

OWENS COMMUNITY COLLEGE

Student Code of Conduct

OFFICE OF STUDENT CONDUCT & STUDENT LIFE



OWENS
COMMUNITY COLLEGE

Table of Contents

Article I.	Introduction	3
Article II.	Definitions.....	3-4
Article III.	Student Code Authority	4
Article IV.	Jurisdiction of the Student Code of Conduct.....	4
Article V.	Prohibited Conduct	4-6
Article VI.	Interim and Supportive Measures	6
Article VII.	Student Code of Conduct Procedures.....	7-8
Article VIII.	Disciplinary Sanctions	8
Article IX.	Appeals.....	9
Article X.	Interpretation	9
Article XI.	Links to College Resources	10

Article I: Introduction

Owens Community College is committed to the academic achievement, growth and development of its students, and the wellness and safety of the members of its community. In addition, the College is committed to preserving peace, maintaining a civil and respectful academic atmosphere, supporting a moral and just climate, and protecting its property and that of its community members. The College, therefore, has established this Student Code of Conduct to communicate its expectations of students as positive members of the College community and to ensure a fair process for determining responsibility and appropriate sanctions when a student's behavior may have deviated from these expectations. The student conduct process in this Student Code of Conduct aims to facilitate an understanding of the balance between individual and College rights.

Owens Community College strongly opposes and will not tolerate harassment or discrimination on the basis of age, color, disability, national origin, race, religion, sex, sexual orientation, gender identity, military status, or veteran status in any educational programs, activities or employment. For questions about equal opportunity and non-discrimination or to report discrimination or harassment, please contact the Department of Human Resources at (567) 661-7292.

Article II: Definitions

When used in the Student Code of Conduct:

The terms *Owens* or *College* means Owens Community College including the Toledo-area and Findlay-area campuses, extension locations, and any other premises or online environments owned, leased, managed or operated by the College.

The term *student* includes all persons taking courses at or through Owens Community College. This includes students, either full-time or part-time, who are pursuing a degree or certificate or who are non-matriculating. It further includes persons:

- a. Who withdraw after allegedly violating the Student Code of Conduct;
- b. Who are not officially enrolled for a particular term but who have a continuing relationship with the College;
- c. Who have been accepted for admission.

The term *academic misconduct* is defined as an action, attempted or performed, which misrepresents one's involvement in an academic task in any way, or permits another student to misrepresent the latter's involvement in an academic task by assisting in the misrepresentation. For a complete description of acts of academic misconduct, please refer to the College's [Academic Misconduct Procedures](#).

The term *advisor* means anyone assisting or supporting a person in the student conduct process.

The term *appeal body* means any person(s) authorized by the Student Conduct Administrator to consider an appeal of a conduct board's determination as to whether a student has violated the Student Code of Conduct and/or the sanction(s) imposed.

The term *business day* means any day, Monday through Friday, that the College is open for normal business.

The term *College official* includes any person employed by the College and any person serving the college in an official capacity, which may include faculty, staff, etc.

The term *College premises* includes all land, buildings, facilities, shuttles, and other property in the possession of or owned, used, or controlled by the College (including adjacent streets and sidewalks).

The term *complainant* means any person or group who submits a charge alleging that a student violated the Student Code of Conduct, or the individual directly impacted by the respondent's alleged violation.

The term *consent* means voluntary, mutual, explicit agreement.

The term *disciplinary hold* means a hold placed on a student's academic record, which prevents registration (dropping and adding courses).

The term *health* means the physical or mental well-being of any person.

The term *incapacitation* means a state when someone cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent.

The term *Incident Report* is an official report of an accusation of alleged misconduct submitted through the Incident Reporting Form at <https://cm.maxient.com/reportingform.php?OwensCC>.

The term *knowing* means conduct that a student undertakes with reasonable awareness.

The term *member of the College community* includes any person who is a student, any College official, any person employed by the College, or any person serving the College in an official capacity.

The term *policy* means the written rules and regulations of the College as found in, but not limited to, the Student Code of Conduct, the College catalog and web pages, Board of Trustees policies and procedures, and academic program handbooks.

The term *preponderance of evidence* represents the standard of proof governing the student conduct system and means that "more likely than not," a violation of the Student Code of Conduct has occurred.

The term *reckless* means conduct one should reasonably be expected to know would create a substantial risk of harm to person or property, or which would otherwise be likely to result in interference with normal College or College-sponsored activities.

The term *respondent* means the individual alleged to have violated this Student Code of Conduct.

The term *sanction* means a disciplinary consequence for a violation of the Student Code of Conduct.

The *Student Conduct Administrator* is the person designated by the College President to be responsible for the administration of the Student Code of Conduct.

The term *Student Conduct Board* means a group of trained College faculty and staff authorized by the Student Conduct Administrator to determine whether a student has violated the Student Code of Conduct and to recommend sanctions that may be imposed when a violation(s) has been committed.

Article III: Student Code Authority

The Student Conduct Administrator shall develop policies for the administration of the student conduct system and procedural rules of student conduct proceedings that are consistent with provisions of the Student Code of Conduct. The Student Conduct Administrator shall determine the composition of student conduct boards and appeal bodies for each matter.

Article IV: Jurisdiction of the Student Code of Conduct

The College reserves the right to take any necessary and appropriate steps to protect the safety and well-being of the College community. The Student Code of Conduct applies to conduct of students that occurs on College premises or at any location where a course is being provided by the College. The Code also applies to conduct of students that occurs in the following contexts:

- Online or via telephone or electronic means (online classes, texting, Internet, Social Media, etc.);
- At academic course requirement sites (internships, clinicals, field trips, experiential learning activities, etc.);
- At College-sponsored events (sporting events, travel on behalf of the College, community service trips, etc.);
- While utilizing the College's computing or network services.

The Student Code of Conduct may also be applied off-campus when it is determined that the conduct has a substantial effect on the Owens Community College community. A substantial effect includes, but is not limited to, the following:

- An allegation, arrest, charge or conviction of a criminal offense as defined by Ohio law;
- Any situation where the student presents a danger or threat to the health and safety of self or others;
- Any situation that significantly impinges upon the rights, property, or achievements of self or others, or significantly breaches the peace and/or causes social disorder; and/or

- Any situation that is detrimental to the educational interests of Owens Community College.

Students are subject to city, state, and federal law while at the College, and violations of those laws may also constitute violations of the Student Code of Conduct. The College may independently proceed with the student conduct process while criminal/civil proceedings are in progress. In addition, the College will not be influenced based upon the grounds that criminal charges connected with the same incident are pending, have been dismissed, reduced, resolved in favor of or against the criminal law defendant, or withdrawn.

Each student shall be responsible for their conduct from the time they apply for admission through the actual awarding of a degree. This includes conduct discovered after completion of degree requirements and shall apply to a student's conduct even if the student subsequently withdraws from the College or is no longer in classes.

Visitors and guests of the College may also initiate complaints for violations of the Student Code of Conduct committed against them.

Article V: Prohibited Conduct

Students are required to engage in responsible social and civil conduct. Although not exclusive, the following actions, activities, behaviors, or attempts are expressly prohibited:

1. **Acts of dishonesty**, including but not limited to the following:
 - a. Knowingly furnishing or possessing false, falsified or forged materials, documents, accounts, records, identification or financial instruments;
 - b. Having false or misleading information furnished to the College through a third party on behalf of the student; and/or
 - c. Forging, altering, or misusing any College document, record, or instrument of identification.
 - d. Academic Dishonesty
** Procedures for cheating, plagiarism, and other forms of academic dishonesty can be found in the [Academic Misconduct Procedures](#);
2. **Disorderly or disruptive conduct** – violent, abusive, indecent, unreasonably loud, or otherwise disorderly conduct (e.g., causes alarm, concern, or nuisance) that interferes with College activities, College officials, or with the legitimate activities of any member of the College community.
3. **Sexual misconduct and/or sexual assault** – such conduct as defined in applicable federal, state or municipal law, or sexual harassment in violation of College's Anti-discrimination and Harassment [Policy](#) and [Procedures](#) and/or the [Title IX/Sexual Misconduct Procedures and Guidelines](#). Sexual misconduct refers to physical contact

- or other non- physical conduct of a sexual nature in the absence of clear, knowing and voluntary consent. This includes sex-based violence and sexual harassment.
- Consent must be voluntary.
 - An individual cannot consent who is:
 - Incapacitated, such as due to the use of drugs or alcohol or a cognitive impairment; *In determining incapacitation, the College will consider circumstances such as evidence of slurred speech, stumbling, inability to walk, vomiting, or periods of "black out." Any one of these factors alone may not be sufficient to establish incapacitation. The entirety of the circumstances must be considered.*
 - Compelled by force, or threat of force, or deception; or
 - Unaware that the act is being committed; or
 - Whose ability to consent is impaired because of a mental or physical condition; or
 - Coerced by supervisory or disciplinary authority.
 - Consent may be withdrawn at any time.
 - Prior sexual activity or relationship does not, in and of itself, constitute consent.
 - An individual must be of legal age to give consent, as defined by the State of Ohio.
4. **Domestic Violence** – violence committed by a current or former spouse or intimate partner of the victim; a person with whom the victim shares a child in common; a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; a person similar in situation to a spouse of the victim; any person against an adult or youth who is protected from that person's act under laws where the violence occurred; or as described in the [Title IX/Sexual Misconduct Procedures and Guidelines](#).
 5. **Dating Violence** – violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, or as described in the [Title IX/Sexual Misconduct Procedures and Guidelines](#).
 6. **Harassing behavior** – any severe or pervasive verbal, written, or electronic communication or action that causes a reasonable person to feel emotionally or mentally distressed or frightened. Harassment also includes communication or action that creates an intimidating, hostile, offensive learning or working environment or as described in the College's [Anti-discrimination and Harassment Policy](#).
 7. **Discriminatory behavior** – any behavior that is directed at a person because of their age, color, disability, national origin, race, religion, sex, sexual orientation, gender identity, military status, or veteran status that creates an intimidating, hostile, offensive learning or working environment, or as described in the College's [Anti-discrimination and Harassment Policy](#).
 8. **Stalking** – engaging in an intentional pattern of unwanted conduct directed at another person that threatens or endangers the safety, physical or mental health, or life or property of that person, or creates a reasonable fear of such a threat or action and includes cyber stalking, which is defined as any type of stalking by any electronic forum.
 9. **Intimidation** – threatening to cause harm or behaving so as to cause reasonable fear of such harm through actions or communications.
 10. **Endangering behavior** – intentionally, knowingly or recklessly causing or attempting to cause physical harm to any person; behaviors that put self or others at risk of harm.
 11. **Theft** – attempted or actual theft of property of the College or property of a member of the College community or other personal or public property.
 12. **Destruction of Property** – attempted or actual destruction, defacing, tampering with, materially altering or otherwise damaging property not one's own; and/or creating a condition that endangers or threatens property not one's own.
 13. **Trespassing/Unauthorized Entry** – unauthorized entry or providing another person unauthorized access to College premises, buildings, offices, information systems; unauthorized possession, duplication or use of keys for any College premises; or continued occupation of any College premises after being requested to leave by any College official.
 14. **Hazing** – behavior or attempted behavior, regardless of intent, that endangers the mental or physical health of a student as a condition to initiation, admission into, or continued membership in any group or organization. For example, behavior that is degrading, causes embarrassment or ridicule, or results in destruction of property.
 15. **Reasonable Request** – failure to comply with a reasonable request from College officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
 16. **Violation of any Federal, State, or Local Laws and College Rules** – an act or omission that constitutes a violation of federal, state or local laws and College policy, which is not otherwise covered in this Code.
 17. **Controlled Substances** – use, possession, manufacturing, or distribution of narcotics, or other controlled substances, and/or related paraphernalia except as expressly permitted by law or any violation of the College's [Drug-Free School and Alcohol Prevention Policy](#).

18. **Alcohol** – use, possession, manufacturing, or distribution of alcoholic beverages (except as expressly permitted by College regulations), public intoxication, or any violation of the College’s [Drug-Free School and Alcohol Prevention Policy](#). Alcoholic beverages may not, in any circumstance, be used by, possessed by, or distributed to any person under twenty- one (21) years of age.
19. **Weapons** – illegal or unauthorized possession or use of firearms, explosives, other weapons, or dangerous chemicals on College premises or use of any such item.
20. **Fire/explosive devices** – any action that causes or attempts to cause a fire or explosion (including bomb threats), false reporting of a fire; tampering of safety devices; and/or the failure to leave a College building during a fire alarm.
21. **Gambling** – illegal gambling or wagering.
22. **Smoking** – any violation of the College’s [Smoke Free and Tobacco Free Policy](#).
23. **Retaliation** – a student shall not retaliate against any member of the College community who files an incident report or who brings forward a complaint or concern.
24. **Theft or other abuse of computer facilities and resources**, including but not limited to:
 - a. Unauthorized entry into a file to use, read, or change the contents or for any other purpose;
 - b. Use of another individual’s identification and/or password;
 - c. Use of computing facilities and resources to interfere with the work of another student, faculty member or College official;
 - d. Use of computing facilities to send or view obscene images or content, or to send abusive, insulting, or profane messages;
 - e. Use of computing facilities and resources to interfere with normal operation of the College computing and/or email systems;
 - f. Use of computing facilities and resources in violation of copyright laws; and/or
 - g. Any violation of the [College’s Information Technology Policy](#).
25. **Abuse of the student conduct system**, including but not limited to:
 - a. Falsification or intentional distortion or misrepresentation of information when reporting an incident or before the Student Conduct Administrator and/or a student conduct board;
 - b. Disruption or interference with the orderly process of a student conduct investigation or student conduct board proceeding;
 - c. Attempting to discourage an individual’s proper participation in, or use of, the student conduct system;
 - d. Attempting to influence the impartiality of the Student Conduct Administrator and/or a member of a student conduct board prior to, and/or during the course of, the student conduct process;
 - e. Harassment (verbal or physical) and/or intimidation of the Student Conduct Administrator and/or a member of student conduct board prior to, during, and/or after a student conduct process;
 - f. Failure to comply with the sanction(s) imposed under the Student Code of Conduct; and/or
 - g. Influencing or attempting to influence another person to commit an abuse of the student conduct system.

Article VI: Interim and Supportive Measures

When there is evidence that the continued presence of a person on the College premises may pose a threat to any person or may substantially impede the functions of the College, the Student Conduct Administrator may impose interim measures for a period of time pending action taken under this Student Code of Conduct. Interim measures may include but are not limited to suspension; separation from a class or classes; restriction of access to College programs, services, or facilities; or barring the student from the campus.

- For interim measures related to Title IX allegation, please refer to Section (E) “Emergency Removals” of the College’s Title IX/Sexual Misconduct Procedures and Guidelines.
- When appropriate, such as in instances involving alleged violations of Owens’ Title IX/Sexual Misconduct Procedures and Guidelines, supportive measures are available to the complainant and respondent. These may include, but are not limited to:
 - Referral to counseling, medical, and/or other health services
 - Referral to community-based service providers
 - Providing campus security escorts
 - Implementing contact restrictions between parties
 - Academic support, extensions, or other course- or program-related adjustments
- A student will be notified of an interim measure by phone and/or in writing and the measure will take effect immediately. The interim measure will remain in effect until all student conduct proceedings have been completed. Every effort will be made to schedule the student conduct hearing as soon as possible.

- The interim measure does not replace the regular student conduct process, which shall proceed on the normal schedule, up to and through a student conduct board hearing.
- An interim suspension may not be appealed.

College officials may contact the Department of Public Safety when a student is believed to be engaging in conduct in their class/office that may violate the Student Code of Conduct to ask for them to be removed for the remainder of the class period/meeting. If the Department of Public Safety believes that a student is engaging in misconduct while on College premises which violates the Student Code of Conduct the student may (1) be temporarily dismissed from campus until meeting with the Student Conduct Administrator, or (2) be issued a warning for such behavior and be required to meet with the Student Conduct Administrator. Failure to comply with a dismissal from campus may result in arrest and charges of criminal trespass being filed.

Article VII: Student Code of Conduct Process

Any member of the College community may submit a report regarding inappropriate or concerning student behavior. An account of the behavior or incident shall be prepared in writing and submitted through the electronic [Incident Reporting Form](#) via the Owens website. Reports may be submitted at any time after an incident has occurred but should be submitted as soon as possible after the event takes place, preferably within 24 hours of occurrence.

Students who are registered with the Disability Resource Center are entitled to reasonable accommodations for all stages of the student conduct process. If possible, requests for accommodations should be made to the Student Conduct Administrator at the beginning of the process.

*** For student Code of Conduct Procedures related to Title IX allegations, please refer to Sections (M), (N), (O), and (P) of the College's Title IX/Sexual Misconduct Procedures and Guidelines.*

Procedures:

1. Once a report has been received, a prompt, fair, and impartial investigation will take place to determine if a policy violation(s) of the Student Code of Conduct has allegedly occurred. All investigations will be conducted and/or coordinated by the Student Conduct Administrator. Investigations may involve interviewing the respondent, reviewing the respondents prior conduct history, interviewing the complainant, interviewing witness(es), and/or requesting more information from the complainant, respondent, and/or witness(es). As noted in Article VI, interim measures may be imposed if deemed appropriate.
2. If it has been determined that a policy violation may have occurred, the Student Conduct Administrator will present the alleged violations of the Student Code of Conduct to the respondent in written form (Owens email account and/or permanent address on file) and/or by phone and include a time for a meeting with the Student Conduct Administrator

or notification to schedule a meeting to discuss the Incident Report. All requests for meetings must be responded to within 24 hours of receipt of the written notification.

3. If a respondent, with notice, does not appear to a scheduled meeting and/or does not respond to the request for a meeting, the information in support of charges shall be presented and/or considered even if the respondent is not present or a Disciplinary Hold may be placed on the student's account until the student conduct process is complete.
4. Upon resolution, the Student Conduct Administrator will present the alleged policy violation determination and sanction(s) (if applicable) to the respondent in writing.

Informal Mutual Resolution:

Allegations of violations of the Student Code of Conduct may be resolved informally by mutual consent on a basis that is determined acceptable by the Student Conduct Administrator. During this resolution process, the respondent and the Student Conduct Administrator will discuss and agree upon the violations and sanction(s) (if applicable). The resolution shall be final and there shall be no subsequent proceedings (including appeals).

Student Conduct Board Hearing:

If the respondent has an existing student conduct record, a resolution could not be reached between the respondent and the Student Conduct Administrator, the alleged violation(s) are serious in nature, or the violation(s) involve allegations of the College's [Title IX/Sexual Misconduct Procedures](#), a student conduct board hearing may occur in place of an informal mutual resolution. The Student Conduct Board is comprised of College officials from various offices/departments.

1. A student conduct board hearing will occur within fifteen (15) business days after the student has been notified in writing of the hearing.
2. Maximum time limits for scheduling of student conduct board hearings may be extended at the discretion of the Student Conduct Administrator.
3. Student conduct board hearings shall be conducted according to the following guidelines:
 - a. If a respondent fails to appear for a scheduled conduct hearing, the hearing will move forward and a sanction imposed (if applicable). The Student Conduct Board will consider the facts presented when making their decision. The student's absence will not be a factor in the determination. The Student Conduct Board Chair will notify the student of the decision in writing. In cases where credibility is an issue, such as when it is one party's word versus the other's with no other evidentiary information, if the complainant and/or witness(es) fail to appear, their statements/testimony will not be used and/or the hearing process may be postponed or ended.

- b. Student conduct board hearings shall be conducted in private.
- c. The complainant and the respondent have the right to be assisted by an advisor of their choosing. The advisor may be a member of the College community or external to the College community. The complainant and/or the respondent is responsible for presenting their own information and, therefore, advisors are not permitted to speak or to participate directly in any student conduct hearing. Advisors may not serve as witnesses.
- d. The respondent and their advisor, if any, shall be allowed to attend the entire portion of the student conduct board hearing during which information is presented (excluding deliberations). Admission of any other person(s) to the student conduct board hearing shall be at the discretion of the Hearing Board Chair.
- e. The respondent, the complainant (if applicable), and the Student Conduct Administrator may arrange for witnesses to present pertinent information to the student conduct board. If reasonably possible, the College will attempt to arrange the attendance of possible witnesses who are members of the College community and who are identified by the complainant and/or respondent at least two business days prior to the student conduct board hearing. Witnesses will provide information to and answer questions from the student conduct board. Questions for witnesses may be suggested by the respondent and/or complainant to the Hearing Board Chair, rather than to the witness(es) directly. The Hearing Board Chair will then pose the questions to witnesses if deemed appropriate.

NOTE: This method is used to preserve the educational tone of the hearing and to avoid creation of an adversarial environment.

- Pertinent records, exhibits, and written statements may be accepted as information for consideration by the student conduct board at the discretion of the Hearing Board Chair
- All procedural questions are subject to the final decision of the Hearing Board Chair.
- Formal rules of process or procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in Student Code of Conduct proceedings.
- f. After the portion of the student conduct board hearing concludes in which all pertinent information has been presented, the student conduct board shall determine (by majority vote) whether the respondent is responsible for each violation of the Student Code of Conduct for which they have been charged. The

student conduct board's determination shall be made on the basis of whether it is more likely than not (i.e., preponderance of evidence) the respondent violated the Student Code of Conduct.

- g. If the student conduct board determines that the respondent has violated the Student Code of Conduct, it will recommend sanctions to the Student Conduct Administrator.
- 4. There shall be a single verbatim record, such as an audio recording, of all student conduct board hearings (not including deliberations).

The record shall be the property of the College. No other recording devices shall be permitted.
- 5. During the hearing, the student conduct board may accommodate concerns for the personal safety or well-being, and/or fears of confrontation of the complainant, respondent, and/or witnesses by providing separate facilities, by using a visual screen, and/or by permitting participation via videophone, closed circuit television, video conferencing, or other visual synchronous means, as determined appropriate in the sole judgment of the Student Conduct Administrator.

Article VIII: Disciplinary Sanctions

- 1. The following sanctions may be imposed upon any student after being found responsible for violating the Student Code of Conduct:
 - a. **Conversation** – A conversation with the student regarding the violation and steps to prevent a violation from occurring again.
 - b. **Warning** – A notice in writing to the student that the student is violating or has violated institutional regulations.
 - c. **Probation** – A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of progressively more severe disciplinary sanctions if the student is found to violate any institutional regulation(s) during or after the probationary period.
 - d. **Loss of Privileges** – Denial of specified privileges for a designated period of time.
 - e. **Restitution** – Compensations for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
 - f. **Discretionary Sanctions** – Work assignments, essays, service to the College, or other related discretionary assignments.

- g. **College Suspension** – Separation of the student from the College for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
 - Following a suspension, students may request, in writing, re-admission to Owens Community College. The written request must be submitted to the Student Conduct Administrator through the [Student Conduct Readmission Consideration Request Form](#). To be eligible for re-admission, all sanctions and conditions related to the suspension must be completed. After the written request is received, a committee will review the request and meet with the student. As a condition of re-admission, a readmission plan may be made. The student will be notified of the decision in writing.
 - h. **College Expulsion** – Permanent separation of the student from the College.
 - i. **Revocation of Admission and/or Degree** – Admission to or a degree awarded from the College may be revoked for fraud, misrepresentation, or other violations of College standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.
 - j. **Withholding Degree** – The College may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Code of Conduct, including the completion of all sanctions imposed, if any.
 - k. **Academic Misconduct Sanctions** – see [Academic Misconduct Procedures](#)
2. More than one of the sanctions listed above may be imposed for any single violation.
 3. Only disciplinary sanction resulting from academic misconduct or involving expulsion from the College or revocation or withholding of a degree, shall be made part of the student's permanent academic record. All student conduct sanctions, shall become part of the student's disciplinary record.
 4. A Disciplinary Hold may be placed on a student account pending the completion or end date of a sanction.
2. The appeal must be made, in writing, to the appeal body, through the Office of Student Life, within seven (7) business days of the announcement of findings/sanctions and specifically describe the grounds on which the appeal is being sought.
 3. An appeal may be sought on the following grounds:
 - On a claim of error in the hearing procedure that substantially affected the decision;
 - On a claim of new evidence or information material to the case that was not known at the time of the hearing and which reasonably could have affected the decision of the hearing body.
 4. Except as required to explain the basis of new information, an appeal shall be limited to a review of the verbatim record of the student conduct procedure and supporting documents for one or more of the following purposes:
 - a. To determine whether the student conduct procedure was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures giving the complainant a reasonable opportunity to prepare and to present information that the Student Code of Conduct was violated, and giving the respondent a reasonable opportunity to prepare and to present a response to those allegations. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.
 - b. To consider new information, sufficient to alter a decision or other relevant facts not brought out in the original procedure, because such information and/or facts were not known to the student appealing at the time of the original student conduct proceeding.
 5. The appeal body has the authority to dismiss an appeal not sought on proper grounds. If the appeal body determines that the asserted grounds for appeal are valid, the appeal body may uphold or dismiss the sanctions
 6. The decision of the appeal body is final and binding upon all involved.
 7. Informal mutual resolutions reached between the Student Conduct Administrator and the involved party(s) may not be appealed.

Article IX: Appeals

1. A decision reached by the Student Conduct Administrator or a Student Conduct Board Hearing or a sanction imposed may be appealed by the respondent or complainant (in cases of Sexual Misconduct, Sexual Harassment, Domestic Violence, Dating Violence, Endangering Behavior or Stalking). *NOTE: Informal mutual resolutions cannot be appealed.*

For information regarding appeals related Title IX findings, please refer to section (T) of the College's Title IX/Sexual Misconduct Procedures and Guidelines.

Article X: Interpretation and Revision

- A. Any question of interpretation or application of the Student Code of Conduct shall be referred to the Student Conduct Administrator for final determination.
- B. The Student Code of Conduct shall be reviewed every three (3) years under the direction of the Student Conduct Administrator.

Article XI: Links to College Policies

Academic Misconduct Procedures: <https://www.owens.edu/trustees/procedures/proc3358-11-2-55.pdf>

Anti-discrimination and Harassment Policy: https://www.owens.edu/trustees/board_policies/11-4-17.pdf

Anti-discrimination and Harassment Procedures: <https://www.owens.edu/trustees/procedures/proc3358-11-4-17.pdf>

Drug-Free School and Alcohol Prevention Policy: https://www.owens.edu/trustees/board_policies/11-3-01.pdf

Information Technology Policy: <https://cdn.owens.edu/trustees/wp-content/uploads/sites/45/2020/01/6-01-Information-Technology-Policy.pdf>

Smoke-free and Tobacco-free College Policy: https://www.owens.edu/trustees/board_policies/11-4-22.pdf

Title IX/Sexual Misconduct Procedures and Guidelines: <https://www.owens.edu/trustees/procedures/proc3358-11-4-17-titleIX.pdf>