

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF KANSAS

DOYLE BYRNES,
6702 W. 156th Terrace
Overland Park, KS 66223

Plaintiff,

vs.

Civil Action No. _____

JOHNSON COUNTY COMMUNITY COLLEGE,

and

DR. CLARISSA CRAIG
in her individual and official capacities

and

MS. JEANNE WALSH
in her individual and official capacities

and

MS. AMBER DELPHIA
in her individual and official capacities

and

DR. MARILYN RHINEHART
in her individual and official capacities

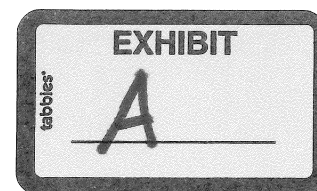
and

DR. DENNIS DAY
In his individual and official capacities

Defendants.

AFFIDAVIT OF DOYLE BYRNES

STATE OF KANSAS)
)
COUNTY OF JOHNSON)



Doyle Byrnes, being first duly sworn upon her oath, states and alleges as follows:

1. My name is Doyle Byrnes. I am of lawful age and capacity to make this affidavit and have personal knowledge of the facts recited herein.
2. All facts contained in the Complaint are true and correct to my knowledge.

FURTHER AFFIANT SAYETH NAUGHT.

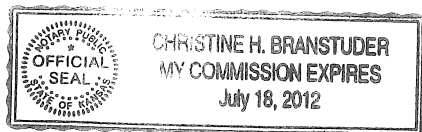
Doyle Byrnes

Doyle Byrnes

On this 21ST day of DECEMBER, 2010, before me, the undersigned, a Notary Public, personally appeared **Doyle Byrnes**, to me known to be the same person described in and who executed the foregoing instrument acknowledged that she executed the same as his free and voluntary act and deed.

In WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal on the day and year last above written.

Christine H. Branstuder
Notary Public: _____
My Commission Expires: _____





Johnson County Community College

FUTURE STUDENTS

CURRENT STUDENTS

COMMUNITY & BUSINESS

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Student Rights and Responsibilities-319.00

Student Code of Conduct

Student Appeal of Disciplinary Action

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Student Appeal of Disciplinary Action - 319.02

Johnson County Community College Series 300: Student Personnel Section 319: Student Rights and Responsibilities

1. If the dean of Student Services elects to impose disciplinary measures, the student will be informed in writing of the nature and terms of such disciplinary action and will be further advised of the right to appeal the decision. A copy of the written notice will be sent by certified mail to the student. Note: Unless otherwise indicated, all appeals must be received within seven (7) business days of the decision to impose disciplinary actions (formal letter or administrative meeting). For the purposes of this process, a "business day" shall be Monday through Friday, excluding weekends and holidays.

2. If the student chooses to appeal the decision of the dean of Student Services:

The student must direct the appeal, in writing, to the vice president of Student Services.

The vice president of Student Services will hold an administrative meeting with the student.

The vice president's determination (i.e., grant or deny the appeal) will be mailed to the student.

3. If the student is not satisfied with the outcome of the decision rendered by the vice president of Student Services, the student may appeal the decision to the Campus Appeals Board. The Campus Appeals Board is a subcommittee of the Student Affairs Committee and is composed of five (5) voting members and a non-voting chair from the Student Affairs Committee as follows:

One (1) member of the college administration selected by the chairperson of the Student Affairs Committee who shall act as chair, shall conduct the hearing and shall not vote; and

Two (2) student members of the Student Affairs Committee; and

Three (3) faculty or staff members of the Student Affairs Committee.

To ensure impartiality, none of the members of the Campus Appeals Board shall have been involved in the matter that forms the basis of the disciplinary action. If a member of the Campus Appeals Board is or has been involved in the matter in question, he or she shall excuse himself or herself from the proceedings and the chairperson of the Student Affairs Committee will appoint a member to replace such person.

a. The chair of the Campus Appeals Board shall notify the student in writing of the time, date and place of the appeal hearing.

b. The appeal hearing shall be held not less than seven (7) business days, nor more than twenty (20) business days, after the date that the chair sends the notice of the hearing.

c. The student and the administration shall have the following rights during the hearing:

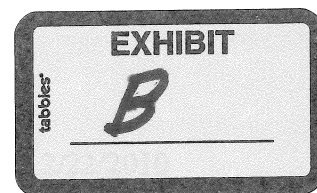
Each party shall have the right to have legal counsel present at each party's own expense, although students must notify the office of the vice president of Student Services within forty-eight (48) hours that legal representation will be present. In turn, the college will arrange for college legal council to be present;

Each party shall have the right to hear the allegations presented to the college concerning the involved party.

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Each party shall have the right to present witnesses in person or to present their testimony by sworn affidavit. Students must present a witness list to the vice president of Student Services forty-eight (48) hours in advance of the hearing (for scheduling purposes only);

The student may schedule an appointment in advance of the hearing to review all documentation regarding their case.

The student and the administration shall each have the right to testify and give reasons supporting their respective positions;

The hearing shall be conducted in an orderly manner;

The Campus Appeals Board shall render a fair and impartial decision based upon evidence presented at the hearing;

The hearing shall be recorded.

The chair of the Campus Appeals Board shall adopt such other procedures as he or she may deem appropriate to provide a fair and orderly hearing. The hearing shall not be open to the public.

d. After the hearing, the Campus Appeals Board shall prepare a written decision affirming, modifying or reversing the vice president's decision and summarizing the evidence supporting its decision. This decision will be reviewed by the college president or his designee and the outcome will be considered the final appeal. The Campus Appeals Board's decision shall be mailed to the student and the vice president of Student Services no later than ten (10) business days after the close of the hearing.

4. Unless appealed, any disciplinary action imposed by the office of the vice president of Student Services shall become effective as of the date of the written notification. The college reserves the right to exclude from campus any person believed to pose a threat to the safety of any other person on campus or who has disrupted college activities or operations.

Date of Adoption:

Revised: 5/26/93, 6/16/94, 2/15/01, 5/19/05, 1/18/07

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