

## **Temporary Emergency Suspension Policy**

East Georgia State College (EGSC) considers the safety and welfare of its students, faculty, and staff a top priority. When a student engages in behavior that violates East Georgia's rules of conduct, the behavior will be addressed as a disciplinary matter under the applicable Student Conduct Code. The Student Conduct Code defines prohibited conduct and outlines a process for conducting disciplinary proceedings.

This Temporary Emergency Suspension Policy and Procedure is not a disciplinary code, policy, or process. It is intended to apply when a student's observed conduct, actions and/or statements indicate a direct threat to the health and/or safety of others. There may be situations when both this Temporary Emergency Suspension Policy and the Student Conduct Code apply. In all cases, the Director of Student Conduct will have final authority regarding the decision, enactment, enforcement, and management of the temporary emergency suspension of the student.

### **Criteria**

A student may be temporarily suspended from East Georgia if the College determines that the student represents a direct threat to the health and safety of others by (1) engaging or threatening to engage in behavior which poses a high probability of substantial harm to others; or (2) engaging or threatening to engage in behavior which could cause significant property damage, would directly and substantially impede the lawful activities of others, or would interfere with the educational process and the orderly operation of the College; and/ or (3) student's behavior meets the criteria set forth herein as an emergency suspension prior to a suspension hearing.

### **Definition**

Temporary Emergency Suspension is the immediate and temporary ban of the student from campus due to the student's threat to others, threat to property, to lawful activities of others, to educational process and to the orderly operations of College.

### **Procedure**

When the Director of Student Conduct, based on a student's conduct, actions or statements, has reasonable cause to believe that the student meets one or more of the criteria for temporary emergency suspension, he or she may initiate an assessment of the student's ability to safely participate in the College's program.

The Director of Student Conduct initiates this assessment by first meeting with the student to (1) review available information regarding the behavior and/or incidents which have caused concern, (2) provide the student with a copy of this Temporary Emergency Suspension Policy and Procedure and discuss its contents with the student, and (3) provide the student with an opportunity to explain his/her behavior.

If the Director of Student Conduct's assessment is that the student cannot safely participate in the College's programs, the Director of Student Conduct will seek consent of the student to temporary suspension. If the student agrees to the temporary suspension and waive any right to any further procedures available under this policy, the student will be temporarily suspended as defined above, pending final resolution of the charges by the Student Conduct Office (SCO). If the SCO's finding is that the student is not responsible and not a direct threat as defined above, then the student may return to campus. If the SCO's finding is one of responsibility, the SCO will temporarily suspend the student from the College. In order to be eligible to return to EGSC at the conclusion of the suspension period, the student must request a hearing before the Judicial Committee and demonstrate that he /she poses no significant risk to the health or safety of others, and no significant threat to property, to the lawful activities of others, or to the educational processes and orderly operations of the college.

If the student refuses to agree to the emergency temporary suspension from the College, and the Director of Student Conduct continues to have reasonable cause to believe that the student meets one or more of the criteria for temporary emergency suspension, the Director of Student Conduct will require the student to complete a hearing before the Judicial Committee in order to determine if the student is qualified to remain enrolled. At the hearing, student must demonstrate he/she poses no significant risk to the health or safety of others, and no significant threat to property, to the lawful activities of others, or to the educational processes and orderly operations of the college.

If the Judicial Committee finds that the student's continued attendance presents no significant risk as defined above, no further action shall be taken to suspend the student from the College. If the Judicial Committee finds that the student fails to meet the above standard, the Director of Student Conduct may proceed with a temporary emergency suspension of the student.

### **Emergency Suspension Prior to Hearing or Pending Decision**

In emergency situations, the Director of Student Conduct may immediately suspend a student prior to a temporary suspension hearing and/ or pending a final decision on the temporary suspension. Immediate suspensions are appropriate in emergency situations in which (a) there is imminent danger of serious physical harm to others, (b) there is imminent danger of significant property damage, (c) the student is unable or unwilling to meet with the Director of Student Conduct, (d) the Director of Student Conduct determines such other exceptional circumstances exist that suspension is warranted. In the event emergency action is taken to suspend the student on an interim basis, the student shall be given notice of the emergency suspension and an opportunity to address the circumstances on which the emergency suspension is based.

### **Emergency Suspension due to violation of Federal or State Laws**

The Director of Student Conduct may initiate an emergency suspension of a student charged with or indicted for certain criminal offenses pending disposition of the charges. Any student charged with or indicted for a felony or crime involving moral turpitude may be suspended pending the disposition of the criminal charges against him or her. Upon request, the student shall be accorded a hearing as provided herein. At such hearing, the student shall have the burden of establishing that his or her continued presence as a member of the student body will not be detrimental to the health, safety, welfare or property of other students or members of the campus community or to the orderly operation of the institution. Upon final conviction, the student shall be subject to appropriate disciplinary action by the College.

### **Informal Hearing on Temporary Emergency Suspension**

A student who has been temporarily suspended under this policy and has not waived the right to a hearing or had an opportunity to be heard may request an informal hearing before the Judicial Committee by submitting a written request for a hearing to the Director of Student Conduct within two business days from receipt of the notice of the temporary emergency suspension. The Director of Student Conduct may extend the student's deadline to request a hearing to a date not to exceed thirty days from the student's receipt of the notice of the temporary emergency suspension. A hearing will be set as soon as possible. The student shall remain temporarily suspended pending completion of the hearing.

The hearing shall be informal and non-adversarial. During the hearing, the student may present relevant information and may be advised by East Georgia faculty or staff member or a health professional of his/her choice. The role of the advisor is limited to providing advice to the student.

At the conclusion of the hearing, the Judicial Committee will make a recommendation to the Director of Student Conduct whether to uphold the temporary emergency suspension or whether to reconsider. The student shall be provided written notice of the Director of Student Conduct's decision as soon as possible.

### **Appeal to the President**

The student may appeal the temporary emergency suspension decision of the Judicial Committee to the President within 5 days of receipt. The President shall review the records of the Judicial Committee and make a final decision as to whether or not to uphold the emergency temporary suspension.

### **Hearing Prior to Re-enrollment**

The Director of Student Conduct will require a student who has been temporarily suspended under this policy to complete a hearing before the Judicial Committee to determine if he/she is eligible to return to campus. In order to be eligible for re-enrollment, the student must demonstrate he/she poses no significant risk to the health or safety of others, and no significant threat to property, to the lawful activities of others, or to the educational processes and orderly operations of the college.