

THE STUDENT CODE OF CONDUCT

Butler County Community College is committed to the advancement of learning and to the development of responsible individuals. Each student is considered to be a responsible person and is expected to uphold appropriate standards of behavior. The College has an interest for student conduct on-campus and at off-campus functions sponsored by the College. Students who demonstrate the inability to conform to acceptable conduct may lose the right to enjoy the educational, social, and recreational opportunities of the College.

Criminal violations which occur on campus or at college sponsored events may be reported to the appropriate law enforcement agency. A student may be subject to the sanctions of the Student Code of Conduct in addition to being subject to possible action in criminal or civil court or both.

A student engaging in the following types of conduct may be subject to disciplinary sanctions. The listing is intended to give students notice of the types of conduct which may result in sanctions. It is not meant to be all-inclusive.

Improper Conduct

Any student found to have committed the following types of misconduct is subject to disciplinary sanctions:

- A. Disruption or obstruction of teaching, administration, disciplinary proceedings, or other College activities, including its public service functions, on or off campus.
- B. Physical abuse, verbal abuse, threats, intimidation, harassment, coercion, and/or other conduct which threatens or endangers the safety of any person.
- C. Attempted or actual theft of and/or damage to property of the College or property of a member of the college community.
- D. Hazing, defined as an act which endangers the health or safety of a student, or which 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.
- E. 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 those persons when requested to do so.
- F. Unauthorized possession, duplication, or use of keys to any College premises or property and/or unauthorized entry to or use of College premises or property.
- G. Violation of published College policies, rules, or regulations.
- H. Violation of federal, state, or local law on College premises or at College sponsored or supervised activities.
- I. Use, possession, or distribution of narcotic or other controlled substances except as expressly permitted by law.
- J. Use, possession, or distribution of alcoholic beverages.
- K. Use, possession, or concealment of any firearms, explosives, other weapons, or dangerous chemicals.
- L. Gambling in any form. Subject to local statutes, activities such as raffles or drawings that benefit recognized campus organizations may be permitted with the approval of the Director of Student Life.
- M. Conduct which is disorderly, lewd, or indecent; breach of peace; or aiding or abetting, or procuring another person to breach the peace on College premises or at functions sponsored by or participated in by the College.

- N. Intentionally supplying false information to the College and/or alteration or unauthorized use of College documents or instruments of identification.
- O. Excessive violations of parking regulations.

Charges and Hearings

Any member of the college community may file charges against a student for misconduct. Charges shall be prepared in writing and directed to the Dean of Student Development, who is responsible for the administration of non-academic student discipline at Butler County Community College. Charges should be submitted as soon as possible after the event takes place, preferably within two weeks. The Dean of Student Development may conduct an investigation to determine if the charges have merit and/or if they can be disposed of administratively by mutual consent of the parties involved. It is expected that most issues will be resolved informally. Such disposition shall be final and there shall be no subsequent proceedings. If the charges cannot be disposed of informally, the Dean of Student Development may later serve in the same matter as the student conduct officer. All charges shall be presented to the accused student in written form. A time shall be set for a hearing, not less than five nor more than fifteen calendar days after the student has been notified. Maximum time limits for scheduling of hearings may be extended at the discretion of the Dean of Student Development. The Hearing Board will have ten members comprised of four faculty members, two administrators, and four students, jointly appointed by the Vice President for Student Affairs & Enrollment Management and the Vice President for Academic Affairs. One alternate member of each group shall be appointed. In order for a hearing to take place, three faculty members, two students, and one administrator must be present. The Student Conduct Hearing Board will assume responsibility for its procedural operation which will include electing a chairperson and conducting hearings according to the following guidelines:

- A. Hearings normally shall be conducted in private.
- B. Admission of any person to the hearing shall be at the discretion of the chairperson and/or the Dean of Student Development.
- C. The complainant and the accused have the right to be assisted by any advisor they choose, at their own expense. The advisor may be an attorney. The complainant and/or the accused student are responsible for presenting his or her own case and, therefore, advisors are not permitted to speak or to participate directly in the hearing.
- D. The complainant, the accused, and the hearing board shall have the privilege of presenting witnesses, and shall have the opportunity to suggest questions for cross-examination.
- E. Pertinent records, exhibits and written statements may be accepted as evidence for consideration by the hearing board at the discretion of the chairperson.
- F. 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.
- G. There shall be a single verbatim record of the hearing, such as a tape recording. The record shall be the property of the College.
- H. Except in the case of a student charged with failing to obey the summons of the hearing board or College official, no student may be found to have violated the Student Code solely because the student failed to appear for the hearing. In all cases, the information in support of the charges shall be presented and considered at the hearing.

- I. All procedural questions are subject to the discretion of the chairperson of the Student Conduct Hearing Board.
- J. After the hearing, the hearing board shall meet in closed session to determine, by majority vote, whether the student has violated each section of the Student Code of Conduct that the student is charged with violating.
- K. The Student Conduct Hearing Board's determination shall be made on the basis of whether it is more likely than not that the accused student violated the Student Code.
- L. Student Conduct Hearing Board decisions and recommended sanctions shall be prepared in writing as soon as is practicable and directed to the Dean of Student Development.

Sanctions

- A. The following sanctions may be imposed upon a student who is found to have violated the Student Code of Conduct. The Dean of Student Development shall be responsible for determining and imposing appropriate sanctions in all cases.
 - 1. **Warning** – A notice in writing to the student that the student is violating or has violated College regulations.
 - 2. **Probation** – A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe sanctions if the student is found to be violating any College regulations during the probationary period.
 - 3. **Loss of privileges** – Denial of specified privileges for a designated period of time.
 - 4. **Restitution** – Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
 - 5. **Discretionary Sanctions** – Work assignments, service to the College, or other related discretionary assignments. Such assignments must have the prior approval of the Dean of Student Development.
 - 6. **Suspension** – Separation of the student from the College for a specified period of time, after which the student may apply to return. Conditions for readmission may be specified.
 - 7. **Dismissal** – Permanent separation of the student from the College.
- B. More than one of the sanctions listed above may be imposed for any single violation.
 - 1. Notices of disciplinary action shall be filed in the student's confidential disciplinary file in the Dean of Student Development Office. Upon graduation, such notices other than dismissal may be removed by application to the Dean of Student Development.
- C. The following sanctions may be imposed upon student groups or organizations:
 - 1. Those sanctions listed above in the Student Code.
 - 2. Deactivation – Loss of all privileges, including College recognition, for a specified period of time.
- D. In each case in which the Student Conduct Hearing Board determines that a student has violated the student code, the recommended sanctions shall be considered by the Dean of Student Development for final action. The Dean of Student Development is not limited to sanctions recommended by members of the hearing board. The Dean of Student Development shall notify the accused student in writing as soon as possible of the Student Conduct Hearing Board's determination and of the sanctions imposed, if any.

Interim Suspension

The Dean of Student Development or a designee may impose an interim suspension prior to the hearing before the Student Conduct Hearing Board. Interim suspension may be imposed only to ensure the safety and well-being of members of the college community or preservation of College property, to ensure the student's own physical or emotional safety and well-being, or if the student poses a definite threat of disruption of or interference with the normal operations of the College.

During the interim suspension, students will be denied access to the College, including classes and all other activities or privileges for which the student might otherwise be eligible. In such cases, the necessary notice and hearing shall follow as soon as is practicable.

Appeals

A decision reached by the Student Conduct Hearing Board or a sanction imposed by the Dean of Student Development may be appealed by accused students or complainants to the Vice President for Student Affairs and Enrollment Management or his or her designee whose decision is final and binding. Such appeals must be made within five school days of the decision and shall be in writing and delivered to the Dean of Student Development or his or her designee. The Vice President or designee shall review the matter and render a decision. Except as required to explain the basis of new evidence, an appeal will be limited to review of the verbatim record of the initial hearing and supporting documents for one or more of the following purposes:

- A. To determine whether the original hearing was conducted in conformity with prescribed procedures of the Student Code.
- B. To determine whether the decision reached regarding the student was based on sufficient information to establish that a violation of the Student Code occurred.
- C. To determine whether the sanction(s) imposed were appropriate for the violation of the Student Code which occurred.
- D. To consider new information, sufficient to alter a decision, which was not brought out at the original hearing because the information was not known to the person appealing at the time of the original hearing.

Interpretation and Revision

Any question or interpretation regarding the Student Code of Conduct shall be referred to the Dean of Student Development or his or her designee. The Student Code shall be reviewed periodically as is practicable under the direction of the Dean of Student Development.