Student Disciplinary Policy & Procedures

Owens Community College aspires to create a learning environment that provides quality technical and general education that meets the needs of its students and employers in its service area. Students attending Owens Community College are expected to conduct themselves in a manner that supports the academic atmosphere of the College and respects the rights of other students and employees. To accomplish these goals, this code of student conduct is intended to establish a set of guidelines that students and student organizations should conduct themselves by. This code of conduct extends to behaviors both on and off campus, which negatively impacts the college or its students or staff. Students not able to meet these expectations may be subject to disciplinary action. All regulations, policies and procedures appear in the college catalog.

I. Definitions

1. The term “College” means Owens Community College
2. Student – includes anyone taking credit or noncredit courses at Owens, whether full-time or part-time, pursuing an Associate Degree, certificate, transfer credits or taking courses as a guest student
3. Faculty member – refers to any person employed by Owens to teach classes.
4. Member of the college community – includes students, faculty, staff, administrators, or any person employed by Owens.
5. Premises – refers to all land, buildings facilities, and other property owned or used by Owens.
6. Disciplinary Administrator – person authorized to determine whether a student has violated a code and to administer sanctions or consequences of actions (as outlined under the Disciplinary process).
7. Student Appeals Committee – any person or persons authorized by the Disciplinary Administrator to consider an appeal resulting from the “Disciplinary Administrator’s” determination of a student’s violation of the student conduct or from the imposed sanctions or consequences.
8. Involuntary Administrative Withdrawal – The withdrawal of a student from Owens Community College with no rights to the disciplinary process.

II. Disciplinary Authority

1. The Vice President of Student Services has been delegated authority to be responsible for the administration of the student codes of conduct. Disciplinary authority may be delegated to other college officials as deemed appropriate by the Vice President of Student Services.
2. Faculty members have been delegated authority by the Vice President for Student Services in their classrooms to dismiss a student from class for
behavior that disrupts the learning environment. This authority is limited to that day’s class session and the student may return to the next scheduled class.

3. Campus Security Officials have been delegated the authority to act in the best interest of safety for the campus community on all premises governed by Owens Community College. Their authority includes the authority to cite a student for violation of the student code of conduct or dismiss a student from campus for the duration of a given day for which the student is found participating in behaviors that present a threat to the campus community.

III. Prohibited Conduct

A. Acts of Dishonesty
   Includes, but is not limited to the following:
   1. Cheating, plagiarism or other forms of academic dishonesty (as outlined in the Cheating and Plagiarism section of this catalog)
   2. Falsification or misrepresentation of any college document or record by forgery or alteration.
   3. Furnishing false information to any college administrator, staff or faculty member.

B. Offenses against persons
   Conduct that threatens or endangers the health or safety of any person that includes but is not limited to: physical abuse, verbal abuse, threats, intimidation, harassment, sexual contact without permission and coercion.

C. Offenses against property
   1. The attempted theft, actual theft or the unauthorized use or possession of university property or services, or that of persons within the Owens community.
   2. Actual or threatened destruction of university or persons personal property whether intentional or with reckless disregard.

D. Activities that disrupt order
   Includes conduct that unreasonably interferes with the function of classroom or college activities, whether college sponsored or not such as engaging in violent, abusive, disruptive, or disorderly behaviors in classes or on campus.

E. Activities that disregard health and safety
   Participating in actions that threatens or endangers the safety, physical or mental health, or life of any person in the campus community whether intentional or as a result of recklessness or gross negligence resulting from, but not limited to the following:
   1. Use, possession or distribution of illegal drugs including the use of drug related paraphernalia on college premises.
   2. Use, possession or distribution of alcoholic beverages on college premises.
3. Use or possession of dangerous weapons or devices such as firearms, explosives, or dangerous chemicals, on college property, that is not authorized by the appropriate college official or permitted by college policy.

4. Participation in riotous behavior that results in injury to persons or property.

F. Violation of college policies, rules or regulations
   Such regulations may include, but are not limited to, the computer policies, parking and traffic regulations, and polices that govern student organizations.

G. Violation of Federal, State and Local laws
   Any act or omission that constitutes a violation of federal, state or local laws.

H. Failure to comply with College authority
   Failure to comply with legitimate directives of authorized college officials or law enforcement. This includes, but is not limited to, failure to identify oneself when requested or violation of a disciplinary sanction.

IV. Disciplinary Process
   To maintain an environment conducive to scholastic achievement, freedom of discussion and inquiry where all members of the campus community feel safe, this student code of conduct must be maintained. Violation of the student code will result in disciplinary action. Students can expect any of the following to result depending on the nature and severity of the offense.

A. Informal Disciplinary Action

   Any violation of the student code of conduct that results in continued disruption of the learning environment or that poses a threat to the campus community will result in immediate disciplinary action. The Vice President of Student Services, person designated by the Vice President of Student Services, campus security or a classroom instructor has the authority to act according to the delegated authority outlined under section II, Disciplinary Authority.

   A student who is dismissed from the campus for the duration of a given day, for which the student is found participating in behaviors that present a threat to the campus community, may not return to the campus until he or she meets with the Vice President for Student Services or his designee. The student will report to the Security Office where an Owens Community College Security Officer will escort the student to the Office of the Vice President for Student Services.
B. Formal Complaint

1. A formal complaint filed against a student suspected of violating this Code may be filed by any person, but must be in writing and directed to the Vice president of Student Services.

2. Complaints should be submitted 7 to 10 calendar days after the violation occurs, except in exigent circumstances.

3. The Vice President of Student Services or designee may conduct an investigation into the merit of the complaint to determine whether it can be disposed of. If it is determined that the case has no merit and is disposed of, such findings shall be final. If further action is required, the student will begin the formal disciplinary process.

4. In the event that the complaint is due to a violation that endangers or threatens or may have endangered or threatened self, others or property within the Owens community, a student may be dismissed from Owens involuntarily. A preliminary investigation will be conducted to make such a determination and a hearing will be conducted within a reasonable period of time on the merits. In the event that a preponderance of evidence proves the complaint to be true, the student will be diverted from the formal disciplinary process and receive an Involuntarily Administrative Withdrawal.

C. Formal Disciplinary Process

A student found in violation of the code of conduct will be required to meet with the Disciplinary Administrator or designee. Prior to meeting with the Disciplinary Administrator or designee, the student will receive:

1. Written notice of the complaint, including the section of the Student Code of Conduct violated, prior to meeting with the Disciplinary Administrator or designee
2. Reasonable access to the evidence of the alleged violation during the disciplinary meeting (if available).
3. An opportunity to respond to the complaint.
4. Final written notice of the determination of the Disciplinary Administrator or designee, including any sanction(s).
D. Sanctions

The following are examples of sanctions that may be imposed upon any student found to have violated this code, but does not constitute an exhaustive list of potential sanctions. Unlike with Involuntary Administrative Withdrawal, a student may appeal any of these decisions.

1. Warning – verbal or written that if the violation is continued, or repeated, the student may be subject to additional disciplinary action.
2. Disciplinary Probation – a written reprimand outlining the violation a student has committed. The probation is for a specified period during which the student is considered not to be on good academic standing.
3. Fines – Monetary charges for violation of the student codes such as parking violations, smoking in prohibited areas, etc.
4. Restitution – compensation for loss, damage or injury.
5. Loss of Privileges – loss or denial of privileges certain amenities, services, etc. for a specified period of time.
6. Discretionary Sanctions: work assignments in service to the college or other miscellaneous assignments.
7. Referral to an outside agency for assistance – A student may be required to an outside agency to seek assistance from a psychologist, substance abuse counselor, etc. if the Vice President of Student Services reasonably believes the student may need such services.
8. Suspension – Will result in the student’s separation from the college for a specified period of time.

E. Appeals

A student may appeal the decision rendered by the Disciplinary Administrator and request a hearing before a Disciplinary Hearing Committee. The only grounds for such an appeal are prejudicial procedural error, prejudicial error as to findings of fact, discovery of substantial new facts unavailable at the time of the hearing, or excessive severity of the sanction. A Student Appeals Packet that outlines the Appeal Procedures will be provided by the Vice President of Student Services’ office.

The Disciplinary Appeals Committee consists of six (6) members, including two faculty appointed by the Provost, one administrator and one staff member, both appointed by the Vice President of Human Resources,
and two students appointed by the President or Vice President of Student Government. The administrator will serve as chairman of the committee. Four committee members shall constitute a quorum.

The student may submit a written statement, may invite witnesses to testify on his/her behalf, and question a witness who appears against him/her. If the student elects not to attend the hearing, the charges will be reviewed as scheduled on the basis of the information available and a decision made.

During the Disciplinary Hearing, an advisor they choose at their expense may assist a student. The student is responsible for presenting his or her own case and, therefore, advisors are not permitted to speak or participate directly in any hearing before the Disciplinary Appeals Committee.

After hearing testimony and reviewing the documents submitted, the committee will retire to consider the evidence and render a decision. The committee will determine if the student did violate the Student Code of Conduct and, if so, what penalty to impose. The decision must be the results of a majority vote of the committee members present and voting.

Upon reaching its decision, the committee will forward its recommendations to the Vice President for Student Services. Upon review and acceptance of the recommendations, the Vice President will notify the student formally, by registered mail, of the decision, with copies to the Registrar.