
 TOPIC:

Student Code of Conduct - Procedures

Policy Number:

E1

Students enrolling at Cloud County Community College are expected to conduct themselves as responsible individuals. Students are subject to the jurisdiction of the College during their period of enrollment. No student shall violate any published regulation of the Student Code of Conduct adopted or approved by the Cloud County Community College Board of Trustees. Additionally, no student shall (a) violate federal or state law or local ordinance, (b) aid or abet any other violation of federal law, state law, local ordinance, or this Student Code of Conduct, (c) violate any other CCCC policy.

Upon violation of the student code of conduct in which the threat is not imminent (i.e., not deemed an emergency), the College will determine if the student/s involved have a documented disability through Student Accessibility Services at CCCC. If the student is found to have a documented disability with the College, the student's disability will be considered before taking disciplinary action. The assessment will include but is not limited to (a) the duration, (b) nature and severity of the risk of harm to the health or safety of others, (c) the probability that the potential injury will actually occur, and (d) whether reasonable modifications of the College's policies, practices, or procedures, or the provision of auxiliary aids and services, will mitigate the risk. All assessments in regard to students with disabilities in reference to student discipline issues will be conducted by Cloud County Community College's Behavioral Intervention Team (BIT).

The College reserves the right to take disciplinary action, including suspension or expulsion, against those students who, in the finding of the College administration, have not acted in the best interest of other students, faculty, staff, or the College as a whole.

The following types of behavior are considered violations of the student code of conduct and may subject the student to disciplinary action and/or referral to appropriate law enforcement agencies.

Academic Integrity and Honesty

Students are expected to adhere to standards of honesty in all areas of academic pursuit. Students who compromise the integrity of the classroom are subject to disciplinary action on the part of the College. Individuals can refer to Academic Integrity and Honesty policy found in the Student Handbook or course syllabus for additional clarification.

Alcohol and Controlled Substances- Students at Cloud County Community College are required to follow all local, state, and federal laws pertaining to the consumption of alcohol or use of controlled substances. No student shall consume or possess

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controlled substances, including the possession of controlled substance paraphernalia, on any College-owned or College-operated facility or at any College-sponsored event or activity either on or off campus. This includes off-campus trips, internship experiences, or any off-campus Cloud County Community College sponsored gathering.

No student shall unlawfully manufacture, distribute, dispense, possess, or be under the influence of a controlled substance. Illicit drug usage within the context of competitive athletics can compromise the physical well-being, health, and safety of the individual; therefore, all athletes will be subject to random drug screening.

Assault and Battery- No student shall threaten or commit a physical or sexual assault on faculty, staff, or another student or visitor. No student shall force or threaten to force another student, faculty, or staff member to have sexual contact against that person's will. No student shall engage in psychological harm, stalking, dating violence, or other domestic violence offenses against another person. **Any student charged with assault, sexual assault, or battery on or off campus may be prosecuted under criminal statutes and disciplined under the campus Student Code of Conduct.**

The College reserves the right to pursue disciplinary action under the Student Code of Conduct even if the authorities do not pursue criminal charges for the action. Any College employee, student, or visitor who observes a potential violent or life threatening behavior has the right to immediately seek emergency assistance by calling 911 without consent of College authority.

Assembly- Free and open assembly is permitted subject to reasonable time, place, and manner restrictions. For the purposes of this code, assembly is defined as an individual or group organizing for the purpose of communication. Use of College space should be requested through established facility reservation procedures.

Computer/Campus Computing Systems- No student shall engage in the following:

- a) Intentional corruption or misuse of College computer systems
- b) Use of systems for illegal or criminal activity
- c) The use of campus owned and operated computer networks, systems, or software and hardware, for the posting of materials to electronic bulletin boards, chat rooms, mail lists, or via conventional e-mail that may be offensive or obscene is prohibited. Examples of "offensive" or "obscene" material includes use of profanity, viewing pornography, defamation and harassment in violation of College policies and all applicable federal and state laws.
- d) Use of the campus computing system for commercial or profit activities

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- e) Attempts to disrupt or support the disruption of College or external information technology services, systems, or users-disruptive activities include, but are not limited to:
- sending unauthorized mass, chain or spam mail
 - knowingly transmitting any computer viruses, worms, etc.
 - hosting or using open mail relays on College equipment
- f) The use of group websites for the publication or distribution of copyrighted materials of licensed software.

Contracts- No student shall enter into a contract with an outside agency using the name of the College. Contracts entered into in violation of this rule shall be the personal responsibility of the student.

Counterfeiting and Altering- No student shall reproduce, copy, or tamper with or alter in any way, manner, shape or form, any writing, record, document or identification or any form used or maintained by the College. This shall include electronic and computerized data.

Bullying, Discrimination, or Harassment- No student shall engage in bullying, discrimination, or harassment of another student, staff, faculty member, or visitor. Harassment is prohibited based on race, color, age, sex (including pregnancy, sexual orientation, or gender identity), religion, marital status, national origin, disability, veteran's status, or other factors which cannot be lawfully considered, to the extent specified by applicable federal and state laws. Any action or situation created recklessly or intentionally by an individual or organization to produce mental or physical discomfort, embarrassment, or ridicule to any student or prospective student, staff, faculty, or visitor will not be tolerated. This includes the use of social media to perform such acts.

Disruptive Behavior- No student shall behave in a manner that is unacceptable in a learning environment or that endangers or infringes upon the rights and/or safety of themselves or other students or staff. Any obstruction or disruption of an educational process, administrative process, or other campus function is prohibited.

Dumping and Littering- No student shall deposit, dump, litter or otherwise dispose of any refuse on College property, except in duly designated refuse depositories.

Electronic Devices- Cell phones, tablets, laptops, and other electronic devices shall not be used in a manner that causes disruption in the classroom, library or within any College-owned or College-operated facilities. This includes abuse of cellular devices with photographic capability. Utilizing these devices for the purposes of photographing test questions or engaging in other forms of academic misconduct or illegal activity is

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prohibited, as is photographing individuals in secured areas such as restrooms/bathrooms or locker rooms. Taking photographs of any individuals without their consent is strictly prohibited.

False Information- No student shall furnish false information, including false reports of fires or bomb threats, to any College official.

Fire Hazard- No student shall engage in any activities which create a fire hazard or other dangerous condition.

Gambling- No student shall engage in any form of gambling on College-owned or operated property including College owned computer systems, or at College-sponsored events either on or off campus or through the use of College owned computer systems.

Hazing- Any action or situation created recklessly or intentionally by an individual or organization to produce mental or physical discomfort, embarrassment, or ridicule to any student or prospective student of Cloud County Community College will not be tolerated.

Interference- No student shall directly interfere with a student, faculty member, or officer of Cloud County Community College in the performance of their duties.

Tobacco Use- Tobacco use is not allowed, except in outdoor designated posted areas that are a minimum of 20 feet from entrances, exits, and ventilation areas. Tobacco use is not allowed within College owned buildings or College leased or rented facilities, and public areas. Tobacco usage is defined as the burning, chewing, or any other method of inhaling or otherwise consuming any natural tobacco or tobacco-derived products through the use of, but not limited to: cigarettes (clove, bidis, kerteks), electronic cigarettes (vape pens such as JUUL, Blu, or NJOY), cigars and cigarillos, hookah-smoked products and oral tobacco (spit and spitless, smokeless, chew, snuff).

Theft/Vandalism- No student shall engage in the theft of or damage to property belonging to another person or the College. This includes tampering with coin-operated machines, fire extinguishers, smoke detectors, fire alarms, defacing of public property, and unauthorized relocating.

Weapons- Cloud County Community College prohibits the possession or use of firearms, explosives, or other weapons or any facsimile thereof within any College building or facility on College property or at any College sponsored classes, events, or activities. (See Policy F12) **Sanctions:**

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The following sanctions may be imposed, in no specific order, upon any student found to be in violation of the Student Code of Conduct. Sanctions may include, but are not limited to: **Warning:** Warning is an opportunity for a student to be given a clear directive to change/modify behavior in lieu of an official disciplinary sanction being imposed.

Restitution: Restitution is the reimbursement for damages to or misappropriation of property. This may take the form of appropriate services or other compensation. Common assessment may be made to groups of students for damage occurring in common areas shared by group members.

Fine: Students may be assessed a fine for violation(s) of the Student Code of Conduct.

Community Service Hours: The student or student organization may be required to complete a designated number of hours in the service of the College or community.

Loss of Privilege: Loss of Privilege is the limitation of activities or privileges on campus for a designated period of time.

Loss of Housing Privilege: Loss of Housing Privilege is the temporary or permanent loss of campus residency.

Confiscation: Confiscation is the removal of offensive or prohibited property.

Censure: Censure is a written reprimand of violation or specified regulations, including the possibility of severe judicial sanctions in the event of a future violation of any College regulation within a stated period of time.

Probation: Probation is a period of time during which the privilege of continuing in student status is conditional. The conditions may include, but are not limited to, loss of privileges, to which a current student would otherwise be entitled and an acknowledgment by the student that any additional violations of the Student Code of Conduct may result in more serious sanctions.

Housing Probation: Housing probation is a period of time during which the privilege of continuing in student housing is conditional. The conditions may include, but are not limited to, loss of privileges, to which a current student would otherwise be entitled and an acknowledgment by the student that any additional violations of the Student Code of Conduct or Housing Rules may result in more serious sanctions.

Preventive Suspension: The appropriate Vice President or Dean has the authority to immediately impose a preventive suspension in the event that a student's

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continued presence on campus poses a significant danger to others, and/or there is reasonable cause to believe that such a preventive Suspension is required to protect lives or property and to insure the maintenance of order. During the preventive suspension period student status is terminated and all rights and privileges are removed for a specified period of time. Students who are on preventive suspension may not be on campus, enter campus facilities, or participate in College activities either on or off campus.

Disciplinary Suspension: Suspension is the separation of the student from student status from the campus for a definite period of time, after which the student is eligible to return. During the suspension period student status is terminated and all rights and privileges are removed for a specified period of time. Students who are on suspension may not be on campus, enter campus facilities, or participate in College activities either on or off campus. Tuition and Fees will not be refunded to students who are suspended from the College. Special conditions affecting eligibility for readmission may be designated at the time of suspension.

Expulsion: Expulsion is the permanent separation of the student from student status from the campus. There is no refund of tuition, room, board, or fees to students who are expelled. **Note:** Students who are expelled from the College must leave the campus within a period of time specified by the College President or their designee.

Institutional Steps in Processing Complaint

Any member of the College community can lodge a complaint against any student or student organization believed to be in violation of the Student Code of Conduct. Any non-resident complaint related to the violation of the Student Code of Conduct will be forwarded to the Dean of Student Affairs. All residence life complaints related to the violation of the Student Code of Conduct will be first addressed by the Residence Life Coordinator (See Residence Life Handbook).

Certain violations could warrant immediate action taken by the appropriate Dean, Vice President or President if deemed necessary. In order to provide fair and impartial treatment of all disciplinary cases, the following steps will be observed in all formal disciplinary proceedings:

- (a) All nonsexual misconduct complaints including allegations of criminal offenses must be made in writing to the Dean of Student Affairs. The complaint should include the date, time, location, parties involved, and a description of the incident. When written complaint is logged with the Dean of Student Affairs the responding party will be notified in writing of the complaint,

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including alleged violation, within one (1) business day. At this time, the Dean of Student Affairs will investigate the complaint to determine if a policy violation has occurred appropriate course of action and/or sanction will be rendered.

(b) If an agreement is reached on the complaint(s)/violation(s), a written document including sanctions, if any, will be prepared and the responding party, the reporting party, and the Dean of Student Affairs will sign the document. The College will consider the matter to be resolved. Students appealing the decision of the Dean of Student Affairs will provide all written evidence discussed at the initial hearing and present it to the Dean of Student Affairs within five (5) business days.

(c) The Dean of Student Affairs will notify the Appeals Committee within five (5) business days of the appeal. The Appeals Committee will hold a hearing within five (5) business days of being notified of the appeal. A hearing will be held to address the views of all parties involved. The hearing will be audio recorded and a written record will be maintained.

Cloud County Community College Appeals Committee

The Appeals Committee hears nonsexual misconduct cases involving violations of the Student Code of Conduct not resolved with the Dean of Student Affairs.

Appeals Committee reviews the recommended sanction(s) and affirms or denies its appropriateness. If relevant, the Appeals Committee may discuss a previous pattern of behavior related to the student. The Appeals Committee arrives at a decision regarding each situation, applies sanctions to each particular case, completes documentation relevant to each case, and notifies all parties involved of decisions relevant to each case.

- Witnesses for both the responding party and reporting party may be asked to provide information supporting or refuting the alleged violation.
- Following statements, questions, and supporting or refuting information presented to the Appeals Committee, an executive session to decide appropriate sanctions will be conducted.
- The chairperson of the Appeals Committee will provide a written copy of the decision to the reporting party and responding party within one (1) business day of the closing of the formal hearing.

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The members of the Cloud County Community College Appeals Committee are appointed by the Dean of Student Affairs and will remain on the committee for a period of one (1) academic year. This committee will consist of the following:

1. Chairperson: A member of the Student Services Staff
2. A support staff member
3. A faculty member
4. A member of the administrative staff or support
5. A full-time student, preferably a member of the Student Senate.

For the purpose of a hearing, a quorum will consist of three persons, (two at-large members of the Appeals Committee and the Chairperson). In all cases the Appeals Committee arrives at a decision and applies relevant sanctions.

The Appeals Committee will notify the appropriate Dean or Vice President of the sanction(s).

The reporting party and responding party have the right to appeal decisions of the Appeals Committee to the College President. The reporting party or responding party must file a written appeal within in five (5) business days of the Appeals Committee decision. When the written decision of the Appeals Committee is made available and the case results in suspension or expulsion from the College, the responding party has two (2) business days to file a written appeal to the College President.

The reason(s) a student may appeal a decision is/are:

- Procedures were not followed
- Evidence did not justify results
- Sanction was not consistent with the nature of the violation
- There is new evidence (not available or withheld at the hearing)

Appeals to College President

The College President hears nonsexual misconduct appeals regarding the disciplinary situation and may reverse or affirm the Appeals Committee's decision, or impose a lesser or more severe sanction and consider any evidence not previously available to the Appeals Committee in their decision.

The responding party has the right to appeal the decision of the College President to the Board of Trustees. The responding party must notify the Board of Trustees the desire to

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appeal within five (5) business days after receipt of notification of the College President's decision.

Appeals to the Board of Trustees

The Board of Trustees will hear all appeals regarding the College President's decision at the next scheduled Board of Trustees meeting. The hearing before the Board of Trustees shall be on the record developed before the Appeals Committee. No new evidence shall be received by the Board of Trustees. The parties may be represented by attorneys and shall have the right to present written or oral arguments as directed by the Board of Trustees. The Board shall render its decision by a majority vote of those members in attendance. The Board's decision shall be in writing and include written findings of fact supported by evidence in the record.

Disciplinary Records

To assure students' rights to privacy, disciplinary records are kept separate from academic records. Investigative materials relating to violation of College policy are maintained electronically and in the student information system. The disclosure of information from the disciplinary records will comply with the Family Educational Rights and Privacy Act. When disclosure is compelled by legal process or by student consent, only the Dean of Student Affairs or the President of the College shall give authorization for the release of disciplinary records. Disciplinary records are kept in confidential files for at least 7 years after the student leaves Cloud County Community College. Expulsion records are kept in confidential files for 25 years after the student leaves Cloud County Community College.

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