At no time will a digital recording become part of a student's permanent College record. No digital recording will be released, reproduced, or removed from the office except in compliance with a valid subpoena, court order, or the Federal Educational Rights and Privacy Act of 1974 as amended. Upon request, the student will be permitted to listen to the digital recording in the office in which it is maintained. All digital recordings remain the property of the College and will remain confidential until destroyed. The digital record will be destroyed in accordance with the AWC records retention procedures. The record is maintained for at least five (5) years or so long as deemed necessary. Additional physical evidence in support of a particular case may also be maintained by the Campus Police Department under similar conditions as applied to the discipline record.

The right to examine a discipline record is limited to the affected student or individuals approved by the student or the Conduct Officer or designee(s) in accordance with limitations imposed by FERPA and the College procedures.

7. Sanctions

Sanctions are penalties that may result from the violation of one or more Articles of Prohibited Conduct as a consequence of an Informal or Formal Conduct Meeting (Hearing). Stipulations are terms that may be imposed upon a student as a condition of resuming or continuing studies at the College. When a student has violated one or more of the Articles of Prohibited Conduct, an informal resolution outcome or an agreement between a Conduct Officer and the student – may include stipulations such as reflective papers, online education courses, community service, workshops, etc.

The sanctions imposed following a Formal Conduct Hearing are listed in order of severity. As the result of a disciplinary hearing, the Dean Students or designee(s) may choose to issue any sanction in a given case as deemed warranted by the evidence in that particular case and the student's cumulative disciplinary record.

Sanctions: Sanctions resulting from a conduct proceed include but are not limited to:

- 7.1 Warning:** A warning emphasizes to a student that further violations would result in progressive sanctioning. A student who has received a warning shall continue to exercise the rights and privileges of a student in good standing at AWC.

- 7.2 Restitution:** A monetary assessment in any case in which a violation of this Code has caused loss or damage may require restitution to the College. Failure to make a required payment during the allotted time may result in further disciplinary action by the College, such as a hold, collection costs and fees.
- 7.3 Restriction:** The forfeiture, denial, curtailment, or limitation of specific privileges, services, or access to facilities provided for students through the College (including but not limited to campus housing and food service) for a specified period of time.
- 7.4 Trespass:** An Individual may not be permitted to access portions of, or the entirety of College property for a specified period of time.
- 7.5 Disciplinary Probation:** An order for violation of a policy, providing for more severe disciplinary sanctions in the event that the student is found in violation of any institutional policy, procedure, or directive within a specified period of time. Conditions of the probation will be articulated and may restrict the individual's participation in co-curricular activities or specified social privileges. This sanction may also include exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate. An individual on probation is permitted to continue as a student, but is warned that any further Code violation may result in the imposition of more severe sanctions, including suspension or expulsion.
- 7.6 Residential Life & Housing Probation:** An order for violation of a policy, procedure, or directive that provides for more severe disciplinary sanctions in the event that the student is found in violation of any additional residential life or housing policy, procedure, or directive within a specific period of time. An individual on Residential Life and Housing probation is permitted to continue as a student but is warned that any further Code violation may result in the imposition of more severe sanctions.
- 7.7 Suspension:** A suspension is a sanction that, for a specified period of time, (i) requires a student not to be on College property, (ii) excludes the student from all academic courses and activities, and (iii) prohibits the student from attending or participating in any College function or activity. A suspension shall not exceed three years in length. For a student who receives a disciplinary action of suspension, the institution will administratively withdraw him or her from all academic course work effective when the suspension is to go into effect. A student who receives a suspension may also be subject to stipulations that

apply (i) during the term of the suspension, (ii) during the term of the suspension as well as for a defined period of time thereafter, and/or (iii) following the term of the suspension, with the student's readmission being conditioned on compliance with such stipulations.

- 7.8 Expulsion:** An expulsion is a sanction that involves the permanent exclusion of a student from (i) College property, (ii) all academic courses and activities, and (iii) the right to attend or participate in any College function or activity.
- 7.9 No Contact:** AWC will put in place a No Contact order between individuals connected with the College Community. This order is to help create an environment that is free from harassments, threats of violence, or safety.
- 7.10 Eviction from Campus Housing:** A mandate that the student is required to move out of the residence halls with a permanent exclusion from any AWC housing environments. When a student receives a notice for their removal from campus housing the student is immediately required to vacate from AWC housing. The student will be prohibited from entering any campus residence halls or cottages if an order for removal is active. If a removal from Campus Housing is in place the student may attend classes and other College activities if the removal is not associated with an expulsion.
- 7.11 Deferred Eviction from Campus Housing:** In certain circumstances, a deferral of an eviction may be imposed, and will include a written reprimand for policy violation(s), providing for more severe disciplinary sanctions in the event that the student is found in violation of any institutional policy, procedure, or directive within a specified period of time. A deferred eviction may also include denial of specified social privileges, exclusion from co-curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.
- 7.12 Service:** An order requiring an individual to perform in a mandated service(s), relevant to the Code violation, to the College community.
- 7.13 Educational Sanction:** A sanction requiring an individual to participate in an educational program or activity such as, but not limited to, an educational seminar, reflective papers, a treatment program for alcohol or drug abuse, or other program/task designed to assist the student in learning more about how their behavior impacted themselves and/or the community. Edu- Educational sanctions may also include, but are not limited to, no credit, grade changes, self-improvement activities, or completion of other training relevant to the Code violation(s).

7.14 Required Counseling: A mandate to engage in and successfully complete an external counseling program to comprehend the misconduct and its outcomes.

7.15 Withholding Diploma: AWC may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities if the student has an allegation pending or as a sanction if the student is found responsible for an alleged violation.

7.16 Holds: A hold may be placed on an individual's account if a final outcome determines the alleged misconduct;

- a. resulted in a suspension or expulsion;
- b. an individual fails to schedule an appointment with a Conduct or Formal Hearing Officer after being notified to do so;
- c. an individual fails to respond or attend a scheduled meeting with a Conduct or Formal Hearing Officer;
- d. an individual fails to complete an assigned sanction(s) or action by a specified deadline; or
- e. to ensure all sanctions or outcomes are completed for matters applicable to all areas of the institution, or a suspension or expulsion is imposed.

In cases of students who are graduating, a Hold may be placed that will delay awarding of a degree.

7.17 Revocation of Degree: AWC reserves the right to revoke a degree previously awarded from AWC for fraud, misrepresentation, and/or other violation of AWC policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.

7.18 Organizational Sanctions: Deactivation, loss of recognition, loss of some or all privileges (including AWC registration) for a specified period of time.

7.19 Other Actions: In addition to or in place of the above sanctions, AWC may assign any other sanctions as deemed appropriate.

Note: A student removed from Housing for disciplinary reasons will be held accountable for 100% of room board and forfeit any other applicable residential life and housing charges.

Temporary Injunction

In certain situations, it may be necessary to issue a temporary injunction against an individual alleged to have violated one or more provisions of this Code, particularly when the Code violation involves a potentially dangerous or damaging situation. Pending the investigative outcomes of the alleged charges, a Conduct Officer may issue an order to the student prohibiting any future conduct specified in the order. The issuance of a temporary injunction shall not be deemed an indication or ruling on the merits of whether the student did or did not engage in conduct in violation of this Code. A temporary injunction includes but are not limited to:

- **Cease and Desist Order:** The student is issued an official warning and is ordered to refrain from provoking or participating in any incident involving further violation of the Code. A student may be issued a Cease and Desist Order at the discretion of a Conduct Officer and may also receive a sanction at a subsequent Conduct Meeting, whether Informal or a Formal Conduct Hearing.
- **Interim Suspension:** A student receiving an interim suspension will immediately be required to vacate College property and shall be restricted from all College activities. An interim suspension may be imposed if the Conduct Officer determines the continued presence of the student presents a real or potential danger to himself or herself, any other person, to property or to the campus/residential communities. An interim suspension shall remain in effect only until a Conduct meeting can be held. It is the responsibility of a suspended residence hall student to secure alternate living accommodations and/or travel arrangements during the term of any interim suspension imposed. It is also the student's responsibility to inform a Conduct Officer of his/her address during the period of interim suspension.
- **Interim Removal from Campus Housing:** A student receiving an interim removal from campus housing will immediately be required to vacate from on-campus housing to an off-campus location. During the interim removal from College Housing, the student will be prohibited from entering any campus residence halls or cottages. The student may attend classes and other College activities if the removal is not associated with an interim suspension or no contact order.
- **Interim No Contact:** AWC will put in place a No Contact order between individuals connected with the College Community. This order is to help create an environment that is free from harassments, threats of violence, or safety. When this action is taken, it is not an indication that the College has determined a student has actually violated an AWC Policy; but, is rather a method of protecting individuals involved during an investigation.

***Note:** A student may be temporarily removed from living in residence halls while disciplinary procedures take place and may not be allowed back into the residences until such time as resolution is agreed upon or a sanction is imposed. It is the responsibility of a student removed from living in the residence halls to secure alternative living accommodations and/or travel arrangements.*

Whenever reasonably possible, a student accused of misconduct who may be subjected to one or more temporary injunctions shall first be contacted and allowed to discuss with a Conduct Officer whether such temporary injunctions should or should not be imposed.

8. College Disciplinary Appeals Process

Appeals:

The purpose of an appeal is to allow a student(s) to appeal a decision that was made in order to ensure the rights have been maintained throughout the disciplinary process. The option for an appeal exists only for decisions adjudicated through the formal disciplinary hearing process. Students during an appeal can explain the basis of new evidence that could not reasonably have been previously discovered. During an appeal, no new witnesses or documents will be allowed to be admitted. An appeal shall be limited to one or more of the following:

1. Failure to follow provisions of the Code or other applicable procedures with such failure resulting in prejudice to the student;
2. Excessively severe sanction(s);
3. Newly discovered evidence that could not reasonably been discovered prior to the hearing.

Appeals Process:

Appeal to the Vice President for Student Services: A student seeking relief from a sanction imposed by the Conduct Hearing Officer or designee as a result of a violation of the Articles of Prohibited Conduct must file his or her written appeal with the Vice President for Student Services within five (5) workdays from receipt of the disciplinary decision. The Statement of Appeal must contain the following information:



1. The student's name, local address and telephone number;
2. A statement of concerns regarding the Hearing Officer's findings;
3. Arguments supporting the student's position; and
4. A statement of the requested solution.

The Vice President or designee will conduct such inquiries as deemed appropriate and shall provide a written decision, within ten (10) workdays. The Vice President for Student Services decision on the appeal is final.

9. Readmission

A student suspended from the College for disciplinary reasons may be readmitted upon expiration of the time period for which the suspension was issued, subject to any stipulations that were contained in the original decision to impose a suspension. Completion of all sanction requirements must be documented prior to the review of any readmission requests.



Title-IX Statement

Title IX of the Education Amendments Act of 1972 provides that:

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance...”

Title IX - 20 U.S.C. § 1681

In compliance with Title IX, Arizona Western College prohibits discrimination on the basis of sex in admissions, recruitment, education, employment, enrollment, as well as in the provision of all services, programs and activities.

Consistent with these values and applicable laws, Arizona Western College maintains a comprehensive program designed to protect members of the College community from discrimination on the basis of sex or gender.

Arizona Western College's Title IX Coordinators monitor compliance with applicable laws and coordinate the institution's response to complaints of discrimination based on sex. The Title IX Coordinators will ensure that complaints of this nature are addressed by the appropriate College representatives and will assist complainants and respondents with supportive measures and resources if and when they may be warranted.

Questions about Title IX, and information about how someone may report or file a formal complaint about an alleged violation of Title IX is encouraged to contact one of Arizona Western College's Title IX Coordinators identified below

Dr. Nikki Hage

P.O. Box 929, Yuma, AZ 85366-0929

(928) 344-7576

AWC-Title-IX@azwestern.edu

[*azwestern.edu/titleix*](http://azwestern.edu/titleix)

Alternatively, or in addition to the Title IX Coordinators, inquiries may be directed to the U.S. Department of Education's Office for Civil Rights, the federal agency charged with enforcing compliance with Title IX:

Office For Civil Rights U.S. Department of Education

Headquarters

Maryland Avenue, SW, Washington, DC 20202-1100

(800) 421-3481 Customer Service Hot line | (800) 877-8339 TTY

(202) 453-6012 Fax | [*OCR@ed.gov*](mailto:OCR@ed.gov) | [*ed.gov/ocr*](http://ed.gov/ocr)







**ARIZONA
WESTERN
COLLEGE**

2020 S. Avenue 8E | Yuma, Arizona 85365
P.O. Box 929 | Yuma, Arizona 85366-0929