

*Heartland Community
College
Code of Student Conduct*



HEARTLAND

COMMUNITY COLLEGE

The Heartland Community College Code of Student Conduct is adapted from The NCHERM Group Model Developmental Code of Student Conduct and is used here with permission.

www.ncherm.org

A portion of the code was also adapted from Penn State University.

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PREFACE

Heartland Community College (HCC) students are responsible for knowing the information, policies and procedures outlined in this document. The College reserves the right to make changes to this code as necessary and once those changes are posted online, they are in effect. Students are encouraged to check online [www.heartland.edu/conduct] for the updated versions of all conduct-related policies and procedures.

Core Values of Student Conduct at Heartland Community College

At HCC, student members of the community are expected to uphold and abide by certain standards of conduct that form the basis of the Code of Student Conduct. These standards are embodied within a set of core values that include integrity, social justice, respect, community, and responsibility.

Integrity: HCC students exemplify honesty, honor and a respect for the truth in all of their dealings.

Community: HCC students build and enhance their community.

Social Justice: HCC students are just and equitable in their treatment of all members of the community and act to discourage and/or intervene to prevent unjust and inequitable behaviors.

Respect: HCC students show positive regard for each other, for property and for the community.

Responsibility: HCC students are given and accept a high level of responsibility to self, to others and to the community.

Definitions/Notes:

- *HCC* or the *College* used throughout this document refers to Heartland Community College.
- *Day* or *days* used throughout this document, refers to normal business days when the College is in operation.
- *Code* or *Code of Student Conduct*, used throughout this document refers to the Heartland Community College Code of Student Conduct.
- *Student* used throughout this document refers to undergraduate students, dual-credit students, students in continuing and adult education programs, as well former students.
- *Respondent* or *Responding Student* refers to a student who has allegedly violated the Code of Student Conduct.
- *Sanction* refers to the consequence for violating the Code of Student Conduct, and is often educational in nature.

Heartland Community College: Code of Student Conduct

SECTION 1: PHILOSOPHY

Heartland Community College is committed to fostering a campus environment that is conducive to academic inquiry, a productive campus life and thoughtful study and discourse. The Student Conduct Program within the Division of Student Support Services is committed to an educational and developmental process that balances the interests of individual students with the interests of the College community.

HCC recognizes its students as both citizens and members of the academic community. As citizens, students have freedom of speech, assembly, association and press and the rights of petition and due process as guaranteed by state and federal constitutions. As members of the academic community, students have the right and responsibility to participate in formulating and reviewing all College regulations and policies directly affecting them.

A community exists on the basis of shared values and principles. Upon enrolling at HCC, each student assumes an obligation to act in accordance with generally acceptable standards of responsible adult behavior. All members of the College community bear responsibility for their conduct. When members of the community fail to exemplify the five core values by engaging in violation of the rules below, the campus conduct process is used to assert and uphold the Code of Student Conduct.

The student conduct process at HCC exists to protect the interests of the community and to challenge those whose behavior is not in accordance with the policies. Sanctions are intended to challenge students' decision-making and to help them bring their behavior into accord with community expectations. When a student is unable to conform their behavior to community expectations, the student conduct process may determine that the student should no longer share in the privilege of participating in this community.

Students should be aware that the student conduct process is quite different from criminal and civil court proceedings. Procedures and rights in student conduct procedures are conducted with fairness to all, but do not include the same protections of due process afforded by the courts. Due process, as defined within these procedures, assures written notice of a violation, a conference before an objective decision-maker, and the right to appeal. No student will be found in violation of College policy without information showing that it is more likely than not that a policy violation occurred and any sanctions will be proportionate to the severity of the violation and to the cumulative conduct history of the student.

SECTION 2: JURISDICTION

Students at Heartland Community College are provided a copy of the Code of Student Conduct annually in the form of a link on the College website. Hard copies are available upon request from the Student Conduct program. Students are responsible for having read and abiding by the provisions of the Code of Student Conduct.

The Code of Student Conduct and the student conduct process apply to the conduct of individual students and all College-affiliated student organizations. For the purposes of student conduct, the College considers an individual to be a student upon enrollment and thereafter as long as the student has an educational interest in the College.

The College retains conduct jurisdiction over students who choose to take a leave of absence, withdraw or have graduated for any misconduct that occurred prior to the leave, withdrawal or graduation. If sanctioned, a hold may be placed on the student's ability to re-enroll and/or obtain official transcripts and/or graduate; and all sanctions must be satisfied prior to re-enrollment eligibility. In the event of serious misconduct committed while still enrolled but reported after the accused student has graduated, the College may invoke these procedures and should the former student be found responsible, the College may revoke that student's degree.

The Code of Student Conduct applies to behaviors that take place on the campus, at College-sponsored events and may also apply off-campus when the Dean of Students or designee determines that the off-campus conduct affects a substantial College interest. A substantial College interest is defined to include any situation:

- where it appears that the student's conduct may present a danger or threat to the health or safety of him/herself or others; and/or
- that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or
- that is detrimental to the educational mission and/or interests of the College.

The Code of Student Conduct may be applied to behavior conducted online, via email, or any other electronic medium. Students should also be aware that online postings such as blogs, web postings, chats and social networking sites are in the public sphere and are not private. These postings can subject a student to allegations of conduct violations if evidence of policy violations is posted online. HCC does not regularly search for this information, but may take action if and when such information is brought to the attention of College officials. However, most online speech by students not involving College networks or technology will be protected as free expression and not subject to this Code, with two notable exceptions:

- A true threat, defined as "a threat a reasonable person would interpret as a serious expression of intent to inflict bodily harm upon specific individuals";
- Speech posted online about the College or its community members that causes a significant on-campus disruption.

The Code of Student Conduct applies to undergraduate students, dual-credit students, students in continuing and adult education programs, as well former students (students enrolled in Kids at Heartland and Challenger Learning Center (CLC) will be held to a separate code). This Code also applies to guests of community members who may be held accountable for the misconduct of their guests. Visitors to, and guests of the College may seek resolution of violations of the Code of Student Conduct committed against them by members of College community. Students in special groups/programs (such as, athletics, truck driver training or selective admission programs) may be held to an additional code of conduct. In cases where codes of conduct conflict, this Code will take precedence.

There is no time limit on reporting violations of the Code of Student Conduct; however, the longer someone waits to report an offense, the harder it becomes for college officials to obtain information and witness statements and to make determinations regarding alleged violations.

Though anonymous complaints are permitted, doing so may limit the College's ability to investigate and respond to a complaint. Those who are aware of misconduct are encouraged to report it as quickly as possible to the Dean of Students, and/or Public Safety and/or through this [online form](#).

A responding student facing an alleged violation of the Code of Student Conduct is not permitted to withdraw from the College until all allegations are resolved.

College email is the College's primary means of communication with students. Students are responsible for all communication delivered to their Heartland Community College email address.

SECTION 3: VIOLATIONS OF THE LAW

Alleged violations of federal, state and local laws may be investigated and addressed under the Code of Student Conduct. When an offense occurs over which the College has jurisdiction, the College conduct process will usually go forward notwithstanding any criminal complaint that may arise from the same incident. In addition, if the College becomes aware of violations of federal, state and local laws, they will be reported to the proper authorities, and the College will cooperate to the fullest extent possible with any investigations.

Students accused of crimes may request to take a leave from the College until the criminal charges are resolved. In such situations, the College procedure for voluntary leaves of absence is subject to the following conditions:

- The responding student must comply with all campus investigative efforts that will not prejudice their defense in the criminal trial; and
- The responding student must comply with all interim actions and/or restrictions imposed during the leave of absence; and
- The responding student must agree that, in order to be reinstated to active student status, they must first be subject to, and fully cooperate with, the campus conduct process and must comply with all sanctions that are imposed.

SECTION 4: STANDARDS OF CONDUCT

Core Values and Behavioral Expectations: The College considers the behavior described in the following sub-sections as inappropriate for the College community and in opposition to the core values presented in this document. These expectations and rules apply to all students, whether undergraduate, dual credit, non-credit, adult or continuing education. The College encourages community members to report to College officials all incidents that involve the following actions. Any student found to have committed or to have attempted to commit the following misconduct is subject to the sanctions outlined in Section 5: Overview of the Conduct Process.

Integrity: *HCC students exemplify honesty, honor and a respect for the truth in all of their dealings. Behavior that violates this value includes, but is not limited to:*

- Falsification. Knowingly furnishing or possessing false, falsified or forged materials, documents, accounts, records, identification or financial instruments;
- Academic Dishonesty. Acts of academic dishonesty as outlined in the Academic Integrity Policy;
- Unauthorized Access. Unauthorized access to any College building (i.e. keys, cards, etc.) or unauthorized possession, duplication or use of means of access to any college building or failing to timely report a lost College key;
- Collusion. Action or inaction with another or others to violate the Code of Student Conduct;
- Trust. Violations of positions of trust within the community;
- Election Tampering. Tampering with the election of any College-recognized student organization (minor election code violations are addressed by the SGA);

- Taking of Property. Intentional and unauthorized taking of College property or the personal property of another, including goods, services and other valuables;
- Stolen Property. Knowingly taking or maintaining possession of stolen property.

Community: *HCC students build and enhance their community. Behavior that violates this value includes, but is not limited to:*

- Disruptive Behavior. Substantial disruption of College operations including obstruction of teaching, research, administration, other College activities, and/or other authorized non-College activities which occur on campus;
- Rioting. Causing, inciting or participating in any disturbance that presents a clear and present danger to self or others, causes physical harm to others, or damage and/or destruction of property;
- Unauthorized Entry. Misuse of access privileges to College premises or unauthorized entry to or use of buildings, including trespassing, propping or unauthorized use of alarmed doors for entry into or exit from a College building;
- Trademark. Unauthorized use (including misuse) of College or organizational names and images;
- Damage and Destruction. Intentional, reckless and/or unauthorized damage to or destruction of College property or the personal property of another;
- IT and Acceptable Use. Violating the College's Appropriate Use Policy. See the [Appropriate Use Policy](#) for more information.
- Gambling. Gambling as prohibited by the laws of the State of Illinois. (Gambling may include raffles, lotteries, sports pools and online betting activities);
- Weapons. Possession, use, or distribution of explosives (including fireworks and ammunition), guns (including air, BB, paintball, facsimile weapons and pellet guns), or other weapons or dangerous objects such as arrows, axes, machetes, nun chucks, throwing stars, or knives with a blade of longer than 3 inches, including the storage of any item that falls within the category of a weapon in a vehicle parked on College property. Illinois law prohibits the carrying of a concealed weapon on college campuses. See the [College Violence Prevention Policy](#) for more information.
- Tobacco. Smoking or tobacco use in any area of campus as outlined in the [Tobacco Free Policy](#).
- Fire Safety. Violation of local, state, federal or campus fire policies including, but not limited to:
 - a. Intentionally or recklessly causing a fire which damages College or personal property or which causes injury.
 - b. Failure to evacuate a College-controlled building during a fire alarm;
 - c. Improper use of College fire safety equipment; or
 - d. Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on College property. Such action may result in a local fine in addition to College sanctions;
- Ineligible Pledging or Association. Pledging or associating with a student organization without having met eligibility requirements established by the College.
- Animals. Animals and pets are not permitted on campus, except for approved emotional support animals and Service Animals that provide aid, as permitted by law.
- Wheeled Devices. The use of skateboards, roller blades, roller skates, bicycles and similar wheeled devices inside College buildings is not permitted. Additionally, skateboards and other wheeled items may not be ridden on railings, curbs, benches, or any fixtures that may be damaged by these activities. Individuals may be liable for damage to College property caused by these activities.

Social Justice: *HCC students recognize that respecting the dignity of every person is essential for creating and sustaining a flourishing community. They understand and appreciate how their decisions and actions impact others and are just and equitable in their treatment of all members of the community. They act to discourage and challenge those whose actions may be harmful to and/or diminish the worth of others. Conduct that violates this value includes, but is not limited to:*

- Discrimination. Any act or failure to act that is based upon an individual or group's actual or perceived status (sex, gender, race, color, age, creed, national or ethnic origin, physical or mental disability, veteran status, pregnancy status, religion, or sexual orientation, or other protected status) that is sufficiently severe that it limits or denies the ability to participate in or benefit from the College's educational program or activities. Discrimination cases will follow the [Policy and Procedures for Responding to Sexual Misconduct](#);
- Harassment. Any unwelcome conduct based on actual or perceived status including: sex, gender, race, color, age, creed, national or ethnic origin, physical or mental disability, veteran status, pregnancy status, religion, sexual orientation or other protected status. Any unwelcome conduct should be reported to campus officials, who will act to remedy and resolve reported incidents on behalf of the victim and community. For more information see [Heartland's Harassment Policy](#);
- Hostile Environment. Sanctions can and will be imposed for the creation of a hostile environment when harassment is sufficiently severe, pervasive (or persistent) and objectively offensive that it unreasonably interferes with, limits or denies the ability to participate in or benefit from the College's educational or employment program or activities. For more information see [Heartland's Harassment Policy](#);
- Retaliatory Discrimination or Harassment. Any intentional, adverse action taken by a responding individual or allied third party, absent legitimate nondiscriminatory purposes, against a participant or supporter of a participant in a civil rights grievance proceeding or other protected activity.
- Bystanding. Complicity with or failure of any organized group to appropriately address known or obvious violations of the Code of Student Conduct or law by its members.
- Abuse of Conduct Process. Abuse or interference with, or failure to comply in the Student Conduct program processes, including, but not limited to:
 - a. Falsification, distortion, or misrepresentation of information;
 - b. Failure to provide, destroying or concealing information during an investigation of an alleged policy violation;
 - c. Attempting to discourage an individual's proper participation in, or use of, the campus conduct system;
 - d. Harassment (verbal or physical) and/or intimidation of a member of a campus conduct body prior to, during, and/or following a campus conduct proceeding;
 - e. Failure to comply with the sanctions imposed by the campus conduct system;
 - f. Influencing, or attempting to influence, another person to commit an abuse of the campus conduct system.

Respect: *HCC students show positive regard for each other and for the community. Behavior that violates this value includes, but is not limited to:*

- Harm to Persons. Intentionally or recklessly causing physical harm or endangering the health or safety of any person.
- Threatening Behaviors: Threat. Written or verbal conduct that causes a reasonable expectation of injury to the health or safety of any person or damage to any property.

- Intimidation. Intimidation defined as implied threats or acts that cause a reasonable fear of harm in another. See the [College Violence Prevention Policy](#) for more information.
- Bullying and Cyberbullying. Bullying and cyberbullying are repeated and/or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally, and are not protected by freedom of expression. See the [College Violence Prevention Policy](#) for more information.
- Hazing. Defined as an act that endangers the mental or physical health or safety of a student, or that destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. Participation or cooperation by the person(s) being hazed does not excuse the violation. Failing to intervene to prevent (and/or) failing to discourage (and/or) failing to report those acts may also violate this policy.
- Intimate Partner/Relationship Violence. Violence or abuse by a person in an intimate relationship with another. Intimate Partner/Relationship Violence cases will follow the [Policy and Procedures for Responding to Sexual Misconduct](#);
- Stalking. Stalking is a course of conduct directed at a specific person that is unwelcome and would cause a reasonable person to feel fear. Stalking cases will follow the [Policy and Procedures for Responding to Sexual Misconduct](#);
- Sexual Misconduct. Includes, but is not limited to, sexual harassment, non-consensual sexual contact, non-consensual sexual intercourse, and/or sexual exploitation. Sexual Misconduct cases will follow the [Policy and Procedures for Responding to Sexual Misconduct](#);
- Public Exposure. Includes deliberately and publicly exposing one's intimate body parts, public urination, defecation, and public sex acts.

Responsibility: *HCC students are given and accept a high level of responsibility to self, to others and to the community. Behavior that violates this value includes, but is not limited to:*

- Alcohol. Use, possession, or distribution of alcoholic beverages or paraphernalia except as expressly permitted by law and the College's Drug and Alcohol Policy located on page 4 of the [Annual Security Report](#). In addition, it is a violation of this code to be in an impaired state while on campus;
- Drugs. Use, possession or distribution of illegal drugs and other controlled substances or drug paraphernalia except as expressly permitted by law and the College's Drug and Alcohol Policy located on page 4 of the [Annual Security Report](#). In addition, it is a violation of this code to be in an impaired state while on campus;
- Prescription Medications. Abuse, misuse, sale, or distribution of prescription or over-the-counter medications;
- Failure to Comply. Failure to comply with the reasonable directives of College officials or law enforcement officers during the performance of their duties and/or failure to identify oneself to these persons when requested to do so;
- Financial Responsibilities. Failure to promptly meet financial responsibilities to the institution, including, but not limited to; knowingly passing a worthless check or money order in payment to the institution or to an official of the institution acting in an official capacity.
- Other Policies. Violating other published College policies or rules.
- Health and Safety. Creation of health and/or safety hazards (dangerous pranks, hanging out of or climbing from/on/in windows, balconies, roofs, etc.)
- Violations of Law. Evidence of violation of local, state or federal laws, when substantiated through the College's conduct process.

SECTION 5: OVERVIEW OF THE CONDUCT PROCESS

This overview provides a general idea of how the College's campus conduct proceedings work, but it should be noted that not all situations are of the same severity or complexity. Thus, these procedures are flexible, and are not exactly the same in every situation, though consistency in similar situations is a priority. The campus conduct process and all applicable timelines commence with notice to an administrator of a potential violation of College rules.

NOTIFICATION: Once notification is received from any source (victim, 3rd party, online, etc.), the College may proceed with a preliminary investigation and/or may schedule an initial educational meeting/conference with the responding student to explain the conduct process to the responding student and gather information. It is possible that an Interim Action may be put in place to preserve the integrity of an investigation, to preserve College property and/or to prevent disruption of, or interference with, the normal operations of the College. For more information, see [Interim Action](#) under Section 7, page 15 of this document.

STEP 1: Preliminary Inquiry and/or Educational Conference

The College conducts a preliminary inquiry into the nature of the incident, complaint or notice, the evidence available, and the parties involved. The preliminary inquiry may lead to:

- A determination that there is insufficient evidence to pursue the investigation, because the behavior alleged, even if proven, would not violate the Code of Student Conduct;
- A more comprehensive investigation, when it is clear more information must be gathered;
- A formal complaint of a violation and/or an educational conference with the responding student.

When an initial educational meeting/conference is held, the possible outcomes include:

- A decision not to pursue the allegation based on a lack of or insufficient evidence. The matter should be closed and records should so indicate;
- A decision on the allegation, also known as an "informal" or "administrative" resolution to an uncontested allegation (see immediately below);
- A decision to proceed with additional investigation and/or referral for a "formal" resolution;
- If a decision on the allegation is made and the finding is that the responding student is not responsible for violating the Code, the process will end. [The party bringing the complaint may request the Dean of Students to reopen the investigation];
- If the College's finding is that the responding student is in violation, the administrator conducting the initial educational conference will also determine the sanctions for the misconduct. The student will have 3 days to reject the finding and/or sanctions. If the student does not reject the finding and/or sanctions, the College considers this an "uncontested allegation" and the process will end;
 - a. If student accepts the findings, but rejects the sanction, the College will conduct a sanction-only conference, conducted by an administrator who recommends a sanction to the Dean of Students. The sanction is then reviewed and finalized by the Dean of Students and is subject to appeal (see Appeal Review Procedures in Section 7 below) by any party to the misconduct. Once the appeal is decided, the process ends;
 - b. If the administrator conducting the educational conference determines that it is more likely than not that the responding student is in violation, and the

responding student rejects that finding in whole or in part, then it is considered a contested allegation and the process moves to Step 2.

STEP 2: Formal Administrative Conference (If Applicable)

In a contested allegation, additional investigation may then be commenced and/or a conference may be held when there is reasonable cause to believe that a rule or rules have been violated. A formal notice of the complaint will be issued, and a conference will be held before the Dean of Students and Associate Vice President, Enrollment and Student Support Services or designee. A finding will be determined and is final except in cases that involve Title IX or other discrimination allegations. Title IX and other discrimination cases will follow the [Policy and Procedures for Responding to Sexual Misconduct](#).

STEP 3: Review and Finalize Sanction(s).

If the student is found in violation(s), sanctions will be recommended by the Dean of Students, who will review and finalize the sanctions, subject to the conduct appeals process.

Possible Conduct Sanctions: One or more of following sanctions may be imposed upon any student for any single violation of the Code of Student Conduct:

WARNING: An official written notice that the student has violated College policies and/or rules and that more severe conduct action will result should the student be involved in other violations while the student is enrolled at the College.

RESTITUTION: Compensation for damage caused to the College or any person's property. This could also include situations such as failure to return a reserved space to proper condition – labor costs and expenses. This is not a fine but, rather, a repayment for labor costs and/or the value of property destroyed, damaged, consumed, or stolen.

FINES: Reasonable fines may be imposed.

COMMUNITY/COLLEGE SERVICE REQUIREMENTS: For a student or organization to complete a specific supervised Community/College service.

LOSS OF PRIVILEGES: The student will be denied specified privileges for a designated period of time.

CONFISCATION OF PROHIBITED PROPERTY: Items whose presence is in violation of College policy will be confiscated. Prohibited items may be returned to the owner at the discretion of the Dean of Students.

BEHAVIORAL REQUIREMENT: This includes required activities including, but not limited to, seeking academic counseling or substance abuse screening, writing a letter of apology, etc.

EDUCATIONAL PROGRAM: Requirement to attend, present and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible. Audience may be restricted.

DISCIPLINARY PROBATION: The student is put on official notice that, should further violations of College policies occur during a specified probationary period, the student may face suspension or expulsion. Regular probationary meetings may also be imposed.

ELIGIBILITY RESTRICTION: The student is deemed “not in good standing” with the College for a specified period of time. Specific limitations or exceptions may be granted by the Dean of Students and terms of this conduct sanction may include, but are not limited to, the following:

- Ineligibility to hold any office in any student organization recognized by the College or hold an elected or appointed office at the College; or
- Ineligibility to represent the College to anyone outside the College community in any way including: participating in the study abroad program, attending conferences, or representing the College at an official function, event or intercollegiate competition as a player, manager or student coach, etc.

COURSE WITHDRAWAL: A student may be administratively withdrawn from a course or courses due to Code of Conduct violation(s). See the [Dismissal Policy](#) for more information.

ADMINISTRATIVE REMOVAL FROM CAMPUS: Separation from the College for a specified minimum period of time, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of removal. The student is required to vacate the campus upon notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Dean of Students. During the removal period, the student is banned from College property, functions, events and activities without prior written approval from the Dean of Students. This sanction may be enforced with a trespass action as necessary. See the [Dismissal Policy](#) for more information.

COLLEGE EXPULSION: Permanent separation from the College. The student is banned from College property and the student’s presence at any College-sponsored activity or event is prohibited. This action may be enforced with a trespass action as necessary. See the [Dismissal Policy](#) for more information.

OTHER SANCTIONS: Additional or alternate sanctions may be created and designed as deemed appropriate to the offense with the approval of the Dean of Students or designee.

The following sanctions may be imposed upon groups or organizations found to have violated the Code of Student Conduct:

- One or more of the sanctions listed above; and/or
- Deactivation, de-recognition, loss of all privileges (including status as a College registered group/organization), for a specified period of time.

SECTION 6: STUDENT CONDUCT AUTHORITY

AUTHORITY: The Associate Vice President, Enrollment and Student Support Services is vested with the authority over student conduct by the President of Heartland Community College. The Associate Vice President, Enrollment and Student Support Services supervises the Dean of Students who oversees and directs the student conduct process. The Associate Vice President, Enrollment and Student Support Services and the Dean of Students may appoint administrative conference and appeals officers as deemed necessary to efficiently and effectively supervise the student conduct process.

The Dean of Students (or designee) will assume responsibility for the investigation of an allegation of misconduct to determine if the complaint has merit.

GATEKEEPING: No complaint will be forwarded unless there is reasonable cause to believe a policy has been violated. Reasonable cause is defined as some credible information to support each element of the offense, even if that information is merely a credible witness or

a victim's statement. A complaint wholly unsupported by any credible information will not move forward in the process.

CONFLICT RESOLUTION OPTIONS: The Dean of Students has discretion to refer a complaint for mediation or other forms of appropriate conflict resolution. All parties must agree to conflict resolution and to be bound by the decision with no review/appeal. Any unsuccessful conflict resolution can be forwarded through the conduct process; however, at no time will complaints of physical sexual misconduct or violence be mediated as the sole institutional response. The Dean of Students may also suggest that complaints that do not involve a violation of the Code of Student Conduct be referred for mediation or other appropriate conflict resolution.

INTERPRETATION AND REVISION: The Dean of Students will develop procedural rules for the administrative conference that are consistent with provisions of the Code of Student Conduct. Material deviation from these rules will, generally, only be made as necessary and will include reasonable advance notice to the parties involved, either by posting online and/or in the form of written communication. The Dean of Students may vary procedures with notice upon determining that changes to law or regulation require policy or procedural alterations not reflected in this Code. The Dean of Students may make minor modifications to procedure that do not materially jeopardize the fairness owed to any party. Any question of interpretation of the Code of Student Conduct will be referred to the The Associate Vice President, Enrollment and Student Support Services, whose interpretation is final. The Code of Student Conduct will be updated annually under the direction of the Dean of Students with a comprehensive revision process conducted every three years.

SECTION 7: OTHER CONDUCT PROCEDURES

COLLEGE AS CONVENER: The College is the convener of every action under this code. Within that action, there are several roles. The responding student is the person who is alleged to have violated the Code. The party bringing the complaint, who may be a student, employee, visitor, or guest, may choose to be present and participate in the process as fully as the responding student. There are witnesses, who may offer information regarding the allegation. There is an investigator(s) whose role is to present the allegations and share the evidence that the College has obtained regarding the allegations.

GROUP VIOLATIONS: A student group or organization and its officers and membership may be held collectively and individually responsible when violations of this code by the organization or its member(s):

- Take place at organization-sponsored or co-sponsored events, whether sponsorship is formal or tacit;
- Have received the consent or encouragement of the organization or of the organization's leaders or officers; or
- Were known or should have been known to the membership or its officers.

Conduct procedures for student groups or organizations follow the same general student conduct process. In any such action, individual determinations as to responsibility will be made and sanctions may be assigned collectively and individually and will be proportionate to the involvement of each individual and the organization.

AMNESTY: *For Victims:* The College provides amnesty to victims who may be hesitant to report to College officials because they fear that they themselves may be accused of minor policy violations, such as underage drinking, at the time of the incident. Educational options will be

explored, but no conduct proceedings or conduct record will result. Records regarding the provision of amnesty will be maintained.

For Those Who Offer Assistance: To encourage students to offer help and assistance to others, the College follows a policy of amnesty for minor violations when students offer help to others in need. At the discretion of the Dean of Students, amnesty may also be extended on a case-by-case basis to the person receiving assistance. Educational options will be explored, but no conduct proceedings or conduct record will result.

For Those Who Report Serious Violations: Students who engage in minor violations but who bring related serious violations by others to the attention of the College are offered amnesty for their minor violations. Educational options will be explored, but no conduct proceedings or record will result.

Abuse of amnesty requests can result in a decision by the Dean of Students not to extend amnesty to the same person repeatedly.

SAFE HARBOR: The College has a Safe Harbor rule for students. The College believes that students who have a drug and/or addiction problem deserve help. If any student brings their own use, addiction, or dependency to the attention of College officials outside of conduct sanctions and seeks assistance, a conduct complaint will not be pursued. A written action plan may be used to track cooperation with the Safe Harbor program by the student. Failure to follow the action plan will nullify the Safe Harbor protection and the campus conduct processes will be initiated.

NOTIFICATION OF ALLEGED VIOLATION: Any member of the College community, visitor or guest may allege a policy violation(s) by any student for misconduct under this Code by the following process and/or through this [online reporting form](#).

Notification may also be given to the Dean of Students (or designee). Additionally, administrators may act on notice of a potential violation whether a formal allegation is made or not. All allegations can be submitted by a victim or a third party, and should be submitted as soon as possible after the offending event occurs. The College has the right to pursue an allegation or notice of misconduct on its own behalf and to serve as convener of the subsequent campus conduct process.

INTERIM ACTION: Under the Code of Student Conduct, the Dean of Students or designee may impose restrictions and/or separate a student from the community pending the scheduling of an administrative conference on alleged violation(s) of the Code of Student Conduct when a student represents a threat of serious harm to others, is facing allegations of serious criminal activity, to preserve the integrity of an investigation, to preserve College property and/or to prevent disruption of, or interference with, the normal operations of the College.

At the discretion of the Dean of Students and with the approval of, and in collaboration with, the appropriate Dean(s), alternative coursework options may be pursued to ensure as minimal an impact as possible on the responding student in cases of an interim separation from the institution.

PARENTAL NOTIFICATION: The College reserves the right to notify the parents/guardians of dependent students regarding any conduct situation, particularly alcohol and other drug violations. Parental notification may also be utilized discretionarily by administrators when permitted by FERPA or consent of the student.

NOTIFICATION OF OUTCOMES: The outcome of a formal or informal administrative conference is part of the education record of the responding student and is protected from release under the Federal Education Rights and Privacy Act (FERPA), except under certain conditions.

FAILURE TO COMPLETE CONDUCT SANCTIONS: All students, as members of the College community, are expected to comply with conduct sanctions within the timeframe specified by the Dean of Students or designee. Failure to follow through on conduct sanctions by the date specified, whether by refusal, neglect or any other reason, may result in additional sanctions and/or suspension from the College. A suspension will only be lifted when compliance with conduct sanctions is satisfactorily achieved. This determination will be made by the Dean of Students.

APPEAL REVIEW PROCEDURES: Any party may request an appeal of the decision of the administrative conference by filing a written request to the Associate Vice President, Enrollment and Student Support Services, subject to the procedures outlined below. All sanctions imposed as a result of the original conference remain in effect, and all parties should be timely informed of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision.

GROUND FOR APPEAL REQUESTS: Appeal requests are limited to the following grounds:

- A procedural error occurred that significantly impacted the outcome of the conference (e.g. substantiated bias, material deviation from established procedures, etc.);
- To consider new evidence, unavailable during the original conference or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included;
- The sanctions imposed are substantially outside the parameters or guidelines set by the College for this type of offense or the cumulative conduct record of the responding student.

Appeals must be filed in writing to the Administrative Assistant of Student Support Services within five business days of the notice of the outcome, barring exigent circumstances. Any exceptions are made at the discretion of the Associate Vice President, Enrollment and Student Support Services who will determine the outcome of the appeal. Appeals are not intended to be full re-hearings of the complaint. In most cases, appeals are confined to a review of the written documentation or record of the original conference, and pertinent documentation regarding the grounds for appeal.

The Dean of Students will share the appeal by one party with the other party (parties) when appropriate under procedure or law.

DISCIPLINARY RECORDS: All conduct records are maintained by the College for seven years from the time of their creation except those that result in separation (suspension or expulsion) and those that fall under Title IX, which are maintained indefinitely.

APPROVAL AND IMPLEMENTATION: This *Code of Student Conduct* was approved on August 30, 2018 by the Academic Planning Council and implemented on October 1, 2018.

Reviewed and Revised Summer 2022