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## Southeast Community College

### Acknowledgement

The Southeast Community College is adapted from The NCHERM Group Model Developmental Code of Student Conduct and is used here with permission. (The NCHERM Group Model Code Project, 2013.)

### Preface

The mission of Southeast Community College is to empower and transform the diverse learners and communities of southeast Nebraska through accessible lifelong educational opportunities. The College provides dynamic and responsive pathways to career and technical, academic transfer, and continuing education programs that contribute to personal, community, and workforce development.

## SCC Philosophy of Student Conduct

The mission of Student Affairs and Conduct is to provide students with clear expectations of conduct; consistent processes when expectations are not met; and interventions and programming that promotes the development of moral and social growth as well as ethical decision-making skills. This aligns with the SOC's commitment to transform and empower its diverse learners for fulfilling careers, life-long learning, and community and societal advancement.

A community exists on the basis of shared values and principles. At SOC, all students enrolled are expected to conduct themselves as good citizens of an educational community. Students are expected to obey the laws of the local and state jurisdiction and the college rules and regulations. These

We encourage all students who are found in violation of the Code of Conduct to actively engage in the restorative justice process by identifying the harm that was caused and identifying strategies to repair or remedy the harm with the Dean of Students, Associate Dean of Students or designee. It is our belief that engaging in the restorative justice process positively impacts student growth and development by providing the student the opportunity to engage in critical thinking, perspective-taking, and solution generation. Additionally, students who participate in student conduct processes that utilize restorative practices report feeling higher levels of personal responsibility, belonging, empowerment, empathy and fairness1 (Karp & Sacks, 2014). By engaging students in a process that feels equitable, fair and

emotional well-being) is enhanced.

The student conduct process is quite different from criminal and civil court proceedings. Student conduct procedures are conducted with fairness to all, but do not include the same protections of due process afforded by the courts. No student will be found in violation of College policy without indication that it is more likely than not that a policy violation occurred and any response or sanctions will be proportionate to the severity of the violation and to the cumulative conduct history of the student.

## Definitions



committed against them by members of College community by submitting a report via the <u>SOC Complaints and Concerns Reporting (SOC COR)</u> process (<u>https://www.southeast.edu/student-</u> life/safe-campuses/complaints-concernsifiamaticport.php)farntdna (@)H5(rg) 3(dr) 3(dr) 3(dr) 3(dr) 3(dr) 14(e)] Tf seer3(s S, 0.A9k 38

may also apply off-campus when the Dean of Students or designee

or others.

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The may be applied to behavior conducted online, via email or other electronic medium. Students should also be aware that online postings such as blogs, web postings, chats and social networking sites are in the public sphere and are not private. These postings can subject a student to allegations of conduct violations if evidence of policy violations is posted online. The College does not **integritiant**ly search for this information but may act if and when such information is brought to the attention of College officials. However, most online speech by students not involving SOC networks or technology will be protected as free expression and not subject to this Code, with two notable exceptions:

Speech posted online about the College or its community members that causes a significant oncampus disruption.

The College retains conduct jurisdiction over students who choose to take a leave of absence, withdraw or have graduated for any misconduct that occurred prior to the leave, withdrawal or graduation. If -enroll and/or obtain official transcripts

and/or graduate. All sanctions must be satisfied prior to re-enrollment eligibility.

There is no time limit on reporting violations of the ; however, the longer someone waits to report an offense, the harder it may become for College officials to obtain information and witness statements and to make determinations regarding alleged violations.

investigate and respond to a complaint. Those who are aware of misconduct are encouraged to report it as quickly as possible via the online incident reporting system, TIPS, or directly to the Dean of Students or Campus Security.

Allegations of sexual harassment, including but not limited to sexual assault, dating violence, domestic violence, stalking will be referred to the Title IX Administrator for review and investigation (See policy) (@3xr83)

Investigation Delays

- e. Repeatedly leaving and entering the classroom without appropriate rationale or authorization if such permission is required.
- f. Eating/drinking in class when such behavior is not permitted.
- g. Persistent speaking outside of classroom expectations.
- h. Making loud and distracting noises.
- i. Poor personal hygiene and offensive body odor.
- j. Use of profanity.
- k. Intoxication.
- 2. Weapons. Possession, use, or distribution of explosives, guns, or other weapons or objects intended to be used to cause damage to property or harm to persons including the storage of any item that falls within the category of a weapon in a vehicle parked on College-owned or controlled property. Definitions and examples of prohibited items include:
  - a. Firearms Any weapons designed or readily converted to expel any projectile by the action of an explosive. Examples include: pistol, revolver, starter gun, rifle, shotgun, short rifle, and short shotgun.
  - b. Weapons Any knife with a blade over three and one-half inches in length. Examples include: daggers, dirks, knives, and stilettos, or other dangerous instrument capable of inflicting cutting, stabbing, or tearing wounds.
  - c. Fireworks and Explosive Materials Any composition or device designed for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation. Examples

#### ARTICLE 3. Kindness and Compassion

Students should act in a manner that demonstrates kindness and compassion. Violations include:

- 1. Harm to Persons. Physical, mental or verbal abuse to others or self on College owned or controlled property or at College sponsored or supervised functions, or conduct which threatens or endangers the health and safety of such persons.
- **2.** Threatening Behaviors:
  - a) Threat. Written or verbal conduct that causes a reasonable expectation of injury to

responsible for fostering civility, for being familiar with this policy, and for refraining from conduct that violates this policy. Violations include:

1. Discrimination. Any act or fail

perceived status (race, color, ethnicity, religion, sex, age, marital status, national origin, veteran status, sexual orientation, disability, or other factors prohibited by law) that is sufficiently severe

or activities.

2. Discriminatory Harassment. Harassment is any intentional behavior directed to another individual or group that is intimidating, hostile, humiliating, or demeaning. Harassment, when directed at an individual, may include, but is not limited to: name calling; teasing or taunting; insults, slurs, or derogatory names or remarks; demeaning jokes; inappropriate gestures; graffiti or inappropriate written or electronic material; visual displays, such as cartoons, posters or electronic images;

criminal offenses

5. Items of Public Display. SOC does not condone the public display of items (e.g., posters, t-shirt designs, paintings, etc.) which are intended and/or deemed racist, sexist, indecent, illegal, inciting, or oppressive in nature.

# ARTICLE 5. Conduct Demonstrating Lack of Fulfillment to Personal and Academic Responsibilities

Students should act in a manner that fulfills their personal and academic responsibilities. Violations include:

1.

5. Financial Responsibilities

If a decision on the allegation is made and the finding is that the responding student is not responsible for violating the Code, the process will end. The party bringing the complaint may request that the Dean of Students and/or, if allegation involves a Title IX violation, the Title IX Coordinator reopen the investigation and/or grant a Conduct Committee Hearing. This decision shall be at the discretion of the Dean of Students or designee and/or the Title IX Coordinator, if applicable, in consultation with each other and will only be granted for extraordinary cause.

#### Administrative Resolution

Finding accepted; Sanction Accepted

accepts this finding within five (5) business days; the administrator conducting the initial educational conference will then determine the sanction(s) for the misconduct, which the responding student may accept or reject. If accepted, the process ends.

Finding accepted; Sanction Rejected

confidentiality that full disclosure to the complainant regarding the outcome would be inappropriate, however, allowable information will be shared.

#### 4. Findings/ Educational Conference

The following options describe how to proceed depending on whether the responding student is found responsible and whether the Responding Student accepts or rejects the findings and/or the sanctions either in whole or in part.

a) The Responding Student is F

Where the responding student is found not responsible for the alleged violation(s), the investigation will be closed. The party bringing the complaint, if any, may request that the Title IX Coordinator and/or Dean of Students, as applicable, review the investigation file to possibly reopen the investigation or convene a hearing. An investigation may also be re-opened if additional information is discovered after the close of the investigation. The decision to re

During an interim suspension, a student may be denied access to College housing and/or College campus/facilities/events. As determined appropriate by the Dean of Students or designee, this restriction may include classes and/or all other College activities or privileges for which the student might otherwise be eligible. At the discretion of the Dean of Students or designee and with the approval of, and in collaboration with, the appropriate Instructional Dean(s), alternative coursework options may be pursued to ensure as minimal an impact as possible on the responding student.

d) The Conduct Committee Chair will ensure that the hearing information and any other available written documentation is shared with the parties at least two (2) days before any scheduled hearing.

#### 8. Conduct Hearing Procedures

Conduct Committee Hearings will be conducted according to the following guidelines:

- a) Hearings will be closed to the public.
- b) Admission to the hearing of persons other than the parties involved will be at the discretion of the Conduct Committee Chair.
- c) In hearings involving more than one responding student, the standard procedure will be to hear the complaints jointly; however, the Conduct Committee Chair may permit the hearing

- 2. Assault offenses (includes stalking)
- 3. Burglary
- 4. Criminal Homicide manslaughter by negligence
- 5. Oriminal Homicide murder and nonnegligent manslaughter
- 6. Destruction/damage/vandalism of property
- 7. Kidnapping/abduction
- 8. Robbery
- 9. Forcible sex offences
- 10. Statutory rape
- 11. Incest

#### 11. Failure to Complete Conduct Sanctions

All students, as members of the SOC community, are expected to comply with conduct sanctions within the timeframe specified by the Dean of Students, Associate Dean of Students or designee. Failure to follow through on conduct sanctions by the date specified, whether by refusal, neglect or any other reason, may result in additional sanctions and/or suspension or expulsion from SOC.

#### 12. Appeal Procedures

When a party wishes to present for consideration new evidence or challenge the sanction, an appeal request of the decision of the Conduct Committee Hearing may be filed in writing to the Dean of Students or designee within five (5) business days of the notice of the outcome to the hearing, barring urgent circumstances.

All parties should be informed of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision when appropriate by procedure or law.

Written Disciplinary Warning: An official written notice that the student has violated College policies and/or rules and that more severe conduct action will result should the student be involved in other violations while the student is enrolled at the College.

Disciplinary Probation: The student is put on official notice that, should further violations of College policies occur during a specified probationary period, the student may face additional sanctions. Regular probationary meetings may also be imposed.

Disciplinary Suspension: Separation from the College for a specified period of time not to exceed one year, after which the student is eligible to request return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension. The student is required to vacate the campus within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Dean of Students. During the suspension period, the student is banned from college-owned or controlled property, functions, events and activities without prior written approval from the Dean of Students. This sanction may be enforced with a trespass action as necessary.

spension may result in

suspension terms of longer than one (1) year.

Disciplinary Expulsion: Permanent separation from the College. The student is banned from college -sponsored activity or event is

prohibited. This action may be enforced with a trespass action as necessary. Readmission to the College will not be granted.

#### Restitution

include situations such as failure to return a reserved space to proper condition labor costs and expenses. This is not a fine but, rather, a repayment for labor costs and/or the value of property destroyed, damaged, consumed, or stolen.

Fines: Fines for violations of the College and/or Housing Handbook and Contract may be imposed.

College Service or Behavioral Requirements: **Student will be required to complete a specific supervised College service or activity including, but not limited to, community service, seeking academic counseling or substance abuse screening, writing a letter of apology, etc.** 

Loss of Privileges: The student will be denied specified privileges for a designated period of time.

Confiscation of Prohibited Property: Items whose presence is in violation of College policy will be confiscated and will become the property of the College. Prohibited items may be returned to the owner at the discretion of the Campus Administration or Campus Safety and Security.

Educational Program: Requirement to attend, present and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible. Audience may be restricted.

Housing Probation: Official notice that, should further violations of Residence Life or College policies occur during a specified probationary period, the student may immediately be removed from College housing. Regular probationary meetings may also be imposed.

College Housing Reassignment: Reassignment to another College housing facility. Residential Life personnel will decide on the reassignment details.

College Housing Suspension: Removal from College housing for a specified period of time after which the student is eligible to return. Conditions for re-admission to College housing may be specified. Under

## Links to College Policies 2023-24

Academic Integrity https://www.southeast.edu/current-students/student-code