

**3358: 14-5-08 Code of student conduct Student code of conduct.**

- (A) The code of student conduct exists to advance the core missions of the college, promote a safe and secure educational environment, foster the academic and social development of students, and protect the persons, property, processes, and academic integrity of the college community. Although the code is intended to be as comprehensive as possible, it makes no attempt to list all activities, behavior, or conduct which may adversely affect the college community. The expectation is that all students show respect for each other, for college property, and for the college community.
- (B) In order to maintain an orderly process for learning, the instructor/supervisor/administrator has the authority to exclude any student who is considered to be detrimental to an ongoing learning experience. This may include dismissing a student from a particular course, workshop, or learning event. As a result of disruptive or detrimental behavior, a student may be subject to additional discipline under this policy including, ~~Disciplinary action may include~~ but is not limited to disciplinary probation, suspension, dismissal, expulsion, withholding of transcripts, or other appropriate action.
- (C) The code applies to the on-campus conduct of all students and registered student organizations. The code also applies to the off-campus conduct of students and student organizations in direct connection with:
- (1) A class assignment;
  - (2) Academic course requirements or any credit-bearing experiences, such as clinical experiences, externships, internships, field trips, study abroad, or student teaching;
  - (3) Any activity supporting pursuit of a degree;
  - (4) Activities sanctioned, sponsored, conducted, or authorized by the college or by registered student organizations;
  - (5) Any activity that causes substantial destruction of property belonging to the college or members of the college community or causes serious harm

or imminent risk of serious harm to the health or safety of members of the college community; or

- (6) Any activity in which a police report has been filed, a summons or indictment has been issued, or an arrest has occurred for a crime of violence.
  
- (D) All persons are encouraged to report code violations to a college official as soon as possible. Charges must be filed within sixty days of the incident or of the identification of the person having allegedly committed the violation. Students continue to be subject to local, state, and federal laws while at the college. Violations of ~~city, county~~ local, state, and/or federal laws may also constitute violations of the code. The college reserves the right to proceed with disciplinary action under the code, independently of any criminal proceedings and impose sanctions for code violation, whether or not the criminal proceedings are resolved or ~~is~~ are resolved in the student's favor.
  
- (E) Prohibited conduct - any student found to have engaged, or attempted to engage, in any of the following conduct while within the college's jurisdiction will be subject to disciplinary action by the college.
  - (1) Academic misconduct - any activity that tends to compromise the academic integrity of the college or subvert the educational process (see academic honesty ~~policy~~ procedure 5-09 (B-2) for additional specific policy).
  
  - (2) Harassment – any physical, non-verbal or verbal conduct that has the purpose or effect of creating an intimidating, hostile or offensive work or academic environment.
  
  - (3) Endangering health safety - actual or threatened action that endangers the safety, physical, or mental health or life of any person, whether intentionally or as a result of reckless disregard. Also includes engaging in a pattern of unwanted conduct directed at another person that threatens or endangers the safety, physical or mental health, or life or property to that person, or creates a reasonable fear of such a threat or action.
  
  - (4) Sexual misconduct – any unwelcome behavior of a sexual nature that is committed without consent. Sexual misconduct can occur between

~~persons of the same or different sex physical contact or other non-physical conduct of a sexual nature in the absence of clear, knowing and voluntary consent. For the purposes of the rule, consent shall be defined as the act of knowingly and voluntarily agreeing verbally or non-verbally to engage in sexual activity. An individual cannot consent who is obviously incapacitated by any drug or intoxicant; or who has been purposely compelled by force, threat of force, or deception; or who is unaware that the act is being committed; or whose ability to consent or resist is obviously impaired because of a mental or physical condition; or who is coerced by supervisory or disciplinary authority (see sexual harassment misconduct policy 14-3-35 for specific additional policy and procedure related to sexual misconduct).~~

- (5) Destruction of property - actual or threatened damage to or destruction of college/campus property or property of others, whether done intentionally or with reckless disregard.
- (6) Dangerous weapons or devices - use, storage, or possession of dangerous weapons or devices including, but not limited to, firearms, explosives, dangerous chemicals, fireworks or other weapons, unless authorized by an appropriate college official or permitted by a college policy, even if otherwise permitted by law.
- (7) Dishonest conduct - dishonest conduct, including, but not limited to, knowingly reporting a false emergency; knowingly making false accusation of misconduct; misuse or falsification of college documents, such as forgery, alteration, or improper transfer; and submission to a college official of information known by the submitter to be false.
- (8) Theft/unauthorized use of property - theft or attempted theft, or the unauthorized use or possession of college property or services, or the property of others.
- (9) Failure to comply with college or civil authority - failure to comply with legitimate directives of authorized college officials, law enforcement or emergency personnel, identified as such, in the performance of their duties, including failure to identify oneself when so requested; or violation of the terms of a disciplinary sanction.

- (10) Drugs and alcohol - use, production, distribution, sale, or possession of drugs or alcohol in a manner prohibited under local, state, and federal law or college policy.
- (11) Unauthorized presence - unauthorized entrance to or presence in or on college premises, including campus locations.
- (12) Disorderly or disruptive conduct - disorderly or disruptive conduct that unreasonably interferes with college activities or other activities conducted, sponsored, or permitted by the college or any member of the college community.
- (13) Lewd or obscene conduct – behavior such as sexual acts performed in public or on college premises, taking pictures of another person in a gym, locker room, or restroom without that person’s consent, disrobing or streaking, possession or distribution of any obscene materials.
- (14) Hazing - performing, requiring, or encouraging any act, whether or not the act is voluntarily agreed upon, in conjunction with initiation into or continued membership or participation in any group, organization, or activity that causes or creates a substantial risk of causing mental or physical harm or humiliation. Such acts may include but are not limited to, use of alcohol, reaction of excessive fatigue, and paddling, punching or kicking in any form.
- (15) Discipline proceedings abuse - abuse of any college discipline proceedings, including but not limited to:
- (a) Falsification, distortion, or misrepresentation of information during an administrative hearing;
  - (b) Disruption or interference with the orderly conduct of an administrative proceeding;
  - (c) Attempting to discourage an individual’s proper participation in, or use of, a college discipline proceeding;
  - (d) Attempting to influence the impartiality of a member of an administrative panel prior to, and/or during the course of an administrative proceeding; and

~~(e) Harassment (verbal or physical) and/or intimidation of the administrative hearing official and/or member of the panel prior to, during, and/or after an administrative proceeding; failure to comply with one or more sanctions imposed under the code of student conduct; and~~

(e) Encouraging another person to commit an abuse of a college disciplinary proceeding.

(F) Computing Technology resources - misuse or abuse of the college's computer resources and/or facilities technology equipment such as computers, printers, laptops, projectors, tvs, and including the college's internet and Wi-Fi access, by any means, including, but not limited to:

- (1) Use of computing resources to interfere in any way with the normal operation of the college/campus;
- (2) Failure to comply with all federal, Ohio, and other applicable law; all generally applicable college rules and policies; and all applicable contracts and licenses (i.e., laws of libel, privacy, copyright, trademark, obscenity, child pornography; the electronic communications privacy act and the computer fraud and abuse act, which prohibit "hacking", "cracking", and similar activities; and all applicable software licenses)
- (3) Unauthorized use, including, but not limited to:
  - (a) Use of identification numbers, accounts, and passwords shared with, or used by persons other than those to whom they have been assigned by the college;
  - (b) Use of computing resources for personal commercial purposes or for personal financial or other gain;
  - (c) Use of computer resources to speak on behalf of the college (implied or stated) when not authorized to do so;
  - (d) Use of computer resources to access and utilize college trademarks and logos without authorization to do so;

- (e) Unauthorized entry into a file to use, read, or change the contents, or for any other purpose;
- (f) Unauthorized transfer of a file;
- (4) Use of computing resources to interfere with, interrupt, or disrupt the work of another student, faculty, or staff member;
- (5) Use of computing resources to transmit menacing or harassing messages or materials.
- (G) Violation of college rules - violation of other published college regulations, policies, or rules, or violations of local, state, or federal law.
- (H) Riotous behavior - participation in a disturbance with the purpose to commit or incite any action that presents a clear and present danger to others, causes physical harm to others, or damages property. Prohibiting behavior in the context of a riot includes but is not limited to:
  - (1) Knowingly engaging in conduct designed to incite another to engage in riotous behavior;
  - (2) Actual or threatened damage to or destruction of college property or property of others, whether done intentionally or with reckless disregard;
  - (3) Failing to comply with a directive to disperse by college officials, law enforcement or emergency personnel; and
  - (4) Intimidating, impeding, hindering, or obstructing a college official, law enforcement or emergency personnel in the performance of their duties.
  - (5) This rule shall not be interpreted as prohibiting peaceful demonstrations, peaceful picketing, a call for a peaceful boycott, or other forms of peaceful dissent.
- (I) Dress and appearance
  - (1) Freedom of dress and appearance is an individual choice; however, ~~guidelines governing~~ sufficient respect for self and others should be followed.

- (2) The absence of footwear, shirt, ~~and/or blouse, top, and pants, shorts, skirt, dress,~~ or other sufficient covering ~~improperly worn~~ is cause to prohibit the entrance of said individual(s) to any college building.
- (J) The college shall establish procedures for the adjudication of violations of this policy. The behaviors enumerated in the conduct policy may result in penalties up to and including dismissal from the college.

Effective: 11/24/2020

CERTIFIED ELECTRONICALLY

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Certification

11/10/2020

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Date

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