

3354:1-30-03.5 Student conduct code.

(A) Introduction.

- (1) The Student Conduct Code is established to foster and protect the mission of the College, to foster the scholarly and civic development of students in a safe and secure learning environment, and to protect the people, properties and processes that support the College and its mission.
- (2) The Student Conduct Code identifies prohibited conduct, and clarifies when the Code applies to student behavior. The Student Conduct Code closely relates to the College procedure titled, "Student Judicial System (rule 3354:1-30-03.6) which sets forth the penalties imposed for prohibited conduct and establishes the disciplinary process for alleged violations.
- (3) Neither the Student Conduct Code nor the Student Judicial System prevents a faculty member from adjusting a student's grade to reflect academic dishonesty or other forms of misconduct that relate to academic performance; and grade disputes are handled through the College's Procedure on Student Complaints and Grade Disputes (3354:1-30-03.4). In addition (or as an alternative) to such grade adjustments, faculty members may choose to bring disciplinary charges against a student in accordance with the Student Judicial System.

(B) Application of the Student Conduct Code.

The Student Conduct Code shall apply to conduct that occurs on College premises, at College sponsored activities, and to any other conduct that adversely impacts or reflects on any member of the College community and/or the pursuit of the College's mission, vision, or values. Each student shall be responsible for his/her conduct, 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 student has ceased to be enrolled). The Student Conduct Code shall apply to a student's conduct even if the student withdraws from the College while a disciplinary matter is pending.

(C) Prohibited conduct.

Any student found to have committed or to have attempted to commit any of the following misconduct is subject to the disciplinary sanctions outlined in the Student Judicial System:

- (1) Acts of dishonesty, including but not limited to the following:
 - (a) Cheating, plagiarism, or other forms of academic dishonesty.
 - (b) Furnishing false information to any College official, faculty member, or office.
 - (c) Forgery, alteration, or misuse of any College document, record, or instrument of identification.
 - (d) Resubmitting a portion of one's own prior work, unless explicitly permitted to do so by the instructor in the current course.
- (2) When prohibited in the current instructor's syllabus: giving, receiving, obtaining, or using a copy of an (old or new) exam or quiz; questions or materials from any such exam or quiz; or any assignments.
- (3) Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other College activities, including its functions on or off campus, or of other authorized non-College activities when the conduct occurs on College premises including college related virtual classrooms or social networking sites.
- (4) Physical abuse, verbal abuse, threats, intimidation, bullying, harassment, coercion, and/or other conduct whether or not it threatens or endangers the health or safety of any person, or poses a threat to self.
- (5) 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) Unauthorized use of College supplies or equipment for personal purposes.
- (7) Hazing, which means an act that endangers the mental or physical health or safety of a student for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization. The express or implied consent of the victim will not be a defense.
- (8) 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 as and when requested to do so.
- (9) Unauthorized possession, duplication, or use of keys or other modes of entry to any College premises or unauthorized entry to or use of College premises.
- (10) Violation of any College policy, procedure, directive, or other requirement (including without limitation requirements set forth in the Student Handbook) published in hard copy or available electronically.
- (11) Gambling for money or other things of value.
- (12) Violation of any federal, state, local, or other applicable law.
- (13) Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals or other materials on College premises or use of any such item, even if legally possessed, in a manner that harms or threatens others.
- (14) 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; or leading, inciting, or attempting to lead or incite others to disrupt scheduled and/or normal College activities, whether on or off College premises.

- (15) Violating campus traffic rules or regulations or obstruction of the free flow of pedestrian or vehicular traffic on College premises or at College sponsored or supervised functions.
- (16) Conduct that is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or encouraging another person to breach the peace.
- (17) Any use of electronic or other devices to make an audio or video record of any person while on College premises without the person's consent, when such a recording is likely to cause injury or distress. This includes, but is not limited to, taking pictures of another person in a gym, locker room, or restroom.
- (18) Violation of the College's Alcohol, Drugs and Tobacco Policy (OAC 3354:1-20-05) or any related College procedure.
- (19) Abuse of the Student Judicial System, including but not limited to:
 - (a) Failure to obey the notice from a Student Conduct Administrator or other College official to appear for a meeting or hearing as part of the Student Judicial System.
 - (b) Falsification, distortion, or misrepresentation of information before a Student Conduct Administrator.
 - (c) Disruption or interference with the orderly conduct of a student activity.
 - (d) Initiation of a Student Conduct Code proceeding in bad faith.
 - (e) Using harassment, intimidation, threats, force, or coercion while attempting to discourage an individual's proper participation in, or use of, the Student Judicial System.
 - (f) Attempting to influence the impartiality of a member of the Student Judicial System.

- (g) Harassment (verbal or physical) and/or intimidation of a member of the Student Judicial System prior to, during, and/or after a Student Judicial System proceeding.
 - (h) Failure to comply with the sanction(s) imposed under the Student Judicial System.
 - (i) Influencing or attempting to influence another person to commit an abuse of the Student Judicial System.
- (D) Violation of law and College discipline.

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

- (E) Words and phrases in this Student Conduct Code that are defined in the Student Judicial System procedure shall have the same definitions as in that procedure. For the exact definitions, see Section (G) of the Student Judicial System procedure.
- (F) The Executive Vice President of Academic and Student Affairs (or his or her designee) is hereby directed to take all steps necessary and appropriate for the implementation of this procedure.

Effective date: June 12, 2011

Prior effective date: July 31, 2006, August 8, 2007

Procedure amplifies: 3354:1-30-03