Student Code of Conduct

Student Affairs Department

2026-2027

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Policy Statement

State Technical College of Missouri is an academic community built on the principles of mutual respect, integrity, and honesty. The College strives to provide a community wherein individuals have the right to express their opinions and ideas, to assemble peacefully, and to associate freely in a manner that does not interfere with the rights of others and is in the confines of intellectual honesty. To thrive as an educational institution, the college has adopted this Student Conduct Code ("Student Code") to promote and preserve its educational mission for the benefit of all who are invited to be a part of the community.

It is in the best interest of the College and all those who are students, or who may desire to become students at the College, that the disciplinary procedure be defined. This document prescribes procedures to be followed in disciplinary cases in order that cases may be handled in a timely manner while serving the interests of the college community and safeguarding the rights of all students. Administrative responsibility for the establishment and enforcement of policies governing non-academic student conduct and disciplinary action has been delegated by the State Tech President to the Dean of Students. The Dean of Students has in turn, delegated considerable authority for the establishment of rules and handling of violations to Student Conduct Administrators and other bodies as designated in this procedure.

Definitions as Used in this Code

1. **Accused Student** - Any student accused of violating this student code of conduct.

2. **Business Days** - All days except Saturdays, Sundays, and College holidays. When counting days, the day a complaint is received at any point in the procedure shall be considered "day one."

3. **College** - means State Technical College of Missouri.

4. **College premises** - Includes all land, buildings, facilities, and other property in the possession of or owned, or controlled by the college (including adjacent streets and sidewalks).

5. **College official** - Includes any person employed by the college or any person performing assigned administrative or professional responsibilities on behalf of the college.

6. **Complainant** - Any person who submits a charge alleging that a student violated this Student Code. When a student believes that s/he has been a victim of another student's misconduct, the student who believes s/he has been a victim will have the same rights under this Student Code as are provided to the Complainant, even if another member of the College community submitted the charge itself.

7. **Consent** - is the agreement or permission expressed through affirmative, voluntary words or actions that are mutually understandable to all parties involved, to engage in a specific act at a specific time. Consent if given for a specific sexual act at a specific time can be withdrawn at any time. Consent cannot be coerced or compelled by duress, threat, force, or deception. Consent cannot be given by someone who, for any reason, cannot understand the facts, nature, extent or implications of the sexual situation occurring, including, but not limited to, those who are

under the legal age of consent, asleep, unconscious, mentally or physically impaired through the effects of drugs or alcohol, or mentally impaired due to an intellectual or other disability. Consent cannot be assumed based on silence, the absence of "no" or "stop," the existence of a prior or current relationship, or prior sexual activity.

8. **Consequences** - refers to the outcomes or terms that a student must fulfill in the event they are found responsible for policy and/or code violations.

9. **Dating Violence** - violence committed by a person:
    a. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
    b. where the existence of such a relationship shall be determined based on a consideration of the following factors:
        i. the length of the relationship.
        ii. the type of relationship.
        iii. the frequency of interaction between the persons involved in the relationship.

10. **Domestic Violence** - felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Missouri, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Missouri.

11. **Explosives** - means any explosive, incendiary or poison gas bomb or similar device designated or adapted for the purpose of inflicting death, serious physical injury or substantial property damage, or any device designed or adapted for delivering or shooting such a weapon.

12. **Faculty member** - Any person hired by the College to conduct classroom or teaching activities or who is otherwise considered by the College to be a member of its faculty.

13. **Firearms** - means any weapon that is designed or adapted to expel a projectile by the action of an explosive.

14. **Member of the College Community** - Any person who is a student, faculty member, College official or any other person employed by the College. A person's status in a particular situation will be determined by the Dean of Students or designee.

15. **Hostile Environment Sexual Harassment** - is unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person access to the College's Education Programs or Activities.

16. **No Contact Directive** - a directive that is issued by college officials which prohibits both direct and indirect contact (e.g., in-person contact, telephone calls, email, text messages, social media posts, etc.) between students, or other members of the campus community, when there exists a reasonable concern that physical or psychological harm may result from such contact.

17. **Other dangerous weapons** - are to include, but not be limited to, a blackjack, switchblade knife, (other than an ordinary pocketknife with no blade more than four inches in length), brass knuckles and projectile weapon such as a bow, crossbow, pellet gun, slingshot or any other weapon as defined by Missouri law.

18. **Paraphernalia** - includes any object that:

    a. contains the residue of alcohol or of an illegal drug,
    b. is manufactured or sold for the consumption of alcoholic beverages or an illegal drug, or
    c. is designed for the rapid consumption of alcohol. Examples of paraphernalia under this definition include, but are not limited to, a marijuana pipe or bong, blow tube, a beer bong and empty beer cans, liquor bottles or empty case of beer.

19. **Staff member** - Any person employed by the College who is not a faculty member or student employee.

20. **Policy** - The written regulations of the College as found in, but not limited to, the student conduct code, student handbook, College catalog and College website.

21. **Quid Pro Quo Sexual Harassment** - is an employee of the College conditioning the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual contact.

22. **Respondent** - Any student or student organization who is alleged to have violated the Code of Conduct.

23. **Sexual Assault** - includes the sex offenses of Rape, Sodomy, Sexual Assault with an Object, Fondling, Incest, and Statutory Rape.

24. **Sexual Harassment** - is conduct on the basis of sex that constitutes Quid Pro Quo Sexual Harassment, Hostile Environment Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, or Stalking.

25. **Staff member** - Any person employed by the College who is not a faculty member or student employee.

26. **Stalking** - Engaging in any course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.

27. **Student** - Includes all persons taking courses at State Technical College of Missouri, either full-time or part-time, pursuing degree or non-degree programs including continuing education and distance courses. Persons who withdraw after allegedly violating the Student Code of Conduct, who are not officially enrolled for a particular semester, but who have a continuing relationship with the College, or who have been notified of their acceptance for admission are considered "students," although not enrolled in this institution.

28. **Student Conduct Administrator** - A College official authorized by the Dean of Students to determine whether a student has violated the student conduct code and to impose sanctions.

29. **Student Hearing Decision-Maker** - A staff member selected by the Dean of Students or designee to facilitate a Student Hearing proceeding.

30. **Student Organization** - Any number of persons who have complied with the formal requirements for College recognition as a club or organization.

Student Code Authority

1. The Dean of Students will determine and assign the Student Hearing Decision-Maker. A Student Hearing Decision-Maker will conduct a hearing to see if the potential sanction could be suspension or expulsion from the college.

2. The Dean of Students will develop policies for the administration of the student conduct system and procedural rules for the administration of Student Conduct Hearings that are consistent with provisions of the Student Code.

3. Decisions made by Dean of Students or designee, and/or Student Hearing Decision-Maker are final, pending the normal appeal process.

4. Nothing in this Code is intended to interfere with any statutory right to petition the Board of Regents.

Student Rights

The following enumeration of rights shall not be construed to deny or disparage other rights not in conflict with this Student Code of Conduct and retained by students in their capacity as members of the College Community or as citizens of the State or of the United States. This Code shall not be construed in any manner which might run counter to a reasonable construction of the Charter and Bylaws of the College and the direction of the Board of Regents; nor shall it be construed, interpreted or applied in any manner which would seem detrimental to the privileges, purposes, aims and goals of State Technical College of Missouri as a public institution of higher learning with a statewide mission.

1. Federal and State constitutional guarantees of free inquiry, expression and assembly are specifically restated as guarantees on this campus.

2. Students are free to pursue their educational goals and to have appropriate opportunities for learning in the classroom and on the campus as shall be provided by the College.

3. Except in emergency and extraordinary circumstances, no conduct consequences may be imposed upon any student without providing the minimal procedural protections provided for in this code.

4. Within the limits of its facilities, the College shall be open to all applicants who are qualified according to the admission requirements, which may be adopted and established from time to time. The college does not discriminate on the basis of race, color, national origin (including ancestry, or any other subcategory of national origin recognized by applicable law), religion, sex (including marital status, family status, pregnancy, sexual orientation, gender identity, or gender expression), age, disability, veteran status, genetic information or any other basis protected by applicable law in employment or in any program or activity offered or sponsored by the College. Prohibited sex discrimination encompasses sexual harassment, which includes sexual violence.

5. Discussion and expression of all views relevant to the subject matter are permitted in the classroom subject to the responsibility of the instructor to maintain order and a climate conducive to learning, within the stated goals and purposes of the College.

6. All students shall have the right to be protected from prejudiced academic evaluations unrelated to academic performance based on the student's views, opinions, political associations, organizational memberships or the instructor's biases based on the character of the student. Furthermore, all students shall have the right to appeal a grade to the instructor and the Vice President of Academic and Student Affairs at the end of the semester.

7. Discussion and expression not inconsistent with the laws of the State and the United States, and in the manner, time and place prescribed by college policy, are permitted within the institution. Support of any cause by orderly means is permitted, subject to the paramount rights of the college, the safety and rights of individuals, the protection of property and the continuity of the educational process.
8. The College encourages expression of informative and differing viewpoints on issues and will support the presence on the campus of responsible persons representing various views. The College reserves the right to specify the conditions of time, place and manner of speakers.

9. Organizations and groups may be established within the College for any lawful purpose. Affiliation with an extramural organization shall not, in itself, qualify or disqualify the college branch or chapter from institutional privileges. A group shall become an organization when formally recognized by the College according to the procedures and regulations established by the office of student activities. No group may be so recognized or continue to be recognized if its

purposes or programs are in conflict with this Student Code of Conduct or with the laws of the State or of the United States.

10. A student group or organization may distribute written material on campus without prior approval provided that such distribution is consistent with the policies of the college, including the college's Logo Usage Guidelines, and the applicable laws of the State and of the United States, and provided that it does not disrupt the operation of the college.

11. All students shall have the right to be represented in the Student Government Association, and they further shall have all rights that constituents in democratic societies have including, but not limited to, the right of petition and recall of their representatives.

12. Students have limited rights of privacy while on college premises, which extend to living quarters in residence halls. The following activities shall not be considered to impinge upon such rights of privacy: the entry of a room to provide maintenance inspections or repair services; entry when there is reasonable cause to believe that a health or safety issue exists; entry when there is reasonable evidence of a disruption of peace that substantially interrupts the daily operations of the residence hall; entry of a room when a student permanently vacates the room; entry of a room when a student vacates a room for a break period; the search of student rooms by civil authorities in accordance with local, state, or federal laws; the removal of substances or property in violation of college policy or law during a routine health or safety inspection; the removal of substances or property in violation of college policy or law when in plain view; and the removal of substances or property in violation of college policy or law during a situation when a college official, in the course of the official's duties, believes an emergency situation exists which poses threat of harm to a member of the campus community or to college property. Students should not expect these limited rights of privacy to extend to computer accounts and electronic mail. The college reserves the right to access student files and accounts as a part of normal routine tasks and for the purposes of investigating alleged wrongdoing.

13. All students shall have the right to have their academic and conduct records protected from unauthorized access by any person without the written consent of the student involved, except under compulsion by a college hearing panel or court of law, the college Board of Regents, or as otherwise allowed by state and federal law.

14. All students shall have the right to be secure from having these rights infringed upon by college administrators, faculty, support staff or fellow students.

15. All students have a right to be offered reasonable protection from retaliation, intimidation and/or harassment. Students who believe they have experienced retaliation, intimidation and/or harassment are encouraged to seek assistance from the Dean of Students or the College Counselors. Students can find assistance on filing complaint charges or campus resources on Eagle Online under the Student Info tab.

16. The college community is a community of people with respect for diversity. The college emphasizes the dignity and equality common to all persons and adheres to a strict non-discrimination policy regarding the treatment of individual faculty, staff and students. In accord with federal law and applicable Missouri statutes, the college does not discriminate on the basis of race, color, national origin (including ancestry, or any other subcategory of national origin recognized by applicable law), religion, sex (including marital status, family status, pregnancy, sexual orientation, gender identity, gender expression or any other subcategory of sex recognized by applicable law), age, disability, veteran status, genetic information or any other basis protected by applicable law in employment or in any program or activity offered or sponsored by the college. Sex discrimination encompasses sexual harassment, which includes sexual violence, and is strictly prohibited by Title IX of the Education Amendments of 1972.

Prohibited Conduct

Jurisdiction of the Student Conduct Code

The Student Conduct Code will apply to conduct that occurs on College premises, at College-sponsored activities, and to off-campus conduct, including, but not limited to, activities on College partners' premises, off-campus conduct, or in cyberspace which adversely affects the College community and/or the pursuit of its objectives. Each student will be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if their conduct is not discovered until after a degree is awarded). The Student Conduct Code applies to a student's conduct even if the student withdraws from school while a disciplinary matter is pending.

Conduct - Rules and Regulations

Any student found to have committed or to have attempted to commit the following offenses is subject to the full range of disciplinary sanctions outlined in The Student Conduct Code Procedures section including warning, probation, suspension, or expulsion:

1. Acts of dishonesty, including but not limited to the following: a. Furnishing false information to any College official, faculty member, or office. b. Forgery, alteration, or misuse of any College document, record, or instrument of identification.

2. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other College activities, including its public service functions on or off campus, or of other authorized non- College activities when the conduct occurs on college premises.

3. Physical abuse, verbal abuse, threats, intimidation, harassment, coercion, and/or other conduct, which threatens or endangers the health or safety of any person; whether in person or online.

4. Violation of the Gender Based Misconduct Policy which prohibits sexual misconduct in any form and which includes any unwelcome behavior of a sexual nature that is committed without consent, by force, intimidation, coercion, or manipulation.

5. Attempted or actual theft of and/or damage to property of the College or property of a member of the College community or other personal or public property, on or off campus.

6. Hazing, defined as an act, which, intentionally or recklessly, endangers the physical health or safety of a student, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, any organization operating in connection to the college.

7. Unauthorized possession, duplication or use of keys to any College premises or unauthorized entry to or use of College premises.

8. Violation of any College policy, rule, or regulation published in hard copy or available electronically on the College website.

9. Violation of any federal, state or local law.

10. Manufacturing, selling, distribution, use, or possession of marijuana, heroin, narcotics, or other controlled substances except as expressly permitted by law or possession of a device (drug paraphernalia) used to ingest or inhale an illegal drug or narcotic.

    Notwithstanding any other provision in this Policy, use of prescription and non-prescription medication is not a violation of this Policy if that medication is taken in accordance with a lawful and current prescription or standard dosage recommendation. For purposes of this Policy, a prescription is not current if it is more than twelve months old or has expired by its own terms.

    On December 8, 2022, the use of recreational marijuana was added to the Missouri State Constitution. It is important to note that possession and use of marijuana is prohibited on all State Tech property as required by the Drug-Free Schools and Community Act and Drug-Free Workplace Act.

    Following a review of the federal Drug-Free Schools and Community Act and Drug-Free Workplace Act, State Technical College of Missouri will continue to prohibit the possession, use and distribution of marijuana on any college property or as part of college-sponsored or college-supervised activities.

    According to H.R.3614, the Drug-Free Schools and Communities Act, any institution that receives federal funds must make an effort to fight illegal drugs. Although marijuana has been legalized in Missouri, possessing, selling, or consuming still represents a violation of this federal law. Marijuana and its active ingredient THC are illegal drugs under federal law and, in addition, their use presents serious safety risks, and accordingly they are included in this definition as a prohibited drug.

    In addition, the College drug screens students in Electrical Technology, Aviation Maintenance, any program requiring a commercial driver’s license, and programs that require clinical work.

For-Cause Drug and Alcohol Testing

State Technical College of Missouri is committed to maintaining a safe and secure learning environment. The College reserves the right to take immediate action when a student is suspected of being impaired by drugs or alcohol.

Reasonable Suspicion

A student may be subject to this policy when there is reasonable suspicion that the student is under the influence of drugs or alcohol.

Reasonable suspicion is defined as a belief based on specific, contemporaneous, and observable facts that would lead a reasonable person to conclude the student may be impaired.

Examples of behaviors that may support reasonable suspicion include, but are not limited to:

- Odor of alcohol or drugs
- Slurred speech or impaired coordination
- Unsteady movement or lack of balance
- Erratic, disruptive, or unusual behavior
- Confusion or inability to follow instructions
- Unsafe actions in classroom or lab environments
- Possession of alcohol, drugs, or paraphernalia
- Credible and specific reports from faculty, staff, or students

Immediate Action

When reasonable suspicion exists:

- The student may be removed from the classroom, lab, or campus as appropriate
- The student will be informed of the concern and next steps
- The College will make reasonable efforts to arrange safe transportation for the student from campus

For-Cause Testing

The student will be asked to consent to a for-cause drug and/or alcohol test administered by a College-designated vendor.

- Testing should occur as soon as reasonably possible, preferably the same day
- The cost of testing is the responsibility of the student

Failure to Comply

A student who refuses or fails to comply with required testing procedures will be placed on immediate interim suspension pending further review under the Student Code of Conduct.

Documentation and Review

- A faculty or staff member must document the specific observations that led to reasonable suspicion

- The student will have an opportunity to provide a written statement
- All incidents will be referred to the Dean of Students for review and action in accordance with the Student Code of Conduct

Compliance

This policy will be implemented in a manner consistent with applicable laws and College policies, including those related to student rights and, where applicable, disability accommodations.

11. Manufacturing, selling, distribution, use, or possession of alcoholic beverages (except as expressly permitted by College regulations), or public intoxication. Alcoholic beverages may not, in any circumstance, be used by, possessed by, or distributed to any person under 21 years of age.

12. Participating in an on-campus or off-campus demonstration, riot or activity that disrupts the normal operations of the College and/or infringes on the rights of other members of the College community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area.

13. Obstruction of the free flow of pedestrian or vehicular traffic on College premises or at College sponsored or supervised functions.

14. Conduct that is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on College premises or at functions sponsored by, or participated in by, the College or members of the College community.

15. Any unauthorized use of electronic or other devices to make an audio or video record of any person while on College premises without his/her prior knowledge, or without his/her informed consent. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room, or restroom.

16. Theft or other abuse of computer facilities and resources, including but not limited to:
    a. Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
    b. Unauthorized transfer of a file.
    c. Use of another individual's identification and/or password.
    d. Use of computing facilities and resources to interfere with the work of another student, faculty member or College official.
    e. Use of computing facilities and resources to send obscene or abusive messages.
    f. Use of computing facilities and resources to interfere with normal operation of the College computing system.
    g. Use of computing facilities and resources in violation of copyright laws.
    h. Any violation of College policies pertaining to use of information technology, including computer use policies.

17. Abuse of the Student Conduct Code, including but not limited to:
    a. Failure to obey the notice from a Student Conduct Administrator or College official to appear for a meeting or hearing as part of the Student Conduct System.
    b. Falsification, distortion, or misrepresentation of information before a Student Conduct proceeding.
    c. Disruption or interference with the orderly conduct of a Student Conduct proceeding.
    d. Institution of a Student Conduct Code proceeding in bad faith (e.g. filing a false complaint).
    e. Attempting to discourage an individual's proper participating in, or use of, the student conduct system.
    f. Attempting to influence the impartiality of a Student Conduct Administrator prior to, and/or during the course of, the Student Conduct proceeding.
    g. Harassment (verbal or physical) and/or intimidation of a victim or other person who files a student conduct complaint or any participant(s) of a conduct proceeding, including but not limited to, their family members, friends, or acquaintances, witnesses, student conduct staff, or advisors, prior to, during, and/or after a student conduct proceeding.
    h. Retaliation against a victim or other person who files a student conduct complaint or any participant(s) of a conduct proceeding, including but not limited to, their family members, friends, or acquaintances, witnesses, student conduct staff, or advisors, prior to, during, and/or after a student conduct proceeding. This includes any form of intimidation, threats, harassment (verbal or physical) or knowingly filing a false complaint.
    i. Failure to comply with the sanction(s) imposed under the Student Conduct Code.
    j. Influencing or attempting to influence another person to commit an abuse of the student conduct code system.

18. Intentionally sounding a false alarm or tampering with fire safety equipment.

19. Use or possession on the campus or during any College-authorized function or event of firearms, ammunition, or other dangerous weapons, substances, or materials, except as expressly authorized by the College, or of bombs, explosives, or explosive or incendiary devices prohibited by law or any other violation of the college weapons policy.

20. Undue or willful neglect to meet financial obligations to the College when properly notified by the College.

21. Failure to comply with directions of College officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.

22. Misuse of college identification – Transferring, lending, borrowing, or altering a college identification.

23. Violation of the Student Conduct Code while on disciplinary probation, or violation of the terms of one's probation.

Violation of Law and College Discipline

1. College conduct proceedings are separate from criminal or civil litigation. Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in student conduct code proceedings.

2. College disciplinary proceedings may be instituted against a student charged with conduct that potentially violates both the criminal law and this Student Code (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under this Student Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of the Dean of Students or designee. Determinations made or sanctions imposed under this Student Code will not be subject to change because criminal charges arising out of the same facts giving rise to violation of college rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant.

3. When federal, state, or local authorities with a violation of law charge a student, the College will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also being processed under the Student Code, the College may advise off-campus authorities of the existence of the Student Code and of how such matters are typically handled within the college community. The College will attempt to cooperate with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators (if the conditions do not conflict with campus rules or sanctions). Individual students and other members of the college community, acting in their personal capacities, remain free to interact with governmental representatives, as they deem appropriate.

Student Conduct Code Procedures

A. Charges and Student Conduct Hearings

1. Any person may file charges against a student for violations of the Student Conduct Code. A charge should be prepared in writing and directed to the Dean of Students or designee. Any charge should be submitted as soon as possible after the event takes place, preferably within one calendar year. With respect to any complaint that is 1) by a person who is not a member of the college community, and 2) relating to non-college conduct, the College reserves the right to determine, in its sole discretion, whether the conduct described in the complaint constitutes a sufficient risk to the college community to warrant processing the complaint.

2. The Dean of Students or designee may conduct an investigation to determine if the charges have merit. If the accused student elects to acknowledge his or her actions and take responsibility for the alleged misconduct, the Dean of Students will propose a resolution to

the complaint and a sanction. A student may also agree to the proposed sanctions without acknowledging wrongdoing. If the accused student agrees to the proposed sanction, the complaint is resolved without a hearing and without any further rights of appeal. If the accused student objects to the proposed sanction, the Dean of Students or designee will work toward an informal resolution that both the complainant and the respondent agree in writing to (mutual consent) the sanctions.

If the charges are not admitted to and/or cannot be disposed of by mutual consent, the Dean of Students or designee will conduct an administrative hearing except if the complaint may result in suspension or expulsion. Complaints that may result in a sanction of suspension or expulsion will be disposed of through a Student Hearing. All other cases will be disposed of through an administrative hearing conducted by the Dean of Students or designee.

3. Complaints alleging conduct that includes sexual harassment and other forms of sexual misconduct will be handled according to the rules and procedures described in the Sexual Misconduct Involving Students policy and the applicable sections of this policy.

4. All charges will be presented to the accused student in written form. A time will be set for an administrative hearing or Student Hearing that ensures a prompt and equitable resolution, not less than five (5) nor more than thirty (30) business days after the accused student has been notified. A Student Hearing may be extended at the discretion of the Dean of Students. Written notification to the Accused Student will include:
    a. the alleged conduct violation;
    b. name of the person who is alleging the conduct violation;
    c. a summary of the specific allegations;
    d. the time, date, and place of the hearing;
    e. the name(s) of the Dean of Students, designee, or Student Hearing Decision-Maker, who will hear the case;
    f. the potential disciplinary sanctions; and
    g. the related procedures outlined in The Student Conduct Code Procedures section.

Like notice will also be provided concurrently to the Complainant.

5. Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in Student Code proceedings.

6. Students accused of violating the Student Conduct Code are presumed to be innocent until proven guilty.

7. The determination of whether or not a violation of the Student Conduct Code occurred will be made on the basis of whether it is more likely than not that the Accused Student violated the Student Conduct Code. This is more formally referred to as the, “Preponderance of the Evidence Standard.”

8. The Dean of Students or designee will notify the Accused Student and the Complainant of the outcome of the proceeding in writing within ten business days of completion of the student conduct proceeding.

9. If an Accused Student, with notice, does not appear for the proceeding, the information in support of the charges will be presented and considered even if the accused student is not present.

10. A conduct violation that may not result in the sanction of suspension or expulsion will be resolved through an administrative proceeding with the Dean of Students or designee. The Dean of Students or designee will determine if a violation occurred and will issue appropriate sanctions.

11. An alleged violation of the Student Conduct Code in which the accused student contests responsibility and that may result in the sanction of suspension or expulsion will be resolved through a Student Hearing proceeding according to the following guidelines:
    a. Hearings will be conducted in private.
    b. The Student Hearing Decision-Maker will be appointed by the Dean of Students to serve as the hearing decision-maker.
    c. The Complainant, Accused Student and their advisors, if any, will be allowed to attend the entire portion of the Student Hearing meeting at which information is received. Admission of any other person to the Hearing meeting will be at the discretion of the Student Hearing Decision-Maker.
    d. In hearings involving more than one Accused Student, the Dean of Students, in his or her discretion, may permit the Student Hearing proceeding (s) concerning each student to be conducted either separately or jointly.
    e. The Complainant and the Accused Student have the right to challenge the Student Hearing Decision-Maker on the grounds of prejudice. This challenge, with the reasons for the challenge, must be submitted in writing to the Dean of Students at least two business days prior to the hearing. The Dean of Students or designee will determine if the officer will sit on that case. If the challenge is upheld, the Dean of Students or designee will select another member of the student conduct team to serve as Hearing officer for the meeting.
    f. The Complainant and the Accused Student have the right to be assisted by an advisor of their choice. If a student is not able to secure an advisor, the college will provide one at no cost. The Complainant and/or the Accused Student is responsible for presenting his or her own information, and therefore, advisors are not permitted to speak or to participate directly in any Student Conduct Hearing before a Hearing Officer. However, advisors are encouraged to speak with their advisee throughout the proceedings to assist them in asking relevant questions. The participants should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the Student Hearing proceeding because delays will not normally be allowed due to the scheduling conflicts of an advisor.

g. The Complainant, the Accused Student, Dean of Students or designee, and the Student Hearing Decision-Maker may arrange for witnesses to present pertinent information to the Student Hearing. The College will try to arrange the attendance of possible witnesses who are members of the college community, if reasonably possible, and who are identified by the Complainant and/or Accused Student at least two weekdays prior to the Student Hearing proceeding. Witnesses will provide information to and answer questions from the Student Hearing Decision-Maker.
h. Questions may be suggested by the Accused Student and/or Complainant to be answered by each other or by other witnesses. This will be conducted by the Student Hearing Decision-Maker, rather than to the witness directly. This method is used to preserve the educational tone of the hearing and to avoid creation of an adversarial environment. Questions of whether potential information will be received will be resolved in the discretion of the Student Hearing Decision-Maker.
i. Pertinent records, exhibits, and written statements may be accepted as information for consideration at the discretion of the Student Hearing Decision-Maker.
j. All procedural questions are subject to the final decision of the Student Hearing Decision-Maker.
k. After the portion of the Student Hearing concludes in which all pertinent information has been received, the Student Hearing Decision-Maker will determine whether the Accused Student has violated each section of the Student Code of which they have been accused.
l. There will be a single verbatim record, such as a recording or transcript, of all Student Hearing proceedings before a Student Hearing Decision-Maker. The recording or transcript will be the property of the college.
m. The Student Hearing Decision-Maker may accommodate concerns for the personal safety, flexibility of schedules, well-being, and/or fears of confrontation (of the Complainant, Accused Student, and/or other witness/advisors) during the hearing by providing separate facilities, by using a visual screen, and/or by permitting participation by telephone, videophone, closed circuit television, video conferencing, or other means, where appropriate.

B. Sanctions

1. The following sanctions may be imposed upon any student found to have violated the Student Conduct Code:
    a. **Education and Reflection** - Activities with the intent of providing opportunities for students to learn about and reflect on issues related to College policies, their behaviors, and impacts on the college community of these behaviors.

    b. **Service** - Designated work performed for the benefit of the College community.

    c. **Warning** - a notice in writing to the student that the student is violating or has violated institutional regulations.

    d. **Probation** - a written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary

sanctions if the student is found to violate any institutional regulation(s) during the probationary period.

e. **Loss of Privileges** - denial of specified privileges for a designated period of time.

f. **Fines** - previously established and published fines may be imposed.

g. **Restitution** - compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.

h. **Discretionary Consequences** - Work assignments, service to the college, or other related discretionary assignments which may include, but are not limited to, an apology, restriction upon privileges, a research paper or written statement, evaluation for alcohol/drug abuse, completion of college programming, no contact directives, or other consequences deemed appropriate.

i. **Deferred Suspension** - A serious and final notification that any violation of College policy may result in the immediate suspension of the student from the College for a specified period of time after which the student would be eligible to return. Conditions for readmission may be specified prior to the student being eligible to return.

j. **Suspension** - separation of the student from the College for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.

k. **Expulsion** - permanent separation of the student from the College.

l. **Revocation of Admission and/or Degree** - admission to or a degree awarded from the College may be revoked for fraud, misrepresentation, or other violation of College standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.

m. **Withholding Degree** - The College may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Conduct Code, including the completion of all sanctions imposed, if any.

n. **Delayed Registration** - A student may be required to delay his/her course registration until a complainant or any other student(s) involved in a conduct matter has completed course registration. Delayed registration is for a specified number of semesters or may be required until the complainant or other involved student(s) graduate.

2. More than one of the sanctions listed above may be imposed for any single violation.

3. Disciplinary sanctions will not be made part of the student's permanent academic record but will become part of the student's disciplinary record.

4. The outcome of any code of conduct investigation becomes a part of the disciplinary record of both the complainant and the respondent.

5. The following sanctions may be imposed upon groups or organizations:
   a. Those sanctions listed above in article (B)(1)(a)-(n).
   b. Loss of selected rights and privileges for a specified period of time.
   c. Deactivation-loss of all privileges, including college recognition, for a specified period of time.

6. In each case in which a Student Hearing Decision-Maker or Student Conduct Administrator determines that a student and/or group or organization has violated the Student Code of Conduct, the sanction(s) will be determined and imposed by the Dean of Students or designee with the exception of cases involving sexual misconduct, in which case the Title IX Hearing Officer/Decision-Maker will issue any sanctions.

C. Interim Suspension

In certain circumstances, the Dean of Students or designee may impose an interim suspension prior to the disposition of a student conduct proceeding.

1. Interim suspension may only be imposed:
   a. to ensure the safety and well-being of members of the college community or preservation of College property;
   b. to ensure the student's own physical or emotional safety and well-being; or
   c. if the student poses an ongoing threat of disruption of, or interference with, the normal operations of the College.

2. During the interim suspension, a student will be denied access to the campus (including classes) and/or all other College activities or privileges for which the student might otherwise be eligible, as the Dean of Students or designee may determine to be appropriate. Reasonable accommodations will be made for the student to continue their education through alternative course delivery methods during the interim suspension.

3. The interim suspension does not replace the regular process, which will proceed on the normal schedule, up to and through an Administrative or Student Hearing proceeding, if required. However, the student should be notified in writing of this action and the reasons for the suspension. The notice should include the time, date, and place of a subsequent hearing at which the student may show cause why his or her continued presence on the campus does not constitute a threat and at which they may contest whether a campus rule was violated.

D. Appeals

1. The decision of the Student Conduct Administrator, designee, or Student Hearing Decision-Maker including sanctions imposed may be appealed by the Accused Student(s), the Complainant(s) or both to the Dean of Students or designee within five business days of the decision. Such appeals will be in writing and will be delivered to the Dean of Students or designee. The Dean of Students or designee will determine if the decision and/or sanctions imposed will be stayed pending the outcome of the appellate decision.
2. Except as required to explain the basis of new information, an appeal will be limited to a review of the verbatim record of the student conduct hearing and supporting documents for one or more of the following purposes:

    a. To determine whether the Student Hearing proceeding was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.
    b. To determine whether the sanction(s) imposed were appropriate for the violation of the Student Code of Conduct, which the student was found to have committed.
    c. To consider new information, sufficient to alter a decision or other relevant facts not brought out in the original hearing, because such information and/or facts were not known to the person appealing at the time of the original hearing.

3. The Dean of Students may affirm, reverse, or modify the decision regarding the violation and/or sanctions imposed. The appeal decision of the Dean of Students is the final decision of the college, and no further appeals are permitted under this policy.

4. All parties will be informed of whether the grounds for an appeal are accepted and the results of the appeal decision.

Student Hearing Decision-Maker

The Dean of Students appoints the Student Hearing Decision-Maker. The Student Hearing Decision-Maker will attend Student Conduct meetings led by the Dean of Students or designee.

Training

The Dean of Students or designee will conduct annual training with persons involved in the administration of the student conduct system. This includes, but is not limited to, the Student Hearing Decision-Maker and other Student Conduct Administrators. Training will be conducted in a manner that is consistent with provisions of the student code of conduct.