3.6 Student Code of Conduct

Part 1. Purpose
Century College strives to maintain an educational community that fosters the development of students who are ethical, civil and responsible persons. Students of the College are expected to conduct themselves in a manner consistent with the College’s function as an institution of higher education. As a community of learners and scholars, all are expected to maintain conduct, which assures orderly pursuit of educational objectives, positive regard for the rights of others, and a safe environment. The purpose of this document is to set forth the specific authority and responsibility of the College in maintaining behavioral standards.

Part 2. Definitions

1. **College** means Century College.
2. **Administrator** means that person designated by the College president to be responsible for the administration of the Student Code of Conduct.
3. **Alleged student violator** means any student accused of violating the Code.
4. **Cheating** includes but is not limited to: (1) use of any unauthorized assistance in taking quizzes, tests or examinations; (2) use of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems or carrying out other assignments; (3) the acquisition, without permission, of tests or other academic material belonging to a member of the College faculty or staff; (4) engaging in any behavior specifically prohibited by a faculty member in the course syllabus or class discussion.
5. **College official** includes any person employed by the College performing assigned administrative or professional responsibilities.
6. **College premises** include all land, buildings, facilities and other property in the possession of or owned, used or controlled by the College, including adjacent streets and sidewalks. The Code applies at all locations rented by the College.
7. **Complainant** means any person who submits a complaint alleging that a student violated the Code. A student who believes that they have been a victim of another student’s misconduct will have the same rights under this Code as are provided to the Complainant, even if another member of the College community submitted the complaint itself.
8. **Conduct Officer** means the person dedicated to preside over procedural matters to the administration of the Code of Conduct.
9. **Expulsion** means permanent denial of the privilege of enrollment at the College. The Administrator or designee does not permit students expelled to be on College premises at any time without written approval from the Conduct Officer.
10. **Faculty/Instructor** member means any person hired by the College to conduct classroom or teaching activities or who is otherwise considered by the College to be a member of its faculty.
11. **Hazing** means an act which endangers the mental or physical health or safety of a person, subjects a person to public humiliation or ridicule, or destroys or removes public or private property for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a student group, organization or sports team.
12. **Instructional Day** is defined as any of the days noted on the official Academic Calendar of the College as an instructional day, excluding Saturdays and Sundays.

13. **May** is used in the permissive sense.

14. **Member of the College community** includes any person who is a student, faculty member, College official or any other person employed by the College. The Vice President of Student Affairs or designee shall determine a person’s status in a particular situation.

15. **Organization** means any number of persons who have complied with the formal requirements for College registration as a Student Senate recognized club or Student Life funded group.

16. **Plagiarism** includes but is not limited to the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.

17. **Policy** means the written regulations of the College and Minnesota State as found in, but not limited to, the student Code of Conduct, the College and Minnesota State web pages, Board Policy and System procedure 5.18 and 5.18.1 on Alcoholic Beverages and Controlled Substances on Campus, Board Policy and System Procedure 5.22 and 5.22.1 on Acceptable Use of Computers and Information Technology Resources, and the College catalog.

18. **Preponderance of evidence** means a standard of responsibility that more likely than not the Code has been violated.

19. **Respondent** is the student accused of violating the Student Code of Conduct.

20. **Shall** is used in the imperative sense.

21. **Student** includes all persons who: a.) are enrolled in one or more courses, either credit or non-credit, through the College; B.) withdraw, transfer or graduate, after an alleged violation of the student Conduct Code; c.) are officially enrolled for a particular term but who have a continuing relationship with the College; and d.) have been notified of their acceptance for admission or have initiated the process of application for admission or financial aid.

22. **Student Judicial Board** is an advisory hearing Board made-up of two faculty members appointed by the Faculty Association President, two administrators appointed by the President, and two students appointed by the Student Senate President.

23. **Summary Suspension** means a suspension imposed without a formal hearing to ensure the safety and well-being of members of the College community. Students are not permitted on campus without the permission of the Conduct Officer.

24. **Suspension** means denial of the privilege of enrollment for a specified period of time after which the student is eligible to return. Conditions may be specified. Students are not permitted on campus without the written permission of the Conduct Officer.

25. **Tennessen Warning** is to inform those involved in an investigation the purpose and intended use of the requested information; if it is legally required to supply the requested information; any known consequences arising from supplying or refusing to supply information; and who is authorized to receive the information.

26. **Written Notice** is to the student’s Century College email address.

**Part 3. Proscribed Conduct**

**A. Jurisdiction of the Student Code of Conduct**

The Code of Student Conduct shall apply to conduct that occurs on College premises, at College sponsored activities, off-campus and on-line in the following circumstances:

1. Hazing is involved
2. The violation is committed while participating in a College sanctioned or sponsored activity
3. The victim is a member of the College community
4. The violation constitutes a felony under state or federal law
5. The violation adversely affects the educational, research or service functions of the College.
6. Online comments or activity in an online course that is deemed detrimental to the aims of purposes of the learning environment.
7. Social media as it relates to posts that are threatening in any way and those that do not represent the mission and values of the College.

The Conduct Officer shall decide whether the Code shall be applied to conduct occurring off campus, on a case-by-case basis.

Allegations of discrimination, harassment and sexual violence shall be resolved pursuant to Board Policy 1B.1, Nondiscrimination in Employment and Education Opportunity, System Procedure 1B.1.1, Report/Complaint of Discrimination/ Harassment Investigation and Resolution, Board Policy 1B.3, Sexual Violence Policy, System Procedure 1B.3.1, Sexual Violence Procedure. Allegations of fraud or dishonest acts shall be resolved pursuant to Board Policy 1C.2, Fraudulent or Other Dishonest Acts.

B. Violations

Any student or student-approved club/organization found to have engaged in one or more of the following behaviors is subject to the disciplinary sanctions outlined in this policy.

1. **Alcoholic beverage use.** Use, being under the influence, possession or distribution of alcoholic beverages except as expressly permitted by the law and College regulations.
2. **Bullying,** including but not limited to the following repeated behaviors directed at an individual or a group
   a. Unwanted teasing
   b. Threatening or intimidating behaviors
   c. Stalking
   d. Public humiliation
   e. Spreading malicious and derogatory rumors or falsehoods
   f. Using discriminatory slurs against an individual or group
   g. Cyberbullying - including, but not limited to the use of communication-based technologies, including telephones, cellular telephones, e-mail, instant messaging, text messaging, social networking, other web-based technologies, or other electronic methods of communication (either currently available or available in the future) to engage in deliberate harassment or intimidation of individuals or groups
3. **College policy violation.** Violation of published College policies, rules or regulations.
4. **Computer misuse.** 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 for any other purpose.
   b. Unauthorized transfer of a file.
   c. 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 messages
   f. Use of computing facilities to interfere with normal operation of the College computing system.
   g. Use of the Internet to commit illegal actions.
5. **Dishonesty.** Acts of dishonesty, including but not limited to the following (See Academic Honesty procedure 3.6.2):
   a. Cheating or plagiarism.
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.

6. **Disorderly conduct.** 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.

7. **Disruptive activity.** Disruption or obstruction of teaching, research, administration, disciplinary proceedings, and 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.

8. **Disruptive demonstrations.** 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.

9. **Failure to comply.** Failure to comply with directions of College officials or law enforcement officers acting in performance of their duties and/or failure to produce valid Century College identification or valid government issued identification when requested to do so.

10. **False Report.** Falsely reporting a bomb or other incendiary device or any other dangerous condition by any medium. Note: These acts are considered acts of terrorism and the College will use all means available to assist in the identification of students who make such threats.

11. **Harassment of threatening behavior,** including but not limited to:

   a. 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).

   b. Bias-Motivated Conduct Actions which are motivated by the actual or perceived affiliation of the victim with a particular social group, race, gender, religion, sexual orientation, ethnicity, national origin, disability, age, marital status, and/or gender identity. Allegations of discrimination, harassment, and sexual violence shall be resolved pursuant to Minnesota State Policy 1B.1, Nondiscrimination in Employment and Education Opportunity, Procedure 1B.1.1, Report/Complaint of Discrimination/Harassment Investigation and Resolution, Policy 1B.3, Sexual Violence Policy, Procedure 1B.3.1, Sexual Violence Procedure.

12. **Hazing.** An act, which endangers the mental or physical health or safety of a person, subjects a person to public humiliation or ridicule, or which destroys or removes public or private property for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership into a student group, organization, or athletic team.

13. **Illegal substance abuse.** Use, being under the influence of, possession of distribution of narcotic or other controlled substances except as expressly permitted by law.

14. **Law violation.** Violation of federal, state, or local law on College-sponsored or supervised activities.

15. **Obstruction.** Obstruction of the free flow of pedestrian or vehicular traffic on College premises or at College-sponsored, College supervised or other authorized functions.

16. **Possession of weapons.** Possession of firearms, explosives, dangerous knives, other weapons, dangerous chemicals or biological agents on College premises, unless otherwise authorized.

17. **Student Organization Misconduct** - Student organizations (as well as members and officers individually and collectively) may be held accountable when an alleged offense is committed by one or more members or guests of the organization and any one the following conditions apply:
a. The offense occurred at an event that was sanctioned by an officer of the organization
b. Organizational and/or College funds are used to finance the activity
c. The event where the offense occurred is substantially supported by the organization's membership
d. Members with knowledge of the forthcoming violation did not attempt to prevent the infraction
e. The organization fails to report or chooses to protect the individuals(s) alleged to have committed the offense

18. **Student Judicial System abuse**, including but not limited to:
   a. Failure to obey the summons of the Student Judicial Board or Conduct Officer.
   b. Falsification, distortion, or misrepresentation of information before the Conduct Officer, the Student Judicial Board or other judicial body.
   c. Disruptive or interference with the orderly conduct of a judicial proceeding.
   d. Initiate a judicial proceeding knowingly without a justifiable case.
   e. Attempting to discourage an individual’s proper participation in, or use of, the judicial system.

19. **Unauthorized Recording.** Students may not make an audio or video recording within a classroom setting, including online, without prior consent from the instructor, student or speaker. However, if such recording is an accommodation in accordance with the Americans with Disabilities Act, prior notification is required, rather than consent.

C. **Violation of Law and College Discipline**
   1. College disciplinary proceedings may be instituted against a student charged with conduct that potentially violates both criminal law and this Code (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under this Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of the Administrator. Determinations made or sanctions imposed under this Code shall not be subject to change because criminal complaints 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(s).
   2. When a student exhibits disruptive behavior that appears to pose a threat to the health and safety of the student or others, the College may require the student to participate in a BAIT (Behavioral Assessment and Intervention Team) psychiatric and/or psychological evaluation. The BAIT, psychiatric and/or psychological evaluation process will assess the student's ability to safely participate in the educational programs at the College as part of the procedure for students who are alleged to have violated this policy.
   3. Students enrolled in various programs at the College may also be subject to standards of conduct unique to these programs. Violations of the standards of behavior for these programs shall be considered a breach of this Code of Conduct. Students should refer to the program guidelines and course syllabus to learn more about applicable standards of conduct associated with their academic program.
   4. The College maintains partnerships with external institutions including but not limited to educational institutions, libraries, and health services providers. A student who violates the rules of a College partner is also subject to College Policy, including the College Student Code of Conduct.

D. **Sanctions**
The following administrative and/or educational sanctions may be imposed upon any student found to have violated the Student Code:
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 and includes the probability of more severe disciplinary sanctions if the student is found to violate any institutional regulation(s) during the probationary period. The College may impose specific written conditions for the probation.

3. **Loss of Privileges** - Denial of specified privileges for a designated period.

4. **Restitution** - Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.

5. **Discretionary Sanctions** - Work assignments, essays, service to the College, or other related discretionary assignments.

6. **Suspension** - Denial of the privilege of enrollment for a specified period of time after which the student is eligible to return. Conditions for re-enrollment may be specified.

7. **Expulsion** - Permanent denial of the privilege of enrollment at the College.

8. **Revocation of Admissions** - Admission to the College may be denied or revoked prior to the first term.

9. **Withholding or revoking awards** - The College may withhold or revoke a degree/certificate/diploma or other College sponsored award.

10. **Deactivation of Student Clubs**

### Summary Suspension

In certain circumstances, the Conduct Officer may impose a summary suspension prior to the informal or formal proceedings described in the previous articles. A summary suspension may be imposed only when, in the judgment of the Conduct Officer, the student respondent’s presence on the College campus would constitute a threat to the safety and well-being of members of the campus community. To the greatest extent possible before implementing the summary suspension, the student respondent shall be given oral or written notice of the intent to impose summary suspension and shall be given an opportunity to present oral or written arguments against the imposition of the suspension. However, the refusal of a student to accept or acknowledge this notice shall not prevent the implementation of a summary suspension. Notice of the summary suspension shall be provided in writing to the student in person or via College email. After the student has been summarily suspended, the student shall be provided an opportunity for an informal or formal hearing within the shortest reasonable time period, not to exceed nine (9) school or business days. During the summary suspension, the student may not enter the campus without obtaining prior written permission from the Conduct Officer.

### Part 4. Appeals

Students may appeal a conduct decision made by the Conduct Officer to the Student Judicial Board within five (5) instructional days of a decision; students may appeal a Student Judicial Board decision to the Vice President of Student Affairs within five (5) instructional days of a decision. Students shall be informed of their right to contested case hearing under Minnesota Statutes Chapter 14 in cases involving sanctions of suspension for ten (10) days or longer.

### Part 5. Procedures

Conduct procedures are found in Student Code of Conduct Procedure 3.6.1 and Academic Honesty procedures are found in Academic Honesty Procedure 3.6.2

### Part 6. Maintenance of Records

Records pertaining to students’ histories of student conduct violations and applicable sanctions shall be kept for a minimum of five (5) years and kept separate from students’ academic records.
Part 7. Interpretation & Revision
Any questions of interpretation regarding the Student Code of Conduct shall be referred to the President or designee for final determination. The Student Code of Conduct shall be reviewed annually under the direction of the Student Conduct Administrator.

References:
Century College Policy 3.6.1
Century College Academic Honesty Policy 3.6.2
Minnesota Statutes Chapter 14
Minnesota State Policy 3.6 and Minnesota State Procedure 3.6.1
Minnesota Statutes §13.04, subdivision 2
MN State Board Policy 2.3

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