

AP403 Student Code of Conduct

Associated Board Policy: 403.00

Procedure Owner: Vice President of Academic Affairs and Executive Director of Student Services

Related Procedures: Academic Code of Conduct

I. Procedure Scope and Purpose

This procedure applies to all students who enroll in courses at Cowley College.

Cowley College is committed to providing an excellent safe and learning environment for all students in and outside the classrooms. We believe in fostering a campus climate that promotes physical and mental well-being as well as a safe and orderly campus environment. Students who compromise the student code of conduct are subject to disciplinary action by the college. Like other members of the academic community, Cowley College students are expected to conduct themselves in accordance with standards of the College that are designed to perpetuate its educational purposes.

Cowley College students are expected to conduct themselves as responsible individuals at all times while on campus and off campus when on a college approved activity in accordance with the Standards of Student Conduct. Acts of incivility or misconduct which interferes with or detracts from the learning-centered environment are not permissible. A charge of misconduct may be made against a student for violating provisions of published College regulations and policies. In circumstances where a student is charged with misconduct, they will be processed in accordance with procedures set forth in the Standards of Student Conduct and reflected in the Student Handbook.

The student so affected by a student code of conduct violation and disciplinary action shall have the right of appeal through policy 405.

The procedures that follow are intended to set a standard for student conduct, achieve an equitable solution that will resolve the disputes and issues with due regard to the rights of the parties involved, the protection of the faculty and student body, and the interest of the College. The administrator responsible for ensuring student rights and freedoms is the Executive Director of Student Services. Both the Vice President of Academic Affairs and the Executive Director of Student Services are responsible for student conduct, responsibilities and due process.

II. Definitions and Student Conduct Standards/Expectations

Cowley College students assume an obligation to conduct themselves in a manner compatible with the functions of the College as an educational institution. The following are examples of the categories of misconduct for which students may be subject to disciplinary action:

1. Dishonesty, including but not limited to forgery, changing or misuse of College documents, records of identification, cheating, plagiarism, aiding or abetting cheating or plagiarism, knowingly furnishing false information to the College in written or electronic form or copying College software.
2. Furnishing false information to the College with the intent to deceive the College or any person or agency.
3. Dress and appearance that are not in accordance with generally accepted trends at this college or which violate laws pertaining to health, sanitation, and insurance.
4. Failure to comply with the lawful directions of College personnel acting in performance of their duties (e.g., disrupting class sufficiently to hinder effective instruction).
5. Physical or verbal abuse, or harassment of any person on College-owned property or at College-sponsored or supervised functions, or conduct which threatens or endangers the health or safety of any such person.
6. Incivility toward instructors, students, or guests in any type of classroom setting.

7. Inappropriate use of electronic devices, such as cell phones, laptops or tablets, that cause disruption within any college owned or operated facilities.
8. Unauthorized visitors or children in the classroom who have not been authorized by administration to be in attendance. All children under the age of 16 must be under direct supervision of a parent or guardian while on campus.
9. Failure on the behalf of a student to carry and/or produce upon request College issued student identification.
10. Disorderly conduct or lewd, indecent, or obscene conduct or expression as defined by local, state or federal law on College-owned or -controlled property, or at a College-sponsored or -supervised activity.
11. Interference by force or by violence (or by threat of force or violence) with any administrator, faculty or staff member, or student at the College who is in the lawful discharge or conduct of his/her duties or studies.
12. Conduct which materially or substantially disrupts the educational process of the College.
13. Failure to disperse when an assembly is ordered to disperse by College officials.
14. Unwanted contact or communication of any nature with another student or a staff member after being advised by a College official that such contact or communication is unwelcomed and disruptive to the education process of the College as determined by a College official.
15. Students are expected to behave in a civil and professional manner in the traditional and online classrooms, all college locations and in all modes of communication. Instructors shall not permit the continued presence of disruptive behavior in class. All employees shall be responsible for ensuring a civil and professional college environment and notify the student and appropriate college authorities should the inappropriate behavior continue.
16. Harassment, sexual harassment, and discrimination.
17. Theft of, conversion of, or damage to property of the College or of a member of the College community, such as visitors, students, or employees.
18. Abuse or unauthorized use of the College's computer equipment, software, passwords, records, or any violation of the confidentiality or security of passwords, records, or software, including but not limited to networks, Internet, and E-mail. Fraudulent, harassing or obscene messages and/or materials as defined by contemporary court decisions are not to be viewed, downloaded, sent or stored.
19. Unauthorized use of snooping, photographic, or recording devices on College-owned property or at College-sponsored events. This includes any use for academic misconduct, photographing individuals in secured areas such as lavatories and locker rooms, and taking photographs of any individuals against their will.
20. Unauthorized use of College supplies or equipment.
21. Gambling, except as expressly permitted by law.
22. Disobedience of the notice against trespass.
23. Unauthorized entry to, or use of the College campus and its facilities.
24. Possession, consumption, being perceptibly under the influence, or furnishing of alcoholic beverages (as identified by federal or state law) on College-owned or -controlled property or at College or student organization supervised functions.
25. Possession, consumption, being perceptibly under the influence, or furnishing of any narcotic or dangerous drug, as defined by state law except when use or possession is lawfully prescribed by an authorized medical doctor or dentist.
26. Possession or use of firearms, explosives, dangerous chemicals, substances, or instruments or other weapons which can be used to inflict bodily harm on any individual or damage upon a building or grounds of the College. Incendiary devices are prohibited on or in College facilities and/or grounds. This includes College-owned or -controlled property or at College sponsored or supervised functions without written authorization.
27. Tobacco use outside of policy 125.00 is prohibited.
28. Violations of published College procedures, the rules in this section, and any other College procedures which may be enacted.
29. All enrolled students at the College are required to obtain a student ID card. Students must carry their current ID card with them at all times on campus.
30. Netiquette behaviors: Students participating in College electronic activity agree to "interact with others in a positive, cooperative and supportive manner and display respect for the privacy and rights of others" following these guidelines:
 - a. Be courteous about what you say to or about others in any electronic format. In electronic communication the golden rule is "Remember the Human"; there is a real person with real feelings on the receiving end of your email or post.

- b. Be respectful and open to opinions and ideas that differ from yours. The exchange of diverse thoughts, ideas and opinions are an important part of the scholarly environment. Keep in mind that the people in your classes may come from backgrounds and have views that may vary significantly from your own.
- c. Flaming is the posting of messages that are deliberately hostile and insulting in an online social context, such as a discussion board or blog. Flaming is not appropriate under any circumstances. While everyone (learners and instructors alike) is encouraged to share ideas and opinions openly, you should never use insults or resort to name-calling even if you disagree strongly with what someone else has written. Insulting remarks and name-calling are never appropriate in an academic setting.
- d. When responding to messages or posts made by others, address the ideas, not the person.
- e. Be careful when using sarcasm and humor. Without social cues, such as facial expressions and body language, a remark meant as humorous could come across hurtful or offensive. Don't assume that the use of 'emojicons', such as :) are enough to convey your tone or intent.
- f. Capitalizing whole words is generally seen as SHOUTING and is often offensive to the reader. Use all capital letters sparingly, such as to highlight an important word or point.
- g. All course communication should be conducted in English unless directed otherwise by your instructor.
- h. All writing should be professional, consisting of complete sentences and free of grammatical and spelling errors. "Texting" or "chat" language is not appropriate when communicating within the learning management system.
- i. Use a short, meaningful description in the subject line in an email or discussion post. Your subject line should summarize your main point in 10-words or less.
- j. Don't distribute copyrighted materials, such as articles and images. Most things on the Internet are not licensed as "fair use." When you want to share something with classmates and/or your instructor share the web link or URL only.
- k. All source materials should be properly cited to avoid unintentional plagiarism.

III. Procedure

Charges of Student Misconduct

These charges could include any violation of the Student Conduct Standards set forth above which comes to the attention of a faculty or staff member.

Faculty, students and staff members are encouraged to deal with student misconduct on an informal basis whenever possible. However, where the misconduct rises to a level such that informal resolution is not appropriate the faculty, student or staff member may initiate this dispute resolution procedure by filing the following material with the Executive Director of Student Services or Vice President of Academic Affairs. In general, the Vice President of Academic Affairs will be involved in only student issues that are found in the academic settings. The Executive Director of Student Services is required to consult the Threat Assessment Team when taking disciplinary action to ensure no potential threat exists as a result of administrative action. The Threat Assessment Team consists of the Executive Director of Student Services, Director of Security and Public Safety, Student Life Counselor, Coordinator of Accessibility and any personnel directly related to the situation.

In situations where the College views a student with a disability as a potential threat to others, and the risk of harm to others is not imminent (*i.e.*, not a situation the College deems to be an emergency), the College will make an individualized assessment of the threat the student poses to others and whether the student's misconduct is related to the student's disability before taking disciplinary action against the student.

A determination by the College which a student with a disability poses a direct threat to the health or safety of others must be based on an individualized and objective assessment of the student and on reasonable judgment relying on current medical knowledge or the best available objective evidence. The factors the College will consider in determining whether a student with a disability poses a direct threat to the health or safety of others include: the duration, nature and severity of the risk of harm to the health or safety of others; the probability that the potential injury will actually occur; and whether reasonable modifications of the College's policies, practices, or procedures, or the provision of auxiliary aids and services, will mitigate the risk.

- a. A written complaint setting forth the name of the student;

- b. A description of the alleged inappropriate conduct;
- c. A reference to the student conduct allegedly violated, and if informal dispute resolution was attempted, a statement of the steps utilized or, if no informal dispute resolution was attempted then an explanation of the reason why such an attempt was not made.
- d. Name and telephone number of the faculty, student or staff member initiating the complaint.

At an initial conference with the Executive Director of Student Services or Vice President of Academic Affairs, the student will be informed verbally and in writing of the charges and the maximum penalty which might result from consideration of the disciplinary matter.

Failure of the student to attend the conference without good cause and prior notification or a verifiable emergency may constitute a waiver of the student's right to participate and appeal further.

The student must submit all of his/her evidence within seven (7) calendar days of the initial conference.

After considering the evidence in the case and interviewing persons as appropriate, the Executive Director of Student Services or Vice President of Academic Affairs may take one of the following actions:

- a. Terminate the proceedings, exonerating the student;
- b. Dismiss the case after appropriate counseling and advice;
- c. Impose an appropriate sanction as described in Types of Penalties for Misconduct.

The student will be notified in writing of the decision of the Executive Director of Student Services or Vice President of Academic Affairs. The student may appeal the decision of the Executive Director of Student Services by filing a written appeal with the Vice President for Academic Affairs (or designee) within seven (7) calendar days of the Executive Director of Student Services decision. The Vice President for Academic Affairs (or designee) shall render a decision on the appeal within seven (7) calendar days of its filing. The decision of the Vice President for Academic Affairs (or designee) shall be final and not subject to further appeal. In cases where expulsion is the recommended outcome, the College President will make the final decision and no further appeals will be allowed.

Types of Penalties for Misconduct

1. **Disciplinary Warning.** Notice that a student's conduct in a specific instance does not meet College standards and that continued misconduct may result in more serious disciplinary action by the Executive Director of Student Services or Vice President of Academic Affairs.

2. **Disciplinary Probation.** Written notice by the Executive Director of Student Services or Vice President of Academic Affairs that the student found in violation of the College standards may continue to be enrolled under stated conditions. Violations of the stated conditions will be cause for more serious disciplinary action.

3. **Suspension.** The Executive Director of Student Services or Vice President of Academic Affairs may suspend a student for a fixed period of time. Suspension means imposition of one or more of the following penalties with the appropriate hold placed on the students account.

- a. Forfeiture of the right to enter the campus;
- b. Forfeiture of the right to enter specific facilities;
- c. Exclusion from one or more classes;
- d. Exclusion from classes and/or activities.

Students will be required to meet with the Executive Director of Student Services or Vice President of Academic Affairs prior to being allowed to enroll at the College after the suspension period has expired.

4. **Expulsion.** Final authority to expel a student for misconduct resides with the College President.

5. **Supplemental Sanctions.** The Executive Director of Student Services or Vice President of Academic Affairs may impose additional sanctions or requirements which clearly address the issues involved in the misconduct. Any of the following may be imposed in connection with the above, but are not to be limited to:

- a. Work assignments;
- b. Service to the College or community;
- c. Imposed fines; restitution, i.e., compensation for loss, damage, or injury (this may take the form of appropriate service and/or monetary or material replacement);
- d. Academic sanctions, e.g., revocation of degree, holding transcripts, removal from courses;
- e. Loss of privileges;
- f. "No trespassing" order.

The Executive Director of Student Services, Vice President of Academic Affairs and the College President have discretionary power under the above guidelines. If, in their opinion, a deviation from the above process is warranted, any or all steps may be eliminated or postponed and a more or less severe penalty imposed. Decisions to deviate from established procedure will be well documented and will be made in consultation with at least one of the other administrators.

6. **Mental Health Referral.** In cases where student misconduct can be remedied through counseling sessions, the Executive Director of Student Services or Vice President of Academic Affairs can require counseling with the Student Life Counselor.

7. **Referral to Outside Authorities.** In the case where a student is in violation of federal and state laws on College property, or College sponsored related activities, the College will refer the student to local law enforcement agencies for prosecution.

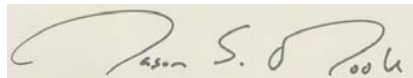
IV. **Effective Date(s)**

This procedure first became effective August 1, 2014

Revised on: June 8, 2021

V. **Signature and Title**

This procedure is implemented by:



Title: Executive Director of Student Services

Student Information

Last name: _____ First name: _____ Cowley College ID: _____ - _____ - _____

Course affected: _____ Course number and section: _____ Date of offense: _____

Name of person completing this form: _____

Describe the incident:

Was informal dispute resolution attempted? _____ Yes _____ No

Please provide a statement of the steps utilized or, if no informal dispute resolution was attempted, then an explanation of the reason why such an attempt was not made.

Additional explanation (if needed):

Reporter's signature: _____ Date: _____

Forward copy of this completed form to the Executive Director of Student ~~Affairs~~ Services and Vice President of Academic Affairs

September 2014 - SDTXXX