

# Century Community and Technical College

## 3.6.1 Student Conduct and Academic Honesty

### MnSCU 3.6 Student Conduct

#### Section 1: Student Conduct

##### I. Code of Student Conduct

Each student at Century College has the right to an education, and it is the responsibility of the College to provide an environment that promotes learning. Any action by a student that interferes with the education of any other student or interferes with the operations of the college in carrying out its responsibility to provide an education will be considered a violation of this code. Disciplinary action will be handled in an expeditious manner while providing due process.

##### II. Proscribed Conduct

###### A. Jurisdiction of the College

College jurisdiction is asserted for violations of the Code of Student Conduct which occur on College premises. In addition, college jurisdiction shall extend to violations of the Code which are committed off campus when:

1. the violation is committed while participating in a college-sanctioned or sponsored activity; or
2. the victim of the violation is a member of the college community; or
3. the violation constitutes a felony under state or federal law; or
4. the violation adversely affects the educational, research, or service functions of the college.

###### B. Violations

The provisions of this policy do not affect the rights of persons in authority to take any immediate and temporary actions necessary to retain the classroom, campus or program atmosphere, and to uphold established policies, regulations, and laws. Any student found to have engaged in the following behaviors is subject to the disciplinary sanctions outlined in this policy.

1. Acts of dishonesty, including but not limited to the following:
  - A. Cheating or plagiarism (*See Academic Honesty, Section 2 of this policy*).
  - B. Deliberately furnishing false information to any college official, faculty member or office.
  - C. Forgery, alteration, or misuse of any college document, record or instrument of identification including copyright violations.
  - D. Tampering with the election of any college-recognized student organization.
2. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other college activities, including its public-service functions on or off campus, or any authorized non-college activities, when the act occurs on college premises.
3. Physical abuse, verbal abuse, threats, intimidation, coercion and/or other conduct which threatens or endangers the health or safety of any person (see also Minnesota State College and University System Policy 1B.1 for definitions and procedures concerning harassment and discrimination).

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.
5. Hazing, for the purpose of initiation, admission, affiliation or membership in a group or organization, which endangers the mental or physical health or safety of a student or which destroys or removes public or private property.
6. Failure to comply with directions of college officials or law enforcement officers acting in performance of their duties and/or failure to produce a valid Century College identification or a valid government issued identification when requested to do so.
7. Unauthorized possession, duplication or use of keys to any college premises or unauthorized entry to or use of college premises.
8. Violation of published college policies, rules or regulations.
9. Violation of federal, state or local law on college-sponsored or supervised activities.
10. Use, possession or distribution of narcotic or other controlled substances except as expressly permitted by law.
11. Public intoxication or use, possession or distribution of alcoholic beverages except as expressly permitted by the law and college regulations.
12. Possession of firearms, explosives, knives, other weapons, dangerous chemicals or biological agents on college premises, unless otherwise authorized.
13. Participation in a campus demonstration which 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 and/or normal activities within any campus building or area; intentional obstruction which unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus.
14. Obstruction of the free flow of pedestrian or vehicular traffic on college premises or at college-sponsored, college supervised or other authorized functions.
15. Conduct which is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on college premises or at functions sponsored by or participated in by, the College.
16. Theft or other abuse of computers, including but not limited to:
  - a) Unauthorized installation of software; unauthorized entry into a file, to use, read or change the contents or for any other purpose.
  - b) Unauthorized transfer of a file.
  - c) Unauthorized use of another individual's identification and password.
  - 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 obscene, harassing or abusive messages.
  - f) Use of computing facilities to interfere with normal operation of the College computing system.
  - g) Illegal use of the Internet or using the Internet to commit illegal actions.
17. Abuse of the Student Judicial System, including but not limited to:
  - a) Failure to obey the summons of the Student Judicial Board or the Coordinator of Student Conduct.
  - b) Falsification, distortion, or misrepresentation of information before the Coordinator of Student Conduct, the Student Judicial Board or other judicial body.
  - c) Disruption or interference with the orderly conduct of a judicial proceeding.
  - d) Initiate a judicial proceeding knowingly without a justifiable cause.
  - e) Attempting to discourage an individual's proper participation in, or use of, the judicial system.

- f) Attempting to influence the impartiality of a member of the Student Judicial Board prior to and/or during the course of the judicial proceeding.
- g) Threats, discrimination or reprisal against a member of the Student Judicial Board prior to, during, and/or after a judicial proceeding. (See also Minnesota State College and University System Policy 1B.1 for definitions and procedures concerning harassment and discrimination)
- h) Failure to comply with the sanction(s) imposed under the Code of Student Conduct.
- i) Influencing or attempting to influence another person to commit an abuse of the judicial system.

### **C. Violation of Law and College Discipline**

1. If a student is charged only with an off-campus felony violation of federal, state, or local laws, but not with any other violations of this Code, disciplinary action may be taken and sanctions imposed for grave misconduct which demonstrates flagrant disregard for the college community. In such cases, no sanction may be imposed unless the student has been found guilty in a court of law or has declined to contest such charges, although not actually admitting guilt (i.e. “no contest” or “nolo contendere”).
2. College disciplinary proceedings may be instituted against a student charged with violation of a law which is also a violation of this Code of Student Conduct. For example, college disciplinary proceedings may be instituted if both violations result from the same factual situation, without regard to pending civil litigation in court or criminal arrest and prosecution. Proceedings under this Code of Student Conduct may be carried off prior to, simultaneously with, or following civil or criminal proceedings off-campus.
3. When a student is charged by federal, state or local authorities with a violation of law, the College will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also the subject of a proceeding before the Student Judicial Board under the Code of Student Conduct, then, the College may advise off-campus authorities of the existence of the Code of Student Conduct and of how such matters will be handled internally within the college community. The College will cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators. Individual students and faculty members, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

## **III. Judicial Process**

### **A. Charges and Informal Administrative Hearing Process** (*For Academic Honesty, see Section 2 of this policy*)

1. **Filing a Charge:** Any member of the College community may file charges against any student for violations of the Code of Student Conduct. Charges should be in writing for the record but can proceed on verbal notification to the Coordinator of Student Conduct. Any charge should be submitted as soon as possible after the event takes place, preferably within three working days.
2. **Preliminary Investigation:** The Coordinator of Student Conduct may conduct a preliminary investigation to determine if the charges are valid by meeting with the complainant(s) and accused student(s) within a reasonable amount of time after

receiving the complaint. Upon determination that the charges are valid, the Coordinator shall do the following:

- a) Provide written notice to the accused student that a complaint has been filed alleging that the student has violated the Code of Student Conduct. This notice shall state the specific violation(s) alleged and the dates the alleged violation(s) occurred, and generally, shall be sent within five working days of determining the charges are valid.
  - b) Provide the student with a copy of the Code of Student Conduct.
  - c) Inform the student of the nature of evidence available to support the charges.
  - d) Give the student at least two working days to prepare for the Informal Administrative Hearing and specify a date and time when the student is required to meet with the Coordinator to attempt a resolution of the charges.
  - E. Inform the student that failure to appear for the Informal Administrative Hearing shall result in a decision being made without benefit of testimony. Additionally, in some instances, the case may be referred to the Student Judicial Board.
3. **Informal Administrative Hearing:** The Coordinator shall send notice of the resolution and the sanction to all parties within two working days after the hearing. The resolution may include, but is not limited to, the sanctions outlined in this policy. If a mutually acceptable resolution cannot be reached, the Coordinator of Student Conduct shall refer the case to the Student Judicial Board. Non-response on the part of the accused constitutes acceptance of the resolution.

## **B. Formal Student Judicial Board Hearings**

1. **The Student Judicial Board** shall consist of six members: two faculty appointed by the Faculty Association, two administrators appointed by the President and two students appointed by the Student Senate. Student Judicial Board members shall serve for a one-year term and may be re-appointed. The Coordinator of Student Conduct shall provide appropriate training to the Board. The members shall elect a Chair who shall preside over Student Judicial Board hearings and a Vice Chair who shall preside in the Chair's absence. At least four Board members must be present to hear any case.
2. When a case is referred to the Student Judicial Board, the Coordinator of Student Conduct shall forward to the Board:
  - a) a statement describing the alleged violation of the Student Conduct Code;
  - b) the name of the student charged;
  - c) the name of the complainant; and
  - d) all relevant facts and statements, including the names of witnesses to the alleged violation.
3. The Chair, and in some instances the Coordinator of Student Conduct, shall determine the date, time, and place of the hearing, which shall be at least three working days after the delivery of notice of the hearing to the accused student. Such notice to the student shall include:
  - a) a statement of date, time and place of hearing;
  - b) to the extent known, a list of witnesses expected to appear and a summary of their testimony;
  - c) a summary description of any evidence that may be presented in support of the charge;

- d) notice that the student's failure to appear shall not prevent the hearing from proceeding as scheduled and may lead to imposition of sanctions in the student's absence.
4. The hearing shall be conducted in the following manner:
  - a) The Coordinator of Student Conduct shall first present the charges and supporting evidence, including testimony of any witnesses. The Student Judicial Board and the accused student shall have an opportunity to challenge evidence and to ask questions of any witnesses introduced by the Coordinator. The complainant may be available for testimony.
  - b) The accused student shall next present evidence or testimony to refute the charges. The Student Judicial Board, the Coordinator and the complainant may challenge evidence presented by the student and may ask questions of witnesses introduced by the student.
  - c) Only those materials and matters presented at the hearing shall be considered as evidence. The Chair shall exclude irrelevant, immaterial, or unduly repetitious evidence.
  - d) Hearings shall be held in closed session unless the Student Judicial Board determines there is a compelling reason for the hearing to be open and neither the accused student nor the complainant presents an objection. If the accused student or the complainant presents an objection, the Chair shall hear testimony from the parties and determine whether or not the session will be open.
  - e) The accused student shall be given the opportunity to speak in his/her own defense and to question the witnesses. The accused student may have an advisor present. The advisor may provide advice to the student, but may not participate in any questioning. When there is likelihood that a student involved in conduct proceedings shall face criminal prosecution for a serious offense, it may be advisable for the accused student to have an attorney as the advisor.
  - f) The hearing shall be audio recorded. The recording shall be kept on file in the office of the Coordinator of Student Conduct for a period not less than five years, at the end of that time the recordings shall be destroyed.
5. Upon conclusion of the hearing, the Student Judicial Board in closed session shall consider the evidence presented and decide by majority vote to exonerate the student or impose one of the sanctions stated in this policy. The decision made will be based on a preponderance of the evidence.
6. The Student Judicial Board shall send written notice within two working days of the outcome of the hearing to the accused student, including any sanction imposed. The notice shall inform the student of the opportunity to appeal the Board's decision to the Vice President of Student Services. (*For Academic Honesty, see Section 2*)
7. All participants shall observe strict rules of confidentiality. All discussion shall be confined to the hearing room and no individual member shall discuss procedures or findings with the parties involved. The written notification shall serve as the sole means of communication with involved parties.
8. The outcome of the hearing is private. Only the accused and necessary college personnel will be notified of the decision made by the Student Judicial Board. In cases of violent crimes, the victim/s shall also be notified.

### **C. Sanctions**

The following sanctions may be imposed upon any student or student organization found to have violated the code of Student Conduct:

1. Warning - A notice in writing to the student that the student is violating or has violated institutional regulations.
2. Probation - A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any institutional regulation(s) during the probationary period.
3. Restitution - Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
4. Discretionary Sanctions - Work assignments, service to the College or other related discretionary assignments (such assignments must be coordinated by the Coordinator of Student Conduct).
5. Suspension - Denial of the privilege of enrollment for a specified period of time after which the student is eligible to return. Conditions for re-admission may be specified.
6. Denial of Admission - Denial of the privilege of enrollment for a specified period of time, conditions for enrollment may be specified.
7. Expulsion - Permanent separation of the student from the College.
8. Deactivation - Loss of all college privileges, including college recognition, for a specified period of time. This sanction impacts student groups or organizations.
9. Summary Suspension - A suspension imposed by the Coordinator of Student Conduct or a person in authority without a formal hearing to ensure the safety and well-being of

members of the college community. In such cases the Coordinator shall first give the student oral or written notice of the intent to determine whether a summary suspension is an appropriate action. Such notice shall state the following:

- A. specify the alleged violation(s) of the Code of Student Conduct;
- B. provide the nature of any evidence in support of the charge;
- C. state the date, time, and place of the summary suspension hearing, which generally shall be within two working days of the delivery of notice to the student; and
- D. give an oral or written explanation of the summary suspension which may be imposed on the student.

At the place and time designated for the summary suspension hearing, the Coordinator of Student Conduct shall consider the following:

- A. the evidence relating specifically to the probability of danger to members of the campus community occasioned by the continued presence of the student on campus;
- B. statements from the student as to why continued presence on the campus does not constitute a danger to others

The Coordinator shall give immediate oral notice of his/her decision, to be followed by

written notice within twenty-four hours of the hearing; and if summary suspension is warranted, summarily suspend the student for no more than nine school days. A hearing

before the Student Judicial Board will be held by the end of the suspension period.

More than one of the sanctions listed above may be imposed for any single violation.

#### **D. Appeals:**

1. A decision reached by the Student Judicial Board may be appealed by an accused student to the Vice President of Student Services within five working days of the decision. Such appeals shall be in writing and shall be delivered to the Vice President of Student Services. *(For appeals concerning Academic Honesty violations, see Section 2.)*
2. An appeal shall be limited to review of the audio record of the initial hearing and the supporting documents for one or more of the following purposes:
  1. To determine whether the original hearing was conducted fairly in light of the charges and evidence presented, and in conformity with prescribed procedures allowing the accused student a reasonable opportunity to prepare and to present a rebuttal of the charges and evidence.
  2. To determine whether the evidence confirmed that a violation of the Code of Student Conduct occurred.
  3. To determine whether the sanction(s) imposed were appropriate for the specific violation of the Code of Student Conduct.
3. Following a review of the hearing and the appeal presented by the student, the Vice President of Student Services shall render a decision. The Vice President may uphold the Student Judicial Board's decision and sanction; may determine that the decision was reached in error or inappropriately; or may determine that the sanction was inappropriate. In the latter case, the Vice President may issue a lesser sanction. If the Vice President believes that the sanction was reached in error or inappropriately, the Vice President may require that the Board rehear the case, or may choose to exonerate the student.
4. The Vice President of Student Services shall notify the student in writing of his/her decision and of any new sanction imposed.
5. The decision of the Vice President of Student Services shall be final with the institution and Minnesota State College and University System.
6. If the sanction involves suspension for ten school days or more, the student shall be informed of the right to a contested case hearing under Chapter 14 of Minnesota Statutes, which Chapter 14 states that an appeal may be made to an administrative law judge at the Minnesota State Hearing Examiners Office, St. Paul, Minnesota. The student may request a hearing in writing to the Coordinator of Student Conduct within five working days of receipt of written suspension notice. If the student does not file an appeal within the five working days, any further right to appeal shall be waived. The attorney assigned to the Minnesota State College and University System by the Attorney General shall represent the College at this hearing. The administrative law judge shall make a report, which contains a recommendation, to the college president. A decision will be made by the college president within a period of not less than twelve working days nor more than twenty working days following receipt of the recommendation. The decision of the College president is final. During this appeal process the student shall have the right to attend classes and to receive services related to the College until a final decision has been made, unless the Student Judicial process is the result of actions deemed harmful or potentially harmful to other persons or property.

## Section 2: Academic Honesty

### I. Preamble

The primary academic mission of Century College is the exploration and dissemination of knowledge. Academic honesty and integrity are integral to the academic process. Academic dishonesty is a serious offense which undermines the educational process and the learning experience for the entire College community.

It is expected that Century College students will understand and adhere to the concept of academic integrity and to the standards of conduct prescribed by the College's Academic Honesty Policy. It is expected that each student will assume responsibility for his/her work and that materials submitted in fulfillment of course, program, and college academic requirements must represent the student's own efforts. Any act of academic dishonesty attempted by a student at Century College is unacceptable and will not be tolerated.

### II. Definitions

The prevailing forms of academic dishonesty are cheating, plagiarism, collusion, and the submission of false information. Academic Dishonesty is not limited to the context of a course but can also occur during the admission or readmission process, assessment testing and submission of academic and Student Services appeals or petitions.

**A. Cheating** in the instructional setting is the unauthorized use or exchange of information by students for the purpose of meeting academic standards or requirements; examples include, but are not limited to, the following:

1. copying for other's work during an examination
2. using unauthorized notes or aids during an examination
3. taking an examination for another student
4. collaborating with any other person during a test without authority
5. using or giving unauthorized assistance on a take home examination, assigned physical work, projects or any other academic work
6. arranging for another student to take an examination
7. attempting to obtain, or knowingly obtaining, using, buying, selling, transporting

or

soliciting in whole or in part, the contents of an unreleased test or information about

an unreleased test

8. unauthorized supplying or bribing any other person to obtain an unreleased test or information about an unreleased test
9. submitting substantial portions of work for credit in more than one course, without consulting the instructors
10. submitting research and assignments prepared by others (e.g. purchasing the services of a commercial term paper company)
11. altering or forging an official College document.

**B. Plagiarism** is representing another person's words or ideas as one's own without proper attribution or credit. Other people's words or ideas must be given adequate documentation whether used in direct quotation or in summary or paraphrase. Plagiarism includes, but is not limited to, quoting written or oral materials without citation on an

exam, term paper, homework, or other written materials or oral presentations for academic requirements; submitting a paper as one's own that is purchased from a term paper service, downloaded from the Internet or taken from any other source; or submitting anyone else's work as one's own. Any form of plagiarism constitutes an act of Academic Dishonesty.

**C. Collusion** is an agreement by two or more people to commit an act of academic dishonesty. The College will not attempt to distinguish between students who cheat or plagiarize and those who assist in such actions. A student who intentionally assists another in the act of cheating or plagiarism is subject to disciplinary action for academic dishonesty.

**D. Submission of False Information** includes false testimony, names, and addresses, as related to the admission process, readmission, assessment testing or academic and Student Services appeals or petitions

### III. Procedures

1. A course instructor, convinced that an act of academic dishonesty has occurred, has the authority to implement any of the following responses:
  - A. reprimand
  - B. assignment of substitute and/or additional work
  - C. reexamination
  - D. lowering the grade for the assignment and/or course
  - E. failure and/or dismissal from the course
  - F. failure and/or dismissal from the program
2. In the instances of supplying false information regarding the admission process, readmission, assessment testing and academic and Student Services appeals or petitions, the process shall revert to Section 1, The Code of Student Conduct.

### IV. Appeals

1. A student who wishes to appeal a penalty imposed by an instructor may submit a written appeal within five working days to the Dean for the academic discipline in which the alleged act of dishonesty occurred. The Dean shall generally send written notice of his or her decision to the student within five working days.
2. Upon receipt of the Dean's decision, a student or instructor may submit a written appeal to the Vice President of Academic Affairs within five working days. The Vice President shall generally send written notice of his or her decision within five working days.
3. If a student or instructor wishes to appeal a decision made by the Vice President of Academic Affairs, or if an instructor or administrator considers an act of academic dishonesty an egregious offense, the matter shall be referred to the Student Judicial Board for further review within five working days of the Vice President's decision. (See Section 1 Part III.B for Student Judicial Board process.)

The Student Judicial Board shall have the following authority:

- A. review appeals submitted by students and instructors of decisions on academic dishonesty and/or the severity of a penalty imposed.

- B. review offenses submitted by faculty and staff as egregious acts of academic dishonesty impose sanctions as warranted.
- C. affirm the charge and settle by consent, i.e. the Student Judicial Board proposes a sanction mutually acceptable to the student and the instructor.
- D. affirm the charge and recommend a sanction.
- E. dismiss the charge.

In hearing cases of academic dishonesty, the Student Judicial Board shall observe the formal hearing procedures described in Section 1 Part III.B.

- 4. Students may appeal a Student Judicial Board decision to the Century College President, who shall consult with the Vice President of Academic Affairs in arriving at a final decision.

Students must submit complete and accurate information regarding Academic Honesty appeals.

#### V. Sanctions (see Section 1 Part III.C.)

If the sanction is dismissal from the course or program, the student shall have the right to attend that course or program throughout the appeals process unless it is determined that his or her continued presence is a danger/threat to the college community.

## Section 3: Definitions and Maintenance of Records for Student Conduct and Academic Honesty

### I. Definitions

1. The term *administrator* includes any person employed by the College, performing assigned administrative or professional responsibilities.
2. The term *College* means Century Community and Technical College.
3. The term *College premises* includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the Colleges including adjacent streets and sidewalks.
4. The term *Coordinator of Student Conduct* means an administrator authorized by the President of the College to administer the Code of Student Conduct and to impose sanctions upon students found to have violated the Code of Student Conduct.
5. The term *faculty member* means any person hired by the College to conduct course activities.
6. The term *may* is used in the permissive sense.
7. The term *member of the College community* includes any person who is a student, faculty member, administrator or any other person employed by the Colleges.
8. The term *organization* means any number of persons who have complied with the formal requirements of the College recognition.
9. The term *policy* is defined as the written regulations of the College as found in, but not limited to, the Code of Student Conduct, the Student Handbook, College Catalog, College Rules and Regulations and other official college publications.
10. The term *preponderance of evidence* means that a decision of responsibility will be based on a number of linked circumstances that imply the degree of responsibility.
11. The term *school days* means scheduled class days (excluding holidays and Sundays).
12. The term *shall* is used in the imperative sense.

13. The term *student* includes all persons taking courses at the College, both full-time and part-time, and persons who are not officially enrolled for a particular term but who have a continuing relationship with the College, including any person seeking admission by either taking the assessment test and/or making application to the College.
14. The term *witness* includes anyone with observations or knowledge concerning the specific allegations; it does not refer to character witnesses.
15. The term *working days* means Monday through Friday, excluding state holidays or days the College is closed.

## II. Maintenance of Records:

Records pertaining to students' histories of student conduct violations and applicable sanctions shall be kept for a minimum of five years and kept separate from students' academic records. The only persons having access to these records shall be the President, the Vice President of Student Services, the Vice President of Academic Affairs, and the Student Conduct Coordinator. Any other person who wishes to review these files must have permission from the Vice President of Academic Affairs or the Vice President of Student Services.

## III. Interpretation

- A. Any questions of interpretation regarding the Student Conduct and Academic Honesty Policy shall be referred to the Coordinator of Student Conduct.
- B. The Student Conduct and Academic Honesty Policy shall be reviewed every three years under the direction of the Coordinator of Student Conduct.

## References:

Minnesota State Colleges and Universities Board Policy 3.6 Student Conduct

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