
Effective January 7, 2010

Student Code of Conduct

Student Conduct System and Community Standards
at Owens Community College

Office of Student Conduct and Community Standards
Rev. 8-16-2010

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Student Code of Conduct

Student Conduct System and Community Standards

1. Introduction

Owens Community College (Owens *or* the 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 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. We want to ensure a learning environment that is safe and inclusive.

To accomplish these goals, this Student Code of Conduct (the Code) is intended to establish a set of guidelines by which students and student organizations should conduct themselves. This Code extends to behaviors on-campus, off-campus, and in virtual environments which negatively impact the College, its students, faculty, or staff, and community members. Students not able to meet these expectations may be subject to disciplinary action. All regulations, policies, and procedures appear in the College Catalog.

This document is meant to facilitate learning about the rights, privileges, and immunities available for students at Owens, about the student conduct system, and about the expectations for appropriate student behavior.

2. Definitions

The following selected terms are defined in an effort to facilitate a more thorough understanding of the Code. This list is not intended to be a complete list of all the terms referenced in the Code that might require interpretation or clarification. The Dean of Student Life or designee shall make the final determination on the definition of any term found in the *Student Code of Conduct*.

1. **“Accused student”** means any student accused of violating the Student Code of Conduct.
2. **“Administrative Conference”** refers to a meeting between the Dean of Student Life and the accused student, resulting in an Administrative Agreement, appeal, or a finding that is inconclusive or results in no violation.
3. **“Administrative Agreement”** refers to a mutually, agreed upon resolution to a complaint or violation as a result of an Administrative Conference.
4. **“Appellate Body”** means either the Vice President for Student Services for cases of alleged behavioral misconduct or the academic dean in cases of alleged academic misconduct to conduct a review of a decision reached.
5. **“Business day”** means any day, Monday through Friday, that the College is open.
6. **“Central database”** means the electronic database and software package used to track an incident and the actions taken.
7. **“College Official”** includes any person employed by the College to perform administrative, instructional, or professional duties.

8. **“College premises”** includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the College, either solely or in conjunction with another entity.
9. **“Complainant”** or **“Complaining Party”** means any person who submits a charge which alleges that a student violated the Student Code of Conduct.
10. **“Community Standards Board”** or **“Board”** refers to a hearing body authorized to conduct a hearing and determine the appropriate resolution of an alleged violation of the Student Code of Conduct, and/or to impose sanctions or affect other remedies as appropriate. A Board is comprised of one faculty member, one staff member, one student, and a designated hearing chair.
11. **“Designee”** refers to a staff or faculty member who has responsibility for implementing the student conduct process or administering the student conduct system, in part or in whole.
12. **“Dean of Student Life”** or **“Dean”** refers to that person designated by the Vice President for Student Services to be responsible for the overall administration of the College student conduct system (which includes the development of policies, procedures, and education and training programs). The Dean of Student Life may serve as a hearing officer, chair of a Community Standards Board, or support person.
13. **“Expulsion”** indicates permanent separation from the College. A student who has been expelled is prohibited from participating in any College activity or program (for complete definition, go to p. 17).
14. **“Hazing”** refers to an act that endangers the mental or physical health or safety of a student, or that destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as condition of continued membership in a group or organization, for which the acts do not result in bodily injury to any person.
15. **“Hearing Board Chair”** refers to the person charged with leading a hearing and is present during the board’s private deliberations for the purpose of providing information and interpretations relative to the College student conduct system and Student Code of Conduct.
16. **“Hearing Body”** means one or more members of the College community authorized by the Dean of Student Life to determine whether a student has violated the Student Code of Conduct and to impose sanctions as warranted.
17. **“Hearing Officer”** means a College staff member who is authorized to determine the appropriate resolution of an alleged violation of the Student Code of Conduct, and/or to impose sanctions or affect other remedies as appropriate.
18. **“Instructor”** means any faculty member, teaching assistant, or any other person authorized by the College to provide educational services (e.g., teaching, research, or academic advising).
19. **“Member of the College Community”** includes any person who is a student, instructor, or College staff member; any other person working for the College, either directly or indirectly (e.g., private enterprise on campus); or any person accessing College facilities or

programs in fulfillment of the College's mission. A person's status in a particular situation shall be determined by the Dean of Student Life.

20. **“Owens”** or **“the College”** means Owens Community College.
21. **“Policy”** is defined as the written regulations, standards, and student conduct expectations adopted by the College and found in, but not limited to, the *Student Code of Conduct*, the *Non-discrimination Policy*, the *Harassment Policy*, the *Computer Use Policy*, and other publicized College policies and notices.
22. **“Student”** means any person admitted, registered, enrolled, or attending any College course or College-conducted program; any person admitted to the College who is on College premises or College-affiliated premises for any purpose pertaining to his or her registration, enrollment, or participation in a College-related activity.
23. **“Student conduct file”** means the printed/written file which may include but is not limited to incident report(s), correspondence, academic transcript, witness statements, and student conduct history.
24. **“Student organization”** means an association or group of persons that has complied with the formal requirements for College recognition.
25. **“Support person”** means any person who accompanies an Accused student, a Complainant, or a victim to a hearing for the limited purpose of providing support and guidance. A support person may not directly address the Hearing Body, question witnesses, or otherwise actively participate in the hearing process.
26. **“Suspension”** indicates separation from the College for a designated period of time after which the student shall be eligible to apply for readmission to the College (for complete definition, go to p. 17).

3. Core Values of Owens

The College's core values frames the way in which Owens works to accomplish its mission of serving its students and communities; *student success is our mission*. The core values of service, learning, innovation, collaboration, and excellence are embedded in the fabric and culture of Owens, and provide the framework from which this Code is written.

4. Civility in the College Setting

Prominent among the values that define the academic community is civility, which includes mutual respect, fairness, and politeness. Membership in any community requires a concern for the common good for all who belong to that community. Each individual may possess different ideas, as well as different ways of communicating those ideas, particularly in a community as varied and diverse as a college. Because of these differences, respect and civility are integral to maintaining the quality of the academic environment and free inquiry. Respect and civility should therefore be afforded to all individuals regardless of race, ethnicity, gender, age, sexual orientation, disability, religion, family status, socioeconomic level, educational background, veteran status, or position at the College.

Because it is not possible to establish a set of rules or guidelines that will address every issue of civility, all members of the academic community are called upon to promote and value this ethic of common respect and civility. Ultimately, such a community-wide concern will assure the continuation of a free and open exchange of ideas.

5. Conduct Disruptive to the College Community

Disruption of, or interference with, the College's educational objectives, its operations, or its officials, staff, and faculty in the performance of their work, or any other aspect of its mission, is prohibited at Owens. Such conduct includes, but is not limited to, the following behavior (NOTE: the following descriptions provide general guidelines of prohibited behavior and are not intended to be identified as all-inclusive):

- Engaging in violent, abusive, indecent, profane, or otherwise disorderly conduct
- Placing continued, persistent, or unreasonable demands on a College official in performance of duties that substantially impedes normal departmental functions
- Leading or inciting others to disrupt scheduled or normal activities of the office
- Behavior involving abuse, threats, intimidation, harassment, menacing, stalking, or coercion which puts at risk the health and safety of any person

6. Statement on Cyber Bullying

According to a 2008 University of Toronto survey, nearly one in five students surveyed reported having been bullied online in the past three months. In a similar study, one-third of students who had engaged in Cyber Bullying had also been victims of it. Cyber Bullying can be much more severe in its effects than offline bullying because the targets feel they have no escape. Also, because of the wide scope of the Internet, there can be many more witnesses to the bullying. Perpetrators may be more likely to engage in bullying behavior online because they cannot see or hear the effects of their actions, and because it's possible to be anonymous.

Cyber Bullying is a form of harassment that makes use of the diverse range of information and communication technology to coerce, intimidate, or harass another individual, or interfere with another person's personal safety, academic efforts, employment, or participation in College sponsored activities.

Cyber Bullying can be carried out through information technology equipment or devices, including but not limited to, computers, storage devices (such as USB and flash memory device, CDs, DVDs, floppy disks, iPods, MP3 players), cameras (such as video, digital, webcams), all types of mobile phones, video and audio players and receivers (such as portable CD and DVD players), gaming consoles and any other, similar technologies as they come into use. Internet Services (such as emails, chat rooms, blogs, discussion groups, or instant messaging) and phone services (such as voice calls, video, text messaging, or the taking and/or sending of digital images) can be vehicles for Cyber Bullying.

Forms of Cyber Bullying include (but are not limited to):

- **Insulting:** Posting or spreading false information about a person that will cause harm to that person or that person's reputation.
- **Targeting:** Singling someone out and inviting others to attack or make fun of her or him.
- **Identity theft:** Pretending to be someone else to make it look like that other person said things he or she doesn't believe or that aren't true about him or her.
- **Uploading:** Sharing images of a person, particularly in an embarrassing situation, without her or his permission, or sharing emails without the writer's permission.
- **Excluding:** Pressuring others to exclude someone from a community (either online or offline).
- **Harassment:** Repeatedly sending someone malicious and insulting messages.

Cyber Bullying will be adjudicated through the Owens Community College Student Conduct System, and may be subject to prosecution under criminal and civil law.

7. Drugs and Alcohol

In support of and in compliance with the Drug Free Schools and Communities Act Amendments of 1989, please be advised that the unlawful possession, use or distribution of drugs and alcohol by students on College property, or as part of any College activity, is prohibited. Violations of these laws are dealt with both through the criminal courts and through the Student Code of Conduct. Students found in violation are subject not only to criminal prosecution but to administrative sanctions under the Code, including expulsion from the College.

8. Concealed Carry Law

The State of Ohio law sets forth several places where your license does not allow you to carry a handgun. Under the law, you may not carry a concealed handgun into college, universities, or child care centers, which are considered forbidden carry zones. Violations of this law are dealt with both through the criminal courts and through the Student Code of Conduct. Students found in violation are subject not only to criminal prosecution but to administrative sanctions under the Code, including expulsion from the College.

9. Expectations and Success of Owens Students

9A. Expectation of Students at Owens

Students at Owens are expected to conduct themselves in a manner that supports an environment conducive to learning and respects the rights of other students, faculty, staff, and members of the campus community. As such, students are expected to:

- Be accountable to the rules and regulations for appropriate student behavior found in the Code document;
- Follow the syllabi provided by each faculty member, respecting the right to teach and to learn;
- Respect the rights of others;
- Comply with verbal and written directions from college officials; and
- Behave in a manner that reflects good citizenship as expected under the law and civility in the college setting.

9B. Student Success at Owens

Our mission and vision is centered upon the instructional experience where faculty and staff provide a superior educational experience through excellence, innovation, and collaboration. As such, these behaviors are expected of students:

- Attend all classes and complete assignments on time.
- Respect the rights of others to contribute by listening attentively.
- Participate appropriately and actively on topics presented in class.
- Ask for feedback from faculty and peers to ensure progress toward learning objectives.
- Address problems immediately by discussing issues with faculty and staff.

10. Goals and Outcomes

10A. Goals of the Code are to:

- Educate students, faculty, and staff on the rights, privileges, and immunities found in the Code and appropriate behavior on campus.
- Protect the rights and privileges of students, faculty, staff, and community members.
- Nurture respect for the rights of others.
- Provide a fair and impartial way to investigate and adjudicate incidents of alleged violation of the Code.
- Provide an opportunity for personal growth and education, through purposeful sanctions, for students found in violation of the Code.

10B. The Code intends to have the following desired outcomes:

- Students involved with the student conduct system will understand their rights.
- Students involved with the student conduct system will understand the rights of others.
- Student involved with the student conduct system will gain an appreciation of the academic atmosphere and of the teaching and learning process.
- Students involved with the student conduct system will gain a better understanding of the personal and professional development of college students.
- Students found in violation of the Code will gain insight into their behavior, connecting action with consequence.
- Students found in violation of the Code will be able to predict their sanction.
- Students found in violation of the Code will demonstrate change in their behaviors.

11. Disciplinary Authority

The student conduct policy was approved by the Owens Community College Board of Trustees on November 10, 2009. The Board has delegated the authority of the administration of the Student Conduct System and Community Standards under the auspices of the Vice President of Student Services.

- The Dean of Student Life is designated by the Vice President of Student Services to be responsible for the overall administration of the College student conduct system, including the development of policies, procedures, and education and training programs.

The Dean may serve as a hearing officer, hearing board chair, or support person, and has authority to adjudicate cases where students are charged with violations of the Code.

- Each faculty member is responsible for the conduct in class and authorized to take necessary steps when student behavior disrupts the normal class setting. When behavior is so serious as to result in expulsion from class, the faculty member may remove a student from class for one day and may also require the student meet with the Dean of Student Life to identify and set conditions for his/her return to class.
- Public Safety Officers 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 an individual for violation of the Code or unacceptable behavior, and dismiss an individual from campus when the person is found participating in behaviors that violate college policy or present a threat to the campus community.

12. Jurisdiction of the College

Each student shall be responsible for his/her conduct from the time of admission through the actual awarding of a 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 (and even if the conduct is not discovered until after a degree is awarded). The Code shall apply to a student's conduct even if the student withdraws from the College while a student conduct matter is pending.

Administration of the Code applies to all Owens' campuses (Toledo and Findlay), learning centers (The Source and Arrowhead), premises, facilities, and College-owned or leased property. Generally, College jurisdiction shall be limited to student conduct that occurs on College premises or at College-sponsored or College-affiliated activities (this includes but is not limited to college teams traveling to off-campus events; student activities, clubs and organizations; off-campus internships, co-ops and clinical rotations; community, volunteer, or service learning activity; and study or travel abroad). However, the College may apply the Code to students whose misconduct has a direct or distinct adverse impact on the College community, its members, and/or pursuit of its objectives regardless of where such conduct may occur.

13. Distinguishing Student Code Provisions from Local, State, and Federal Law

Members of Owens Community College and its visitors are subject to all College rules and regulations, including those contained in the Student Code of Conduct. Additionally, students are also simultaneously subject to all local, state, or federal laws. Any conduct that involves violation of local, state, or federal law may result in College disciplinary action as well as civil and/or criminal action. The Board of Trustees has delegated to the President of the College and to the President's designated representatives the authority to seek the assistance of appropriate law enforcement officers, in addition to the College's Public Safety Officials, to enforce College regulations and state laws for the preservation of good order on College premises.

College student conduct proceedings may be instituted against a student charged with conduct that potentially violates both criminal law and the Code (if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation or criminal arrest and prosecution. Proceedings under the Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings at the discretion of the Dean of Student Life. Determinations made or sanctions imposed in the Code shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of College rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant.

Interim Administrative Action

The Vice President of Student Services or designee may impose an interim suspension, loss of recognition, and/or other necessary restrictions on a student pending disciplinary proceedings or medical evaluation/psychological assessment. Such interim suspensions will become immediately effective without prior notice, whenever there is evidence that the continued presence of the student on College premises poses a substantial threat to him/herself or to others, or to the stability and continuance of normal College functions.

Before a student is suspended on an interim basis, he/she shall be given an opportunity to appear personally before the Vice President of Student Services or designee. In cases where a petition for readmission is required, the decision as to eligibility for readmission shall be made by the Vice President of Student Services or designee. The Vice President of Student Services or designee may appoint an ad hoc hearing board to hear the case.

Interim Administrative Action is not a sanction. It is taken in an effort to protect the safety and well being of the accused student, of other students, of the College community, or of property. Interim Administrative Action is preliminary in nature; it is in effect only until a hearing has been completed.

14. Standards of Conduct

14A. Conduct Statement

In order to promote a safe and civil campus environment, Owens expects each student to follow standards of conduct. The severity of the offense, prior disciplinary history, whether an offense was committed against a person intentionally selected by reason of their race, religion, national origin, gender, sexual orientation, gender identity, disability, or age, and other relevant circumstances will be considered in determining appropriate disciplinary action.

14B. Prohibited Conduct/Behaviors

In general, any of the following acts are prohibited under the Code: Acts of Dishonesty; Offenses Against Persons; Offenses Against Property; Activities that Disrupt Order; Activities that Disregard Health and Safety; Violation of College Policies, Rules or Regulations; Violation of Federal, State and Local laws; and, Failure to Comply with College Authority.

14C. Categories of Prohibited Behavior

For purpose of the management of the Code, the general acts are subdivided into three categories of prohibited behavior: level one - first time misconduct or minor violations; level two - repeat

violations or more serious misconduct; and, level three - severe misconduct. Additionally, possible sanctions are listed by level of misconduct.

Level I Prohibited Behaviors – First Time Violation or Minor Misconduct

Level I Prohibited Behaviors may include the following sanctions or other appropriate sanctions as determined:

- Warning
- Disciplinary Probation
- Loss of Privileges (temporary)
- Fine
- Restitution
- Referral
- Educational Initiatives

A.1 Disruption of, or interference with, any college activity, or other authorized non-college activities, when the act occurs on college premises and does not involve bodily injury to any person;

A.2 Disruption of, or interference with, College officials, staff, or faculty in the performance of their work (see Conduct Disruptive to the College Community, p. 7);

A.3 Public intoxication or the use, possession, sale, attempted sale, barter, exchange, gift or distribution of alcoholic beverages except as expressly permitted by law and college regulations;

A.4 Attempted or actual 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 campus, the total value which does not exceed \$100.00;

A.5 Gambling, including unlawful games of chance for money or anything of value and the sale, barter, or other disposition of a ticket, order, or any interest in a scheme of chance by any other name;

A.6 Solicitation, distribution, selling or promotion of materials on property owned or controlled by Owens Community College. Exceptions include recognized student organizations after registering with the appropriate college official;

A.7 Distribution or placement of advertising flyers and related literature onto parked vehicles on campus, except if the vehicle is owned by the person distributing the flyers or the person distributing flyers has the expressed consent of the vehicle owner to place the material on the vehicle;

A.8 Violation of a College rule, a city or county ordinance, or a federal or state misdemeanor offense involving no bodily injury or threat of bodily injury to any person;

A.9 At least three or more incidents of violation of traffic rules while on college property;

A.10 Failure to comply with the directions of college officials or law enforcement officers acting in the performance of their duties, and/ or failure to identify oneself to these persons when requested to do so;

A.11 Participation in a campus demonstration or unauthorized assembly that disrupts the normal operations of the College and infringes on the rights of other members of the college community; leading or inciting others to disrupt scheduled activities in any campus building or area; or intentional obstruction that unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus;

A.12 Permitting another to use his or her college identification card, impersonating another, or misrepresenting authorization to act on behalf of another;

A.13 Knowingly instituting a false charge against another person;

A.14 Unauthorized use, alteration or in any way tampering with fire equipment, safety devices or safety equipment;

A.15 Leaving children unattended while on campus or persons not officially enrolled and attending classes or participating in a college activity;

A.16 Leaving pets or animals unattended while on campus.

A.17 Interference with the use of a campus facility by another person by offensive personal hygiene or inappropriate bodily function that substantially impedes others from using College resources or services.

Level II Prohibited Behaviors – Repeat Violations or More Serious Misconduct

Level II Prohibited Behaviors may include the following sanctions, or other appropriate sanctions as determined:

- Disciplinary Probation
- Loss of Privileges (temporary or permanent)
- Loss of Recognition
- Fine
- Restitution
- Referral
- Educational Initiatives
- Suspension (including specific conditions for readmission)

B.1 Physical abuse, verbal abuse, threats, intimidation, stalking, coercion and /or conduct that threatens or endangers the health and safety of any person;

B.2 Use, possession, sale, attempted sale, barter, exchange, gift or distribution of narcotic or other controlled substances, or drug paraphernalia, except as expressly permitted by law;

B.3 Attempted or actual theft of and/or damage to the property of the college or property of a member of the college community or other personal or public property, the total value of which equals or exceeds \$100.00;

B.4 Acts of dishonesty, including but not limited to, the following:

- a) Cheating, plagiarism, or other forms of academic dishonesty,
- b) Furnishing false information to a college official or faculty member,
- c) Forgery, alteration, or misuse of any college document, record, or instrument of identification,
- d) Tampering with the election of any college recognized student organization.

B.5 Hazing of any individual or organization as defined by the laws of the state of Ohio;

B.6 Theft or abuse of computer time, including but not limited to:

- a) Unauthorized entrance into a file to intentionally damage, disable, or impair telecommunications equipment or software;
- b) Acquisition or use of software that does not adhere to applicable software licenses and copyright laws or is not consistent with the College computer use policies;
- c) Introduction of viruses or other destructive software in college computer facilities;
- d) Use of computing facilities to interfere with the work of another student, faculty member, or College official;
- e) Use of computing facilities to send or view obscene content, pornographic images, or threatening messages;
- f) Use of computing facilities to interfere with the normal operation of the College computing systems;
- g) Any violation of the Owens Community College Responsible Computing Policy (See Section 22, Responsible Computing Policy)

B.7 Unauthorized or fraudulent use of the College name, seal, emblem, nickname or motto;

B.8 Unauthorized entry and/or occupancy of the College facilities, including unauthorized possession, duplication, or use of keys to any College facility;

B.9 Trespass on College grounds;

B. 10 Failure to complete a sanction within established time frame

B. 11 A second violation of any Level I offense by the same student.

Level III Prohibited Behaviors – Repeat Violations or Severe Misconduct

Level III Prohibited Behaviors may include the following sanctions, or other appropriate sanctions as determined:

- Disciplinary Probation
- Loss of Privileges (temporary or permanent)
- Loss of Recognition
- Fine
- Restitution
- Referral
- Educational Initiatives
- Suspension (including specific conditions for readmission) and/or,
- Expulsion (no readmission permitted)

C.1 Use, possession, or carrying of firearms (including, but not limited to, pistols, rifles, shotguns, or ammunition), incendiary devices, smoke devices, dangerous knives, explosives or other dangerous weapons while on college owned or controlled property, or at college sponsored or supervised activities, except by college and other police officers and other persons specifically authorized by the college;

C.2 Any action that causes or attempts to cause a fire or explosion (including bomb threats), or any false reporting of a fire, or any tampering with the safety devices or the failure to leave College buildings during a fire alarm;

C.3 The denial of services or access to activities to an individual because of his or her race, religion, age, national origin, gender, marital status, or disability (see Section 22, Anti-discrimination and Harassment Policy);

C.4 Battery or physical abuse of any person resulting in bodily injury;

C.5 Violation of a federal or state felony offense law;

C.6 Harassment of any person (see see Section 22, Anti-discrimination and Harassment Policy);

C.7 Any level I offense or Level II Offense that results in death or bodily injury to any person;

C.8 A second violation of any Level II offense by the same student;

C.9 A third violation of any Level I Offense by the same student.

14D. College Sanctions (general guidelines for sanctioning)

Sanctions should be commensurate with the violation(s) found to have occurred. In determining the sanction(s) to be imposed, the Hearing officer or Community Standards Board should take into account any mitigating circumstances and any aggravating factors including, but not limited to, any provocation by the subject of the conduct that constituted the violation, any past misconduct by the student, any failure of the student to comply fully with previous sanctions, the actual and potential harm caused by the violation, the degree of intent and motivation of the student in committing the violation, and the severity and pervasiveness of the conduct that

constituted the violation. Misconduct, other than constitutionally protected expression, motivated by bias based on age, color, disability, gender identity or expression, national origin, race, religion, sex, sexual orientation, or veteran status may be considered an aggravating factor for sanctioning. Impairment resulting from voluntary use of alcohol or drugs (i.e., other than medically necessary) will also be considered an aggravating, and not a mitigating, factor.

The following sanctions may be imposed, individually or in various combinations, on any student found to have violated the Code. Please note this is not an exhaustive list of sanctions:

Warning: A notice that the student has violated College policy and a warning that another violation will likely result in a more severe sanction which could include “Disciplinary Probation,” “Suspension” or “Expulsion.”

Disciplinary Probation: Disciplinary Probation is a designated period of time where the student is given the opportunity to modify unacceptable behavior, to complete specific assignments, and to demonstrate a positive contribution to the College community in an effort to regain student privileges within the College community. Due to the student’s conduct history there is the possibility of Suspension or Expulsion if the student is found responsible for a subsequent violation.

Loss of Privileges: Denial of specified privileges for a designated period of time.

Loss of Recognition (Student Organization): Loss of all College privileges for a designated period of time. Loss of recognition for more than two consecutive semesters requires an organization to reapply for College recognition. Conditions for future recognition may be specified.

Fine: Monetary charges for violation of the Code such as parking violations, smoking in prohibited areas, etc.

Restitution: Compensation for loss of or damage to property or services rendered. This may take the form of appropriate service and/or monetary or material replacement.

Referral: Mandatory referral for psychological assessment or other evaluation at the discretion of the Vice President of Student Services, Dean of Student Life or designee. In most cases, students receiving a referral will be allowed back on campus pending the results of the assessment or evaluation. All costs associated with the assessment or evaluation are incurred by the student.

Educational Initiatives: Discretionary in nature, educational initiatives can take the form of whatever sanctions the Vice President of Student Services, Dean of Student Life or designee deems appropriate in addressing the behavioral misconduct. Examples include projects; participation in health or safety programs (the student may be required to pay a fee); service to the College or to the larger community; seminars; or other assignments as warranted.

Suspension: Separation from the College for a designated period of time after which the student shall be eligible to apply for readmission to the College. Readmission to the

College is not guaranteed. Conditions for consideration of readmission may be specified. A student's reacceptance into his/her school is at the discretion of the school. A student who is on suspension is prohibited from participating in any College activity or program. The individual may not be in or on any College owned or leased property without securing prior approval from the Dean of Student Life and the Department of Public Safety.

Expulsion: Permanent separation from the College. A student who has been expelled is prohibited from participating in any College activity or program. The individual may not be in or on any College owned or leased property without securing prior approval from the Dean of Student Life and the Department of Public Safety. A permanent notation of "Expulsion" shall be placed on the student's transcript.

15. Student Conduct Policies

15A. Due Process

In all situations, the student and student organizations will be assured fair and equitable treatment through consistent adherence to the due process procedure described herein:

1. Be notified of any complaint filed against the student or student organization.
2. Be heard in an unbiased non-threatening environment.
3. Know the identity of the complaining party (unless there is evidence that doing so will endanger the complainant).
4. Be notified of any sanctions or actions in writing.
5. Be notified of the appellate (i.e., appeals) process.

15B. Standard of Evidence

The standard of evidence used to determine responsibility in the student conduct system is a *preponderance of evidence* (more likely than not). This determination is based on the appropriateness of an administrative conference or hearing in an academic environment.

15C. Hearing Bodies

The Dean of Student Life will conduct an administrative conference or hearing, or assign a hearing officer or a Community Standards Board to conduct a hearing.

Hearing officer: The Dean of Student Life designates and trains hearing officers. Hearing officers are college officials and may conduct hearings on any type of alleged violation of the Code. Hearing officers may impose any sanction as appropriate. Typically, a hearing will consist of one hearing officer or a Community Standards Board.

Community Standards Board: The Dean of Student Life designates and trains members of a Community Standards Board. Members of community standards boards are trained to conduct both behavioral misconduct and academic misconduct hearings. A Community Standards Board consists of one faculty member, one staff member, and one student. A trained hearing officer will act as Chair to facilitate the hearing proceedings and guide the Board through the deliberation process.

15D. Student Rights and Responsibilities

Rights of Accused Student

- The right to receive notification of the section(s) of the Code allegedly violated and the date, time, and place of any conference or hearing on the alleged violation.
- The right to challenge the objectivity or fairness of any of the persons serving as a Hearing officer or serving on a Community Standards Board. The decision as to any challenge made by the accused rests with the Dean of Student Life or the Chair of the proceedings.
- The right to consult with a support person before, during, and after any conference or hearing (*NOTE: A support person may not directly address the hearing body, question witnesses, or otherwise actively participate in the hearing process*).
- The right to know the identity of the complaining party (unless there is evidence that doing so would endanger the complainant) and, upon request, the right to notification of the name of each person expected to testify at any conference or hearing.
- The right to introduce documents, to call witnesses, and present other evidence. The right to call witnesses is accompanied by the obligation to provide the name of each witness, in writing, two business days in advance of a conference or hearing to the Dean of Student Life or designee.
- The right to be present at any hearing or conference on the alleged violation and to make or refrain from making statements.
- The right to decline participation in a hearing (*NOTE: In most cases, the accused student will be required to sign a form waiving the right to a hearing*).
- The right to ask questions of any person participating in or providing information at a conference or hearing. All questions asked by the accused are to be directed towards the Chair.
- The right to receive written notification of any decision made.
- The right to appeal the decision of a hearing or conference in accordance with procedures outlined in the Code.
- The right to request postponement of a hearing for good cause shown. In most cases, a postponement will only be granted due to an academically related commitment. The decision to postpone a conference or hearing rests with the Dean of Student Life, hearing officer or Chair of the Community Standards Board.

Rights of Complaining Party

- The right to be kept informed of the status of proceedings throughout the process.
- The right, in all disciplinary hearings and proceedings, to have the presence of a support person. This person may consult with the student but not address the board or participate directly in the hearing.
- The right to request the ability to answer questions posed by the accused outside of the physical presence of the accused. The Dean or designee will determine if such a request will be granted.
- The right to submit, orally or in writing, an impact statement to any hearing body.
- The right to receive timely notification of any decision made (only applies in sexual and physical assault cases *or* in violations of the Anti-discrimination and Harassment Policy).
- The right to be granted a change in academic arrangement, or other steps necessary to prevent unnecessary or unwanted contact (if such changes are reasonably available).
- The right to the results of conduct proceedings concerning violations of violence, upon written request.

In Cases of Sexual Misconduct Only

A complainant who reports an alleged violation of sexual misconduct is provided the following additional rights:

- The right to answer questions posed by the accused outside of the physical presence of the accused.
- The right to remain present throughout the entire hearing except deliberations.
- The right to not have his/her past behavioral history discussed during the hearing. The hearing Chair shall determine questions of relevancy.
- The right to be granted a change in academic arrangement, or other steps necessary to prevent unnecessary or unwanted contact.

In accordance with the Higher Education Opportunity Act (HEA Title IV, Sec. 487(a)(26)):

- Institutions are required, upon written request, to disclose to the alleged victim of a crime of violence or a nonforcible sex offense, or to the alleged victim's next of kin (if the victim dies as a result of the crime or offense), the final results of any institutional disciplinary proceeding dealing with that crime or offense.

15E. Failure to Appear

If a student fails to appear for a scheduled administrative conference or hearing, the case may be adjudicated and a sanction imposed. The Dean of Student Life will consider the facts available

when reaching a decision. The student's absence will not be a factor in the determination. The Dean of Student Life will then notify the student of the decision in writing. If the student is found in violation of the Code and a sanction is applied, the sanction must be completed by the student in the allotted time or an Administrative Hold will be placed on the student's academic record.

15F. Failure to Complete a Mandatory Sanction

Failure to complete a required sanction is a serious offense at Owens. It is considered an additional violation of the Code, and will usually result in more serious sanctions being imposed. Within two weeks of a student's failure to complete a sanction, an Administrative Hold will be placed on the student's records. Students refusing to complete sanctions also place themselves at risk of being suspended or expelled from the College.

15G. Administrative Hold on Student Record

An Administrative Hold on a student's admission, registration, transcript access, financial or other record is not an independent penalty, but may be utilized by the College as a means to either direct a student's attention to subsequent participation in a pending student conduct (or academic misconduct) proceeding or obtain the student's compliance with a sanction which has been imposed, or other action which has been taken, under the Student Code of Conduct.

16. Student Conduct System Process and Procedures

16A. Submitting a Complaint/Reporting an Incident

Any member of the College community may submit a complaint against or report an incident involving a student suspected of violating this Code. Formal complaints/reports must be submitted in writing. Verbal complaints/reports not placed in written form may be handled by the Dean of Student Life or by the Department of Public Safety in any informal manner that they deem to be appropriate. Complaints/reports should be submitted within 7 to 10 calendar days after the violation occurs, except in extenuating circumstances.

16B. Processing a Complaint/Incident Report

The Dean of Student Life may conduct an investigation into the merit of a complaint and/or incident report to determine the appropriate path from which to pursue resolution. After considering all appropriate witness statements and reviewing documentary and other evidence related to the case, the Dean may take the following actions:

- Determine that insufficient evidence exists to support the allegation and dismiss the complaint/incident.
- Determine that there is sufficient evidence for the complaint/incident, charge the student with the appropriate violation(s) of the Code, and discuss an informal resolution with the accused student which may include the imposition of any or all Level I or II sanctions.

- Determine that there is sufficient evidence for the complaint/incident, charge the student with the appropriate violation(s) of the Code, and forward the case to a hearing officer or Community Standards Board to conduct a formal hearing of the complaint.

NOTE: In the event that the complaint/incident is due to behavior that endangers or threatens or may have endangered or threatened self, others or property within the Owens community, a student may be removed from Owens immediately (see Section 13, Interim Administrative Action). A preliminary investigation will be conducted to make such a determination. In the event that by a preponderance of evidence the student's behavior endangered or threatened self, others or property within the Owens community, the student may be removed from campus pending adjudication through the conduct system.

16C. Administrative Conference (informal disciplinary process)

A student charged with an alleged violation of the Code may be required to meet with the Dean of Student Life for investigation, mediation, and/or possible resolution. During the administrative conference the student will be afforded an opportunity to respond to the complaint.

The Dean of Student Life will determine if charges will be filed and whether the charges may be resolved by way of administrative agreement. Terms of the agreement are developed by the Dean and agreed to by the accused student. A student who agrees to resolve any charges without a hearing shall have no right to appeal.

When charges cannot be resolved by mutual consent of the accused student and Dean, the student will be informed of the hearing process and a hearing will be scheduled. The Dean may proceed directly to a hearing based on the circumstances of the situation.

NOTE: In the event that a violation may result in a sanction of suspension or expulsion, the accused student will have the option of choosing either a hearing officer or Community Standards Board for adjudication.

16D. Hearing (formal disciplinary process)

The Dean of Student Life may determine that sufficient grounds exist to refer the complaint/incident directly to a formal hearing, or, if a student disagrees with the result of an Administrative Conference, a formal hearing will be scheduled. A formal hearing may be conducted by a hearing officer or a Community Standards Board, which is at the discretion of the Dean. If the Dean of Student Life was involved either in the alleged violation incident or previously counseled the accused student or the complainant about the matter, the Dean may appoint a designee to hear the case. In most cases, the hearing will be scheduled within 21 calendar days following notification to the accused student.

Student Conduct System Process

Step 1. The Dean of Student Life shall schedule a date and time for the hearing body to convene to hear the complaint, taking into consideration the class schedule of the accused

student and the availability of potential witnesses and the hearing officer or Community Standards Board members.

Step 2. The student will receive a written notification of the hearing date and time, along with other instructions and student conduct system materials. The student will be informed that the Dean of Student Life (or designee) will be available to assist the student with student conduct system policy and procedures.

Step 3. The student will be informed that s/he may have a support person present at the hearing, but this person shall be an observer only and shall not participate in the hearing. If the support person participates or interferes with the hearing in any way, the hearing officer or Board Chair has the authority to halt proceedings and have the person removed from the hearing.

Step 4. The hearing is conducted. Both the College and the accused student may identify witnesses or may present witness statements if good cause is provided that the witness(es) cannot be present. The hearing officer or Community Standards Board members and the accused student will be permitted to question each witness and to inspect all documentary and other information. The accused student will be allowed to present any witness statements and any other information that the student believes to be relevant to the matter.

Step 5. The hearing will be recorded for purposes of appeal and audio recordings are the property of the College (*Note: deliberations are not audio taped*).

Step 6. At the conclusion of the hearing, the accused student will be given the opportunity to make a closing statement. After the closing statement, the hearing officer or Community Standards Board will decide whether the student violated the Code and, if found responsible, will determine appropriate sanctions.

If the hearing is conducted by a Community Standards Board, the Board will determine, by majority vote, outside the presence of the accused student and complaining party, responsibility for each charge. At that time the Board Chair will provide information to the panel about any prior misconduct by the student. The Board then will enter into private deliberations to determine appropriate sanction(s) that will be imposed.

Step 7. The Dean of Student Life will send the results to the student, enter results into the central database, apply appropriate administrative holds (if any) on the student record, and track sanction completion.

16E. Appeals

The accused student or complainant has the right to appeal the decision of a hearing officer or a Community Standards Board. An appeal is not a new hearing; it is a review of the record of the hearing by the Vice President of Student Services (or designee).

An appeal may be sought on the following three 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/or
- On a claim that the sanction(s) is not in proportion to the severity of the misconduct.

The appeal must be made, in writing, to the Vice President of Student Services (or designee) within seven (7) business days of the announcement of findings/sanction. The letter of appeal must specifically describe the grounds with which the appeal is being sought. The Vice President (or designee) has the authority to dismiss an appeal not sought on proper grounds. If the Vice President (or designee) determines that the asserted grounds for appeal are valid, the Vice President (or designee) may uphold, dismiss, or modify the sanctions of the hearing body. The decision of the Vice President (or designee) is final.

17. Academic Misconduct Process and Procedures

The procedures for investigating, adjudicating and imposing sanctions for student academic misconduct differ somewhat from those applied to other violations of the Student Code of Conduct. Based on the nature, severity and/or frequency of the alleged act(s) of misconduct, either an instructor will initiate the adjudication process or the Dean will initiate a formal hearing process to bring resolution to the issue.

NOTE: Some schools and departments must maintain academic and professional standards beyond those outlined in the Student Code of Conduct. For more information, please contact the dean of the school or department chair.

17A. Student Academic Misconduct – Definitions

Academic misconduct is dishonest or unethical behavior that includes, but is not limited to, the following:

Cheating. Using or attempting to use unauthorized materials in any academic exercise or having someone else perform work for you. Examples of cheating include looking at another student's paper during an exam, bringing an answer sheet to an exam, obtaining a copy of an exam prior to the test date, submitting homework borrowed from another student, etc. (See Section 22, Cheating and Plagiarism Policy).

Fabrication. Inventing or falsifying information. Examples of fabrication include inventing data for an experiment you did not conduct or did not conduct correctly, making reference to sources you did not use in a research paper, etc.

Facilitating academic misconduct. Helping someone else to commit an act of academic misconduct. This includes, but is not limited to, giving someone a paper or homework from which to copy, allowing someone to cheat from your test paper, etc.

Plagiarism. Using the words or ideas of another writer without attribution so that they seem as if they are your own. Plagiarism ranges from copying someone else's work word for word, to rewriting someone else's work with only minor word changes (mosaic plagiarism), to

summarizing work without acknowledging the source (See Section 22, Cheating and Plagiarism Policy).

Multiple submission. Submitting work you have done in previous classes as if it were new and original work. Although professors may occasionally be willing to let you use previous work as the basis of new work, they expect you to do new work for each class. Students seeking to submit a piece of work to more than one class must have the written permission of both instructors.

Abuse of academic materials. Harming, appropriating or disabling academic resources so that others cannot use them. This includes cutting tables and illustrations out of books to use in a paper, stealing books or articles, deleting or damaging computer files intended for others' use, etc.

Deception and/or misrepresentation. Lying about or misrepresenting your work, academic records or credentials. Examples of deception and misrepresentation include forging signatures, forging letters of recommendation and falsifying credentials in an application. Of particular concern, given the current popularity of collaborative projects, is taking credit for group work to which you did not contribute significantly or meet your obligations. Be sure to get clear instructions on your individual and collective responsibilities from each faculty member for each course.

Electronic dishonesty. Using network access inappropriately, in a way that affects a class or other students' academic work. Examples of electronic dishonesty include, but are not limited to, using someone else's authorized computer account to send and receive messages, breaking into someone else's files, gaining access to restricted files, disabling others' access to network systems or files, knowingly spreading a computer virus or obtaining a computer account under false pretenses, etc.

Carelessness. When does carelessness become academic misconduct? Students sometimes make minor mistakes in completing academic assignments. Mistyping one of many endnotes in a long paper, for example, may in most cases be considered a careless mistake, rather than an act of deliberate dishonesty.

When students make multiple mistakes in acknowledging sources, however, these mistakes cannot be considered simply careless. Students who copy long passages from a book or a Web source, for example, make a deliberate choice to do so. Such students have taken a short cut; instead of explaining the source of their ideas, they have simply stolen ideas from others. In such cases, carelessness is a form of academic misconduct.

Students are responsible for knowing the Cheating and Plagiarism policy and procedures and may not use ignorance of the policy as an excuse for academic dishonesty.

Other types of academic dishonesty. The list above is a partial one. Instructors may explain in their syllabi other types of academic dishonesty relevant to the work in particular disciplines or particular courses.

NOTE: The above examples are provided for purposes of illustration and do not represent an exhaustive list of possible violations of academic misconduct.

17B. Student Academic Misconduct – Administrative Conference (informal process)

Instructors shall take reasonable steps to prevent academic misconduct in their courses and to inform students of course-specific requirements. Student expectations and responsibilities with respect to academic integrity are described within this Code document.

Step 1. When the instructor of record (or designee instructor) believes that an act of misconduct has occurred, the instructor immediately notifies the chair of their department. The instructor is responsible for saving the evidence in its original form and need not return any of the original papers or other materials to the student. Copies of the student’s work and information about other evidence will be provided to the student upon request.

Step 2. The instructor conducts an inquiry (if applicable) into the alleged misconduct, which may include, but is not limited to, meeting with students, reviewing documentation, interviewing witnesses, etc.

Step 3. The student is notified of the alleged academic misconduct and provided with the option of a meeting to respond to the claim of academic misconduct.

Step 4. Based on the inquiry, the instructor determines if a violation of academic misconduct has occurred.

- If it is determined that no violation has occurred, or if the findings are inconclusive, the case is closed.
- If it is determined that a violation of academic misconduct has occurred, the instructor decides sanction based on sanctioning guidelines (see section 17D. Student Academic Misconduct – Sanctioning Guidelines), and notifies the student in writing.

Step 5. Upon learning of the instructor’s findings, the student may decide to contest or not contest the findings.

Student Contests a Finding

- If the student decides to contest the findings, s/he submits a letter of appeal to the Dean of the School where the alleged violation occurred. Letter must be received by the Office of the Dean within 7 business days of the announcement of the instructor’s decision.
- The Dean shall have the authority to dismiss an appeal not sought on proper grounds (see section 17E. Student Academic Misconduct – Appeals).
- The Dean may uphold/dismiss decision and/or modify the sanction(s).
- The decision of the Dean is final.

Student does not Contest a Finding

- If the student does not contest the findings, s/he acknowledges the findings and the sanction(s). In most cases, the student will be asked to sign an academic dishonesty form.
- By doing so, the student forfeits the right to an appeal.

NOTE: In the event that a violation may result in a sanction of suspension or expulsion, the accused student will have the option of choosing either a hearing officer or Community Standards Board for adjudication.

17C. Student Academic Misconduct – Hearing (formal process)

In cases of severe academic misconduct or repeat violations, the department chair will notify the Dean of Student Life.

Step 1. Once department chair and Dean of Student Life agree that the alleged violation represents a severe act of academic misconduct or the accused student has been found responsible for academic misconduct at Owens in the past, the Dean of Student Life schedules a hearing and convenes a Community Standards Board.

Step 2. The Community Standards Board conducts the hearing, under the direction of the Dean of Student Life or designee, according to guidelines outlined in Section 16D of this Code – Student Conduct System Process.

Step 3. Upon completion of the hearing process, the student may contest or not contest the findings/sanction of the Board.

Student Contests a Finding

- If the student decides to contest the findings, s/he submits a letter of appeal to the Office of the Provost. Letter must be received by the Office of the Provost within 7 business days of the announcement of the Board’s decision.
- The Provost (or designee) shall have the authority to dismiss an appeal not sought on proper grounds (see section 17E. Student Academic Misconduct – Appeals).
- The Provost (or designee) may uphold/dismiss decision and/or modify the sanction(s).
- The decision of the Provost (or designee) is final.

Student does not Contest a Finding

- If the student does not contest the findings, s/he receives a letter from the Dean of Student Life with findings/sanction(s). Sanctions are final.

17D. Student Academic Misconduct – Sanctioning Guidelines

Typically, a student found responsible for academic misconduct violations will be sanctioned according to the following guidelines:

- First Offense (minor violation) – student will be assigned a grade of “zero” for the particular assignment, exam, project, paper, etc. on which the misconduct occurred. The

instructor also may require the student to demonstrate mastery of the objectives of the particular assignment, exam, project, paper, etc.

- First Offense (severe or egregious violation) – Student will be assigned a zero grade for the assignment and is subject to suspension or expulsion.
- Second Offense (minor violation) – Student will receive a failing grade for the course.
- Second Offense (severe or egregious violation) – Student will receive a failing grade for the course and is subject to suspension or expulsion.
- Third Offense (regardless of level of severity) – If found responsible, typically the student will be suspended for the remainder of the current semester and the next full semester. Student must apply for readmission, which is not guaranteed. Upon readmission, any subsequent academic misconduct violation in which the student is found responsible will result in expulsion from the College.

NOTE: While these are guidelines, the College reserves the right to determine a sanction, or any combination of sanctions, that appropriately address the nature and severity of the act of misconduct.

17E. Student Academic Misconduct – Appeals

Students have the right to appeal an academic misconduct decision of the Community Standards Board. An appeal may be sought on the following three grounds and must be specifically described:

- 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/or
- On a claim that the sanction(s) is not in proportion to the severity of the misconduct

The appeal must be made, in writing, to the Office of the Provost within seven (7) business days of the announcement of findings/sanction. The letter of appeal must specifically describe the grounds with which the appeal is being sought. The Provost (or designee) has the authority to dismiss an appeal not sought on proper grounds. If the Provost (or designee) determines that the asserted grounds for appeal are valid, the Provost (or designee) may uphold, dismiss, or modify the sanctions of the Community Standards Board. The decision of the Provost (or designee) is final.

18. Academic Appeal by Student

The Academic Appeal by Student procedure provides a student with the process of appeal in the event that a student disagrees with a course grade(s) issued by the college instructor or with an action taken within the teaching/learning process (excluding academic misconduct or behavioral misconduct issues). The process is as follows:

The student must initiate the appeal process by first discussing the action that is the source of the disagreement with the following college employees in the order listed below:

1. Course Instructor

2. Chair of the department in which the course is offered

In the event that an acceptable resolution is not found through discussions with each of the above individuals, the student may file a formal appeal. The formal appeal is initiated once the student completes and signs the “Request for Academic Appeal” form and submits the form to the office of the academic dean in the school in which the course is offered. Under certain circumstances, such as conflict of interest, the Dean may refer the case to an alternative review board at his or her discretion.

All formal Academic Appeals must be filed by the end of the semester following the semester in which the course was taken, including summer semester. The Academic Appeal by Student process will be handled in a timely manner, depending on the availability of information related to the appeal. Academic Appeal by Student decisions will be rendered no later than the 8th week of the semester following the semester in which the Request for Academic Appeal form is submitted to the office of the academic dean. The decision of the academic dean is final.

If the appeal is approved and a grade change is warranted, the instructor will be contacted by the Academic Dean or designee to submit a grade change form to the Records Office for processing.

19. Non-Academic Appeal by Student

The Non-Academic Appeal by Student procedure provides a student with an outlet when a student disagrees with a decision or action (excluding academic misconduct or behavioral misconduct issues) of an Owens Community College administrator, faculty, or staff member. The procedure is as follows:

The student must initiate the appeal process by first discussing the action that is the source of the disagreement with the following college employees in the order listed below:

1. Administrator, faculty, or staff member who made the decision
2. Immediate supervisor of the administrator, faculty, or staff member

In the event that an acceptable resolution is not found through discussions with each of the above individuals, the student may file a formal appeal. The formal appeal is initiated once the student completes and signs the “Request for Non-Academic Appeal” form and submits the form to the Office of the Vice President of Student Services. Forms are available in the Office of the Vice President of Student Services. In certain circumstances, such as conflict of interest, the Vice President may refer the case to an alternative review board at his or her discretion.

All formal Non-Academic Appeals must be filed by the end of the semester following the semester in which the dispute occurred, including summer semester. The Non-Academic Appeal by Student process will be handled in a timely manner, depending on the availability of information related to the appeal. Non-Academic Appeal decisions will be rendered no later than the 8th week of the semester following the semester in which the Request for Non-Academic Appeal form is submitted to the Office of the Vice President of Student Services. The decision of the Vice President of Student Services is final.

20. Student Conduct Files and Records

20A. Confidentiality

Student conduct matters are kept confidential to the extent required by law.

20B. Maintenance and Review of Student Conduct Files

Student conduct files are maintained separately from any other academic or official file at the College. Generally, information from the files is not released without the written consent of the student. However, certain information may be provided to individuals within or outside the College who have a legitimate legal or educational interest in obtaining it. Please refer to the Family Education Rights and Privacy Act of 1974 (FERPA) as amended.

All final student conduct dispositions, both academic and behavioral, shall be forwarded to the Dean of Student Life or designee who will maintain a central database on each student or student organization referred through the Code. In situations involving both an accused student(s) (or group or organization) and a student(s) claiming to be the victim of another student's conduct, the file of the process and of the sanctions imposed, if any, shall be considered to be the education files of both the accused student(s) and the student(s) claiming to be the victim because the educational career and chances of success in the academic community of each may be impacted.

The sanction of "Expulsion" will be noted on the student's official transcript permanently. Generally, student conduct files will be maintained in accordance with the College's records retention policy.

20C. Health Insurance Portability & Accountability Act of 1996 (HIPAA)

Students may be required to provide medical or psychological records to Owens in order to document and receive certain specialized services. These records are confidential and protected under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) until they are provided to Owens. At that point they become educational records and come under the protection of the Family Educational Rights and Privacy Act of 1974 (FERPA). Both these acts have strict rules to protect personal confidential information. Questions regarding privacy and confidentiality issues should be addressed to the Records Office.

20D. Expunging Records

A student or an alumna/alumnus who has been suspended may request that the Vice President of Student Services or designee expunge the incident or incidents from his or her disciplinary records. This request may occur no less than two (2) years from the date of the incident or incidents that resulted in the suspension. The decision to expunge the record will be based upon the offense, the person's disciplinary record, and evidence of good behavior since the offense occurred.

A student or an alumna/alumnus who has been expelled may request that the Vice President of Student Services or designee expunge the incident or incidents from his or her disciplinary records. This request may occur no less than six (6) years from the date of the incident or incidents that resulted in the expulsion. The decision to expunge the record will be based upon

the offense, the person's disciplinary record, and evidence of good behavior since the offense occurred. No student who has been expelled from Owens Community College may enroll again as a student, even if his or her disciplinary record has been expunged.

21. Interpretation and Revision

Any question of interpretation regarding the Code shall be referred to the Dean of Student Life or designee for final determination. The Code shall be reviewed at least every three (3) years under the direction of the Dean of Student Life. Substantive revisions shall be approved by the Board of Trustees.

22. Links to Policies

[Anti-discrimination and Harassment Policy](#)

[Responsible Computing Policy](#)

[Policy on Cheating and Plagiarism](#)

[Drug Free School Policy](#)

[Smoke-free Buildings/Vehicles Policy](#)

- [Smoking Procedures](#)

[Communicable Disease Policy](#)

Appendix A – Health Risks Associated with Alcohol and Drug Use

Health Risks

The use of illicit drugs and the abuse of alcohol and prescription drugs have potential adverse health consequences that may be permanent. These consequences include disorders and dysfunctions that affect the central nervous system, reproductive functioning, cardiovascular and pulmonary systems, and endocrine functioning. Specifically, there are both short- and long-term effects on cognition, memory, retention, information processing, coordination, and athletic and academic performance. The use of illicit drugs and the abuse of alcohol also affect emotional equilibrium, mental well-being, and the ability to make critical decisions. Such use also impairs judgment, which in turn increases one's vulnerability and risk-taking behaviors, including engaging in unprotected sex, which may lead to exposure to HIV and other sexually transmitted diseases and to unplanned pregnancy. The chronic use and abuse of illicit drugs and alcohol have been shown to cause adverse permanent changes in most of the biological systems studied. These changes can lead to severe impairment, disability, and premature death.

Illicit Drugs

The use of any amount of drug—prescription, illicit, or legal—will alter the chemical balance of the body. Misuse of drugs may lead to lifelong chemical dependency, the disease of addiction, and possible death. Abuse and addiction to drugs often cause serious damage to major body organs such as brain, stomach, lungs, liver, kidneys, and heart, as well as the immune and reproductive systems. The sharing of needles when using drugs is known to be a major cause of the spread of HIV. The health risks associated with various controlled substances, prepared by the U.S. Department of Justice, are summarized in the table on page 40.

Alcohol

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In

addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

Programs and Treatment Referral

The Campus Alcohol and Drug Information Center is housed in the Department of Public Safety. Educational materials are available for students, faculty, and staff, as well as referral information to local programs including crisis response, counseling services, and substance abuse/alcohol treatment groups.

Crisis Response

- Dial 211 or go to <http://www.refersoftware.com/211toledo/>
- The LINK 24 Hour Crisis Intervention; Wood Co, Ohio, 800-472-9411
- Rescue Mental Health Services; Lucas Co, Ohio, 419-255-9585

Counseling Services

- Behavioral Connections of Wood County; Bowling Green, Ohio, 419-352-5387
- Family Service of Northwest Ohio; Lucas, Wood, Ottawa Co, Ohio, 419-244-5511
- Harbor Behavioral Healthcare; Lucas & Wood Co, Ohio, 419-475-4449
- Lutheran Social Services; Lucas, Wood, Fulton, Sandusky, Hancock Co., Ohio 419-243-9178
- Unison Behavioral Health Group; Lucas Co, Ohio, 419-693-0631
- Rescue Mental Health Services; Lucas Co, Ohio, 419-255-9585
- Zepf Community Mental Health; Toledo, Ohio, 419-841-7701

Substance Abuse/Alcohol Treatment

- AL-ANON Districts of Toledo; Lucas Co, Ohio, 419-249-0636
- Behavioral Connections of Wood County; Bowling Green, Ohio, 419-352-5387
- Comprehensive Addiction Services System; Lucas & Wood Co, Ohio, 419-241-8827
- St. Charles Hospital; Lucas, Wood, Ottawa Co, Ohio, 419-696-7523
- Substance Abuse Services; Lucas Co, Ohio, 419-243-7274

For a listing of extended resources, contact Christopher Giordano, Dean of Student Life at 567-661-7159 or christopher_giordano@owens.edu

Health Risks Associated with the Use of Illicit Drugs and Alcohol					
Drugs	Dependence		Possible Effects	Effects of Overdose	Withdrawal Syndrome
	Physical	Psychological			
Narcotics					
Heroin	High	High	<ul style="list-style-type: none"> Euphoria Drowsiness Respiratory depression Constricted pupils Nausea 	<ul style="list-style-type: none"> Slow and shallow breathing Clammy skin Convulsions Coma Possible death 	<ul style="list-style-type: none"> Yawning Loss of appetite Irritability Tremors Panic Cramps Nausea Runny nose Chills and sweating Watery eyes
Morphine	High	High			
Codeine	Moderate	Moderate			
Hydrocodone	High	High			
Hydromorphone	High	High			
Oxycodone	High	High			
Methadone and LAAM	High	High			
Fentanyl and Analogues	High	High			
Other Narcotics	High-Low	High-Low			
Depressants					
Chloral Hydrate	Moderate	Moderate	<ul style="list-style-type: none"> Slurred speech Disorientation Drunken behavior without odor of alcohol 	<ul style="list-style-type: none"> Shallow respiration Clammy skin Dilated pupils Weak and rapid pulse Coma Possible death 	<ul style="list-style-type: none"> Anxiety Insomnia Tremors Delirium Convulsions Possible death
Barbiturates	High-Moderate	High-Moderate			
Benzodiazepines	Low	Low			
Glutethimide	High	Moderate			
Other Depressants	Moderate	Moderate			
Stimulants					
Cocaine	Possible	High	<ul style="list-style-type: none"> Increased alertness Euphoria Increased pulse rate and blood pressure Excitation Insomnia Loss of appetite 	<ul style="list-style-type: none"> Agitation Increased body temperature Hallucinations Convulsions Possible death 	<ul style="list-style-type: none"> Apathy Long periods of sleep Irritability Depression Disorientation
Amphetamine/ Methamphetamine	Possible	High			
Methylphenidate	Possible	High			
Other Stimulants	Possible	High			
Cannabis					
Marijuana	Unknown	Moderate	<ul style="list-style-type: none"> Euphoria Relaxed inhibitions Increased appetite Disorientation 	<ul style="list-style-type: none"> Fatigue Paranoia Possible psychosis 	<ul style="list-style-type: none"> Occasional reports of insomnia Hyperactivity Decreased appetite
Tetrahydrocannabinol	Unknown	Moderate			
Hashish and Hashish Oil	Unknown	Moderate			
Hallucinogens					
LSD	None	Unknown	<ul style="list-style-type: none"> Illusions and hallucinations Altered perception of time and distance 	<ul style="list-style-type: none"> Longer, more intense "trip" episodes Psychosis Possible death 	<ul style="list-style-type: none"> Unknown
Mescaline and Peyote	None	Unknown			
Amphetamine Variants	Unknown	Unknown			
Phencyclidines and Analogues	Unknown	High			
Other Hallucinogens	None	Unknown			
Anabolic Steroids					
Testosterone (Cypionate, Enanthate)	Unknown	Unknown	<ul style="list-style-type: none"> Virilization Acne Testicular atrophy Gynecomastia Aggressive behavior Edema 	<ul style="list-style-type: none"> Unknown 	<ul style="list-style-type: none"> Possible depression
Nandrolone (Decanoate, Phenpropionate)	Unknown	Unknown			
Oxymethalone	Unknown	Unknown			