



December 2018

## STUDENT CODE OF CONDUCT

The Student Code of Conduct sets forth certain standards required of all students and outlines the disciplinary process created to preserve a safe, secure learning environment. Inappropriate behaviors that are contrary to the College's mission will not be tolerated.

This Student Code of Conduct contains policies that establishes standards of behavior for students at Monroe College relating to:

- Academic Honesty *page 2*
- Alcohol and Drugs *page 2*
- Endangering the Safety of Others *page 4*
- Discriminatory and Other Harassment *page 4*
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This Code of Conduct also outlines:

- Disciplinary Process *page 8*
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## 1. Academic Honesty

All students must be honest and forthright in their academic studies. To falsify the results of one's research, to steal the words or ideas of another, to cheat on an assignment, or to allow or assist another to commit these acts corrupts the educational process. Students are expected to do their own work and neither give nor receive unauthorized assistance. The College's policies on academic honesty are described in the Code of Academic and Scholarly Integrity, and are administered by the Academic Affairs offices on each campus under the oversight of the Vice President for Academic Affairs.

## 2. Alcohol and Drugs

### Alcohol

Monroe College's campuses are dry, which means that alcohol possession and/or consumption is prohibited at all times on College property, including within and around all buildings and facilities. All students must comply with applicable laws and these alcohol regulations.

Important note regarding alcohol/drug use: The College will not punish any student who is the victim or witness of sexual misconduct at or near the time while he/she is under the influence of alcohol/drugs. Please see the Alcohol/Drug Amnesty policy in the College's Sexual Misconduct Policy, <https://www.monroecollege.edu/Title-IX-and-Sexual-Misconduct/>, for more information.

### Prohibited Activities

The College prohibits alcohol intoxication (regardless of age), as well as the unauthorized possession, use, consumption, manufacture, sale or distribution of alcohol, and driving while impaired due to alcohol consumption while residing in the dormitory. Specifically, this offense includes, but is not limited to:

- a) The possession, use, consumption, manufacture, sale, or distribution of alcohol by anyone under the legal age to do so;
- b) *Alcohol in Residence Halls*  
No resident may possess or consume alcohol anywhere on campus including a student's room. Possession of an open container or consumption of alcoholic beverages in any area on the campus is strictly prohibited.
- c) *Use of Alcohol Off-Campus*  
The College accepts no responsibility for the possession, use, consumption, manufacture, sale or distribution of alcoholic beverages by students off-campus, including at events or functions sponsored by others. A student hosting or attending an off-campus function should be aware of the applicable laws regarding alcohol and should be aware that the College may also pursue student conduct charges for such behavior.

## Drugs

The illegal possession, use, consumption, manufacture, sale or distribution of drugs and drug paraphernalia is prohibited. Any violations of this drug policy may be subject to sanctions by the College and may be reported to all appropriate law enforcement authorities. All College buildings, including residence halls, are designated as smoke-free for all substances.

Important note regarding drug/alcohol use: The College will not punish any student who is the victim or witness of sexual misconduct at or near the time while he/she is under the influence of drugs/alcohol. Please see the Alcohol/Drug Amnesty policy in the College's Sexual Misconduct Policy, <https://www.monroecollege.edu/Title-IX-and-Sexual-Misconduct/>, for more information.

## Definitions

The term "drugs" broadly includes, but is not limited to, any stimulant, intoxicant (other than alcohol as it is covered above), nervous system depressant, hallucinogen, or other chemical substance, compound or combination, including any otherwise lawfully available product, which has not specifically been prescribed for that student at the dose consumed according with the current prescription, or used for any purpose other than its intended use.

The term "Drug Paraphernalia" broadly includes any material, product, instrument, or item used to create, manufacture, distribute, use or otherwise manipulate any drug and includes, but is not limited to, bongs or marijuana pipes, grinders, vaporizers, hypodermic needles, and syringes.

## Prohibited Activities

Specific violations of this standard include, but are not limited to:

- a) The possession, use, consumption, manufacture, sale, or distribution of any illegal drug or drug paraphernalia, prescription, or prescription drug not prescribed to the student;
- b) The transfer, delivery, or manufacture or intent to transfer, deliver, or manufacture any drug or drug paraphernalia;
- c) The possession of a prescription or prescription drug not issued to the student;
- d) The misuse, sale, delivery or transfer of a prescription or prescription drug;
- e) Driving while impaired by any drug, whether it be legal or illegal, while residing in the dormitory; or
- f) A violation of any applicable local, state, or federal law relating to drugs or drug paraphernalia.

### **3. Endangering the Safety of Others**

A student shall not endanger the lives or safety of oneself or others.

#### **Prohibited Activities**

Specific violations of this standard include, but are not limited to:

- a) Creating an unsafe condition or environment that could cause harm to the student or others;
- b) Acting in a manner that endangers or reasonably could endanger the health, safety, or welfare of the student or anyone else; or
- c) Instigating, participating or otherwise encouraging others to engage in a fight, riot, or other disruption.

### **4. Discriminatory Behaviors and Other Harassment**

Any verbal, written or physical conduct toward another that unreasonably creates an intimidating, hostile or offensive learning, living, or working environment or unreasonably interferes with an individual's academic or work performance is prohibited.

### **5. Disruptive Conduct**

A student shall not impair, interfere with or obstruct the orderly conduct, process or function of the College or any of its students, faculty members, College officials, guests, or the surrounding community.

Specific violations of this standard include, but are not limited to:

- a) Committing or threatening to commit any act of physical violence against self or another. This includes, but is not limited to, hitting, kicking, scratching, punching, shaking, slapping, burning, or restraining;
- b) Threatening the health, safety, or welfare of another;
- c) Interfering with the freedom of movement of another;
- d) Invading the privacy of another;
- e) Interfering with the right of another to enter, use, or leave any College building, facility, property, service, resource, or activity;
- f) Interfering with a faculty member or College staff member in the performance of their duty;
- g) Interfering with the freedoms of speech, religion, or association of another;
- h) Making, exhibiting, or producing any inappropriate, loud, or disruptive noise or behavior or cursing in public places on the campus;

- i) Acting recklessly or in a manner that causes a disruption to the orderly function or operation of the College;
- j) Exhibiting public nudity or lewd behavior; or
- k) Interacting with cell phones or other electronic devices without an academic purpose and causing disruption to the classroom.

## **6. Failure to Comply**

It is a violation to ignore, disobey, disregard, or otherwise violate any provision of this Code of Conduct; rules or processes of student conduct hearings or proceedings; reasonable directives or orders from College administrators, campus Public Safety or law enforcement; or any other applicable rule of the College.

## **7. False Information**

Making a false or misleading oral or written statement to any College official, staff member, or faculty member (including, but not limited to, with respect to an application for admission, financial aid, residency classification or participation in any special programs sponsored by the College) when the student knew or should have known the statement was false is prohibited.

## **8. Fire Safety**

A student shall not engage in any behavior that creates a fire hazard nor shall a student inhibit or impede another person who is responding to a fire hazard.

### **Prohibited Activities**

Specific violations of this standard include, but are not limited to:

- a) Setting or causing a fire;
- b) Tampering with, misusing or damaging fire or safety equipment, such as fire alarms, heat sensors, smoke detectors, fire extinguishers, or hoses;
- c) Blocking or otherwise preventing the use of a fire exit, including hallways, windows, doors, and stairwells;
- d) Failing to immediately exit any College facility or building when a fire alarm has been activated, or hindering or impairing the orderly evacuation of any College building or facility; or
- e) Disobeying the command of any college official or faculty member in connection with a fire, alarm or other safety or security measure.

## 9. **Guests on Campus**

Students are responsible for the behavior of their guests and must ensure that guests comply with College regulations, including the standards in this Code of Conduct. Guests are not allowed in residential dormitories overnight without special permission from the Office of Residence Life. Guests visiting dormitories must comply with specific days and times established by the Office of Residence Life.

## 10. **Misuse of Materials, Services or Property**

A student shall not misuse any material, service, or property belonging to the College or another party.

### **Prohibited Activities**

Specific violations of this standard include, but are not limited to:

- a) Destroying, damaging, or misusing any property belonging to another;
- b) Destroying, damaging, misusing, reproducing, altering or defacing any student identification card, College-provided key or access card, residence hall key or access card, laboratory equipment, emergency phone, athletic equipment, or any material issued or owned by the College;
- c) Destroying, damaging, or defacing any College building, facility or property; or
- d) Impairing or otherwise hindering another's use of a College material, service, or property.

## 11. **Residence Hall Regulations**

All students shall comply with all provisions of this Student Code of Conduct, and any additional rules and responsibilities related to students living on campus are set forth in the signed Housing Agreement administered by the Office of Residence Life.

## 12. **Sexual Misconduct** (*see separate Sexual Misconduct Policy*)

Sexual misconduct includes sexual assault, sexual harassment, domestic violence, dating violence, stalking, and sex discrimination. All incidents of sexual misconduct will be resolved through the College's Sexual Misconduct Policy, which can be found online at <https://www.monroecollege.edu/Title-IX-and-Sexual-Misconduct/>.

## 13. **Student Clubs and Organizations**

Student clubs and organizations must adhere to the same standards of conduct applicable to individual students.

**14. Theft**

Students may not take or possess the property of the College, its guests, or any member of the College community without right or permission.

**15. Weapons, Dangerous Instruments, and Explosive Chemicals or Devices**

The possession, use or threat of use of any object that may reasonably be believed to cause physical injury to another person is prohibited.

**Prohibited Activities**

Specific violations of this policy include, but are not limited to, the possession, use or threat of use of any of the following items:

- a) Any deadly weapon, defined as any instrument, item, or material readily capable of causing death or serious physical injury;
- b) Any firearm (including any weapon or instrument from which a shot, projectile, or other object may be discharged by force, whether operable or inoperable, loaded or unloaded) or ammunition;
- c) Any BB gun, pellet gun, air rifle, paint gun or toy gun which, based on color, design or appearance, would be considered by a reasonable person to be an actual firearm;
- d) Any knife (other than an ordinary pocketknife carried in a closed position, with a blade of three inches or less or cutlery of a reasonable size, when used in a kitchen or other food preparation area); or
- e) Any explosive chemical or device including a substance or a combination of substances possessed or prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation, including fireworks and illegal or potentially dangerous chemicals.

Note: Possession of a license to possess or use any of the above items shall not constitute a defense of any violation of this section.

## Disciplinary Process

Upon learning of a potential violation of the Student Code of Conduct, the campus Disciplinary Committee (which is comprised of various campus officials) will investigate. The specific aspects of an investigation may vary as appropriate with the alleged violation, but may include interviewing the student in question, interviewing other students or individuals who may have witnessed the incident or have other relevant knowledge, and gathering relevant evidence such as photographs, security camera video footage, social media and text messages, and other information.

Students accused of misconduct will be interviewed. They will be given the opportunity to deny and/or defend their alleged actions. Depending on the nature of the conduct alleged, temporary sanctions may be imposed, as appropriate, during the investigation.

After investigating the allegation, the Disciplinary Committee will render a decision as to whether the alleged violation was likely committed by the student in question.

Upon receiving the Disciplinary Committee's decision, the student will receive written notice describing the conduct alleged. It will articulate the Code of Conduct provision that such conduct violates, the determination of the student's responsibility, and any sanctions imposed.

All students have the right to appeal the decision of the Disciplinary Committee. Students who wish to appeal must submit a written appeal request to the Chair of the Appeals Panel (i.e., the campus Senior Vice President) within 10 days of receiving the decision. The written appeal request should state the basis for the appeal, whether the student objects to the entire finding of responsibility or only to the sanction imposed, and new arguments or information that supports the student's position.

Upon receiving the appeal request, the Appeals Panel will review all information relevant to the case, including information gathered during the Disciplinary Committee's investigation and any information or arguments submitted by the appealing student. If appropriate, the Appeals Panel may convene a hearing at which the student may plead his/her case, if desired.

After its review (and the hearing, if applicable), the Appeals Panel will render a decision to uphold, overturn, or modify the decision of the Disciplinary Committee. The decision of the Appeals Panel is final and not subject to further appeal. The student will receive written notice of the final decision.

Note: The disciplinary process for sexual misconduct violations has certain features that are relevant only to the Sexual Misconduct Policy. Unless stated otherwise, those features do not apply to the Disciplinary Process described above.

College administration reserves the right to determine appropriate sanctions to be imposed upon a student for any violation of the Student Code of Conduct. The sanctions explained in the following section may be cumulative, and no sanction needs to be exhausted before any other sanction may be imposed. Sanctions may be determined based on a past disciplinary record, the severity of behavior, the impact upon the community, any combination of these considerations, or other relevant factors. Sanctions may be tailored to specific situations.

## Student Sanctions

The following list of possible consequences/sanctions is not exhaustive, and these consequences/sanctions may be imposed singularly or in any combination. Different and/or additional consequences or sanctions may be imposed by the Discipline and Appeals Panels as their members deem appropriate.

- **No Consequences/Sanctions:** In the case where the Disciplinary Panel (and/or the Appeal Panel, in the event an appeal is sought) determines that a student is “not responsible”, the student conduct charges against the student will be dismissed and the student’s name will be cleared.
- **Verbal Warning:** The Disciplinary Panel discusses the incident with the student, but no written notification issued.
- **Written Warning:** The student receives a written notice stating that his/her conduct is in violation of College regulations and that the continuation of said conduct during a stated period of time may be cause for more serious disciplinary action, such as community service, probation, or suspension.
- **Counseling and/or Training:** The student is required to undergo appropriate counseling and/or training in order to remain a member of the College community.
- **Restitution:** The student must make financial reimbursement for damages to (or loss of) property.
- **Community Service:** The student is required to volunteer a stated number of community service, set in writing and commensurate with the conduct violation.
- **‘No Contact’ Order:** The student receives an order from the College requiring the student to stay away from another individual for a stated period of time. The impacted students’ academic schedules may also be amended.
- **Disciplinary Probation:** The student is placed on probation for a stated period of time, set in writing. Failure to demonstrate appropriate conduct during that period may subject the student to further consequences/sanctions, such as community service and/or suspension.
- **Residence Hall Suspension:** For a stated period of time, set in writing and not to exceed one academic year, the student is excluded from living in and/or visiting the campus residence halls. Upon the expiration of the suspension period, the student may be subject to an approbation period, during which the student is expected to demonstrate appropriate conduct as a member of the College community. During residence hall suspension, a student may or may not also be concurrently suspended from classes and/or campus activities.
- **Residence Hall Expulsion:** The student permanently loses privileges to live and/or visit the campus residence halls.

- **Disciplinary Dismissal with Pending Appeal:** The student is excluded from classes and/or campus activities for a stated period of time, set in writing and not to exceed one academic year. Students have the right to appeal the Dismissal with the Appeals Panel. Upon the expiration of the dismissal period, the student may be subject to a probation period during which the student is expected to demonstrate appropriate conduct as a member of the College community. When the student's punished conduct involves certain types of violence, this sanction automatically results in a Transcript Notation sanction.
- **Disciplinary Dismissal from the College (Expulsion):** The student permanently is expelled from the College, based on the decision from the Appeals Panel, terminating all rights and privileges as a student of the College. When the student's punished conduct involves certain types of violence, this sanction automatically results in a Transcript Notation sanction.
- **Transcript Notation:** Where a student is found 'responsible' for a violation involving certain types of violence, including sexual violence such as rape or sexual assault, and is then subjected to either suspension or expulsion from the College, the student's transcript will automatically receive a notation stating "Suspended after a finding of responsibility for a Code of Conduct violation" or "Expelled after a finding of responsibility for a Code of Conduct violation," as appropriate. Where a student withdraws from the College while such charges are pending, the student's transcript will receive a notation stating "Withdrew with conduct charges pending." Transcript notations regarding expulsion are permanent.
- Students may be subject to other consequences and/or sanctions, as deemed appropriate by the Student Disciplinary Committee and/or Appeal Hearing panel.