Student Code of Conduct Policy

POLICY: Student Code of Conduct			
POLICY NUMBER:	700.05.01	**CUSTODIAN:**	Academic Dean
APV'D DATE:	8/11/2020	**Revision date:**	August 2020
EFFECTIVE DATE:	8/11/2020	**REVIEW DATE:**	
Student handbook, Student Grievance Policy			

Part 1. Policy Background and Purpose

Students of White Earth Tribal and Community College (WETCC) are entitled to fair and equal access to the programs, facilities, and activities of the college, in accordance with the Constitution and laws of the United States, the tribal laws, and the policies of the Council of Trustees. Students of the WETCC are entitled to competent academic instruction and fair treatment in academic evaluation. In matters of campus discipline, students are entitled to prompt and fair procedural due process.

WETCC is committed to the view that an important purpose of higher education is to develop mature responsible adult citizens and community leaders. Likewise, the institution expects that, on or off campus, students will conduct themselves with courtesy, truthfulness, respect for law, and a thoughtful concern for the rights of others.

Part 2. Definitions

WETCC Official - includes full-time faculty, adjunct faculty, administrators, student services staff, attorneys, auditors, clerical staff, trustees, and members of committees.

Part 3. Responsibility

The Associate Dean of Student Services and Academic Dean are responsible to investigate and make decisions as to allegations or violations of Student Code of Conduct violations.

The President has the responsibility of investigating further if warranted when an appeal is made.

Students have the responsibility to follow the Student Code of Conduct and have the right to due process.

Part 4. Policy

The WETCC Student Code of Conduct shall apply to conduct that occurs on WETCC premises, at WETCC sponsored activities, and to off-campus conduct that adversely

affects the WETCC community and/or the pursuit of its objectives. Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of the 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.

The Student Code shall apply to a student's conduct even if the student withdraws from school while a disciplinary matter is pending. The Academic Dean shall decide whether the Student Code shall be applied to conduct occurring off-campus on a case by case basis.

1. Behavior Subject to WETCC Discipline (this is not an exhaustive list and other situations may apply).

1.1 Infringement of the rights of other persons:

1.1.1 Physical abuse, verbal abuse, threats, intimidation, harassment, coercion and/or other conduct which threatens or endangers the health or safety of any person.

1.1.2 Behavior infringing upon the health or safety of self or other persons.

1.1.3 Conduct that is disorderly, lewd or indecent which may include, but is not limited to fighting, engaging in violent behavior, disturbing a lawful assembly, streaking or bullying.

1.1.4 Creating a public disturbance, or interfering with teaching, study, social activities, or recreational activities.

1.1.5 Assault or fighting.

1.1.6 Hazing, on the part of individuals or campus organizations. Hazing is an act which endangers the mental or physical health or safety of a student, or results in the destruction or removal of public or private property, or which causes physical or psychological discomfort, embarrassment, or humiliation, for the purpose of initiation or admission into, affiliation with, or confirming any form of affiliation, or continued membership in a student organization regardless of a student's willingness to participate in the activity.

1.1.7 Attempted or actual theft of/or damage to property of WETCC or property of a member of the WETCC community or other personal, or public property, on or off campus or during WETCC related travel.

1.1.8 Sexual misconduct including sex discrimination, sexual harassment, sexual assault, rape, relationship violence and stalking.

1.2 Abuse or misuse of substances:

1.2.1 Possession, sale, dispensation, use or consumption of alcoholic beverages on land or in buildings owned or managed by WETCC or in connection with

college sponsored events.

1.2.2 Use, possession, sale, or distribution of controlled substances or illegal drugs on land or in buildings owned or managed by WETCC or in connection with college sponsored events.

1.2.3 Behavior while in a state of intoxication that is loud, disruptive, potentially injurious to the health or safety of others or affecting the cleanliness or maintenance of WETCC facilities or on field trips as part of the college.

1.3 Interference with college business, academic processes, or student activities:

1.3.1 Obstruction of teaching, disciplinary procedures, social activities, or other scheduled events.

1.3.2 Furnishing false information to any college official, faculty member or office.

1.3.3 Forgery, alteration, or misuse of any college document, record, or instrument of identification.

1.3.4 Misappropriation, or misuse of college property.

1.3.5 Vandalism or destruction of property.

1.3.6 Unauthorized entry into, or presence within, a college building.

1.3.7 Tampering with, or misuse of, fire alarms, fire protection equipment or surveillance equipment.

1.3.8 Failure to comply with published instructions, rules or regulations of the college or with the written or verbal instructions of an authorized college official, and/or failure to identify oneself to these persons when requested to do so.

1.3.9 Failure to comply with sanctions imposed under the Student Code of Conduct.

1.4 Off Campus Behavior:

1.4.1 Violation of local, state, or federal law may be treated as a violation of the Code of Student Conduct.

1.4.2 Behavior that poses an obvious threat or harm to the health and safety of self or others.

1.4.3 Behavior that infringes on the rights, property or achievements of others or significantly breaches the peace and/or causes social disorder.

1.5 Violation of WETCC Computer and Network Usage Policies.

1.6 Academic Honesty.

1.7 Students at White Earth Tribal and Community College have the responsibility to participate or cooperate with policy violations investigation and may be held responsible if found to be in the presence of a policy violation and fail to do one of two things:

a. Leave the area where the violation is occurring.

b. Contact appropriate WETCC staff members or authorities.

2. WETCC Disciplinary Procedure

2.1 Citations:

2.1.1 A report of a violation of the Student Code of Conduct may be made by a student or faculty or staff member of the college.

2.1.2 The complaint will be filed with the office of the Associate Dean of Student Services on the Student Code of Conduct Violation form supplied by the Student Services Office.

2.1.3 The Associate Dean of Student Services will address the concerns on the form.

2.1.4 The reporting form will be signed by the person submitting the report. Anonymous reports will be accepted and investigated to determine appropriate college action.

2.2 Associate Dean of Student Services will:

2.2.1 Carry out the conduct process from report to decision in a timely manner.

2.2.2 Serve as the investigator, conduct the hearing if deemed necessary, render a decision, and determine if any sanctions are to be imposed.

2.2.3 Disclose if a conflict of interest exists with either the reporting or responding party, in which case the report will be directed to a different administrator on campus.

2.2.4 The Associate Dean of Student Services, after conducting a proper investigation may:

2.2.4.1 Dismiss the allegation.

2.2.4.2 Assess the appropriate sanction.

2.2.5 The Associate Dean of Student Services will maintain complete records of all formal disciplinary proceedings.

2.3 Staff Member

2.3.1 When an incident has been brought to the attention of a staff member, the staff member will refer the individual to the Associate Dean of Student Services.

The Associate Dean of Student Services will meet with both the reporting party and the responding party.

2.4 Conduct Process:

2.4.1 Associate Dean of Student Services receives report and begins investigation.

2.4.2 Associate Dean of Student Services identifies alleged code violations, notifies student, and schedules meeting date and time within 10 working days of initial report.

2.4.3 Associate Dean of Student Services holds conference with responding party to review rights, procedures~~,~~ and gathers evidence if needed. At the discretion of the Associate Dean of Student Services, in consultation with the Academic Dean, a hearing may be scheduled to gather facts in a matter. The hearing process is explained in detail in the Student Grievance Policy.

2.4.4 Associate Dean of Student Services renders decision, consultation with the Academic Dean and notifies student of findings and conditions/sanctions as they apply.

2.4.5 Student may appeal to President. See Section 5.

3. SANCTIONS

3.1 Definition:

Sanctions are those penalties which may be imposed by the college upon an individual who has been found to have committed violations of the Code of Student Conduct.

3.2 Sanctions which may be imposed by the college and assigned by the Associate Dean of Student Services established by Section 2. of this Code are:

3.2.1 Reprimand. Reprimand may be delivered either verbally or in writing. If the reprimand is in writing, a copy shall be retained on file in the Associate Dean of Student Services' Office.

3.2.2 Conduct probation. Conduct probation indicates that further violation may result in suspension. Conduct probation may not be imposed for more than one year.

3.2.3 Suspension from participation in college-sponsored organizations, events and activities.

3.2.4 College Suspension. A student who is suspended may not enroll in or attend classes for a determined length of time.

3.2.5 College Expulsion. A student who is expelled from the college is

permanently barred from the college and premises.

3.2.6 Sanctions including but not limited to counseling, evaluation, restitution, community service, and compensation for theft or damage to person or property may be imposed along with an official college sanction.

3.3 The college reserves the right to suspend immediately and remove from campus without hearing, any student that poses an immediate threat to the health or safety of persons on campus.

3.4 Registration for subsequent terms or the conferral of academic degrees may be withheld pending the resolution of allegations of student misconduct or until sanctions have been concluded and any conditions imposed by the college have been fulfilled.

4. Non-responsive students

4.1 If the student is absent from campus or does not respond when requested to participate in the disciplinary process, the following steps will be taken.

4.1.1 The Associate Dean of Student Services shall make every reasonable effort to locate the student through ordinary channels, including, but not limited to certified mail.

4.1.2 If the student cannot be located or does not respond, the Associate Dean of Student Services will initiate the normal disciplinary procedures in the student's absence.

5. Student Appeals

5.1 Students have the right to appeal a disciplinary action of the Associate Dean of Student Services to the President. A valid appeal must be filed within ten working days of the original decision. The President shall not repeat the duties of the Associate Dean of Student Services. The appeal shall be limited to a review of the initial hearing and supporting documents (except as required to explain the basis of new evidence) for one or more of the following purposes:

a. To consider new evidence which may alter the decision.

b. To determine whether a hearing was conducted in accordance with procedures.

c. To determine whether the sanction(s) imposed were appropriate for the violation.

5.2 Student appeals should be submitted to the President in writing within 5 working days of the decision in question.

6. CONDUCT RECORDS

6.1 Conduct records are kept on file by the Associate Dean of Student Services. All conduct records are private and may not be disclosed in whole or in part except as provided by law, or by the written authorization of the student. Conduct records shall be retained separately from the student's educational record. The only disciplinary actions reflected on an official transcript shall be suspension or expulsion.

6.2 Conduct records containing violations that resulted in sanctions of less than suspension or expulsion are retained for a period of three years after a student graduates, withdraws or transfers and are kept in a conduct file by the Associate Dean of Student Services. In cases where students receive a sanction of suspension or expulsion, records may be retained indefinitely.