

IV. STUDENT CONDUCT AND DISCIPLINARY POLICY

All students are expected to comply with the following conduct guidelines. These rules support the college's mission and help achieve its educational purpose.

- (1) The provisions of this Code applies to all Students.
- (2) Students participating in co-enrolled, dual enrolled, or partner programs between Clackamas Community College and other institutions are expected to comply with the CCC code of conduct regardless of the standards in place at other institutions.
- (3) Adjudication of allegations of misconduct by students will occur expediently. Generally, code violations may be evaluated up to six months from the date of discovery of the alleged violation regardless of the student's current enrollment status.

Grounds for Disciplinary Action shall include, but not be limited to, the following:

- A. **Academic Misconduct:** Actual or attempted, fraud, deceit, or unauthorized use of materials prohibited or inappropriate in the context of the academic assignment. Unless otherwise specified by the faculty member, all submissions, whether in draft or final form, must either be the Student's own work, or must clearly acknowledge the source(s). In cases of cheating or plagiarism, the instructor is solely responsible for the academic consequences in the course where the conduct takes place. The instructor may: (a) require the assignment be redone; (b) issue a failing grade for the assignment on which the cheating or plagiarism occurred; (c) issue the student a failing grade for the class; and/or (d) initiate the student conduct and disciplinary process. Academic Misconduct includes, but is not limited to
 - 1) cheating;
 - 2) fraud;
 - 3) plagiarism, such as word for word copying, using borrowed words or phrases from original text into new patterns without attribution, or paraphrasing another writer's ideas;
 - 4) buying or selling of all or any portion of course assignments and research papers;
 - 5) performing academic assignments (including tests and examinations) in another person's stead;
 - 6) unauthorized disclosure or receipt of academic information; falsification of research data;
 - 7) unauthorized collaboration; using the same paper or data for several assignments or courses without proper documentation;
 - 8) unauthorized alteration of student materials;
 - 9) academic sabotage, including destroying or obstructing another student's work

B. Behaviors or actions that are disruptive, distracting, or disorderly including:

- 1) Obstruction or disruption of teaching, classroom, research, administration, disciplinary procedures or other authorized college activities including obstruction or disruption interfering with freedom of movement. Conduct that disrupts the educational environment can result in immediate removal from class and/or activity or Summary Suspension (See Article VI)
- 2) Violation of college policies or campus regulations including, but not limited to, student organizations, the use of college facilities, the campus tobacco use policy (see Board Policy GBK/JFCG/KGC), use of student records, or the time, place and manner of public expression.
- 3) Furnishing false or misleading information to the college, including but not limited to knowingly failing to provide requested or required information (e.g. reporting sex offender status) to the college or falsifying a person's identity to a course instructor or other college official. Forgery, alteration or unauthorized use of college documents, records, identification or resources.
- 4) Physical abuse or detention of any person, or conduct which intentionally or negligently causes harm, or is intended to threaten imminent danger to the health of any person.
- 5) Use, possession or distribution of alcoholic beverages or marijuana (THC) on college owned or controlled property or at college sponsored or supervised functions or at functions where the student is a representative of the college. Illegal use, possession or distribution of drugs on college-owned or controlled property or at college sponsored or supervised functions where the student is a representative of the college.
- 6) Malicious damage, misuse or theft of college property, or the property of any other person where such property is located on college owned or controlled property, or is in the care, custody or control of the college. Theft of, vandalism, or damage to college property.
- 7) Hazing or any act that recklessly or intentionally endangers the mental health, physical health or safety of a student/staff for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any college co-curricular or extracurricular activity, program or year in school.
- 8) Intimidation or any threat or act intended to tamper, substantially damage or interfere with another's property, cause substantial inconvenience, subject another to offensive physical contact or inflict serious physical injury on the basis of race, color, religion, national origin or sexual orientation.
- 9) Cyberbullying including use of any electronic communication device to convey a message in any form (text, image, audio or video) that intimidates, harasses or is otherwise intended to harm, insult or humiliate another in a deliberate, repeated or hostile and unwanted manner under a person's true or false identity.

- 10) Menacing or any act intended to place a school employee, student or third party in fear of imminent serious physical injury.
- 11) Retaliation or Abuse of the College conduct process, including but not limited to:
 - a. menacing, intimidation, or other adverse actions toward another individual(s) for making a report;
 - b. attempting to deter participation in the conduct process;
 - c. falsifying, distorting or misrepresenting information before any conduct body;
 - d. knowingly initiating any conduct proceedings without cause.
- 12) Unauthorized entry to or use of College facilities, including buildings and grounds, college supplies, equipment and funds.
- 13) Failure to conduct oneself in a safe manner in all college programs where there is an ability for an individual to cause harm to self or others. This may include but is not limited to unsafe handling of equipment or materials (e.g. Driving of college vehicles with any percentage of alcohol in the blood or while impaired).
- 14) Disorderly conduct; lewd, indecent, or obscene conduct or expression; breach of peace; aiding, abetting or recruiting another to breach the peace on college owned or controlled property or at college sponsored or supervised functions.
- 15) Possession or use of firearms, explosives, dangerous chemicals, substances or instruments or other weapons which can be used to inflict bodily harm on any individual or damage upon a building or grounds of the college-owned property or at a college-sponsored and supervised function without written authorization.
- 16) Failure to comply with directions of college officials acting in the performance of their duties. Inciting others to engage in any of the conduct or to perform any of the acts prohibited in this Code.
- 17) Stalking. Stalking is repeatedly contacting another person without a legitimate purpose when: (a) the contacting person knows or should know that the contact is unwanted by the other person; and (b) it is reasonable for the other person in that situation to have been alarmed or coerced by the contact. As used in this section, "contacting" includes but is not limited to coming into the visual or physical presence of the other person; following another person; or sending written, electronic or telephonic communication of any form to the other person, personally or through a third party.
- 18) Harassment. Harassment is a course of conduct directed at a specific individual or individuals that causes or is intended to cause emotional or physical distress and serves no legitimate purpose. This includes but is not limited to harassment based on protected class that violates the CCC Board policy GBN/JBA.

C. Sexual Harassment or Sexual Misconduct

- 1) Sexual Exploitation. Sexual Exploitation occurs when a Student takes non-consensual or abusive sexual advantage of another for his or her own advantage or benefit or to benefit another person. Examples of sexual exploitation include;

but are not limited to: invasion of sexual privacy; engaging in voyeurism; exposing one's genitals in non-consensual circumstances; prostituting another person; or inducing incapacitation with the intent to commit other acts of sexual misconduct.

- 2) Non-Consensual Sexual Contact. Non-Consensual Sexual Contact is any intentional sexual touching, by a person upon another person that is without consent and/or by force. This type of contact includes but is not limited to breasts, buttocks, groin, or genitals, or touching with any of these body parts, or making someone else touch another person or themselves with any of these body parts.
- 3) Non-Consensual Sexual Intercourse. Non-Consensual Sexual Intercourse is unwanted sexual intercourse of any kind or attempt to engage in such conduct. Sexual intercourse includes vaginal; oral or anal sex. Intercourse includes penetration by a penis; object; tongue; finger; or oral copulation no matter how slight. Sexual intercourse is "unwanted" if no consent is given or if the individual knew or should have known that the person was incapable of giving consent. The use of drugs or alcohol will not serve as an excuse for failing to obtain consent for sex acts.
- 4) Dating or Domestic Violence. Any act of violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the harmed individual. Any act of violence committed by a current or former spouse or intimate partner of the harmed individual, by a person with whom the individual shares a child in common; by a person who is cohabitating with or has cohabitated with the harmed individual as a spouse or intimate partner; by a person similarly situated to a spouse of the harmed individual under applicable federal or state domestic or family violence laws, or by any other person against an individual who is protected from that person's acts under applicable domestic or family violence laws.

Disciplinary Procedures:

Any student or staff member who is concerned about a student's behavior that appears to violate the student code of conduct should complete the student of concern form. This form will automatically be submitted to the CARE Team. The CARE Team refers disciplinary cases to the appropriate Associate Dean who serves as the Conduct Officer for informal or formal disciplinary action. Student of concern forms should be submitted as soon as possible after the event or behavior is discovered.

Initial Assessment

The Associate Dean or designee will follow up with the complainant, respondent, and other sources if needed to gather more information about the concern. The Associate Dean refers the case to the Conduct Team to determine additional next steps including initiating the disciplinary process depending upon the severity of the situation.

Informal Disciplinary Process

The Associate Dean will invite the student via verbal or written notification to discuss the concern. The Associate Dean will have an informal conversation with the student to put the student “on notice” that a conduct issue has been identified and consequences may result if the student is found responsible. The conversation could include a review of the code of conduct, ways that such incidents can be avoided in the future, referrals to appropriate campus resources, educational sanctions, a written behavioral contract or censure notification that both parties review and sign. Educational sanctions, behavior contracts, and notes of censure are recorded in the student’s formal disciplinary file for internal purposes only. They may be considered in further conduct cases, but are not considered part of the student’s permanent disciplinary record once the student leaves CCC.

The Associate Dean will notify the student during an informal disciplinary meeting that further behavior or additional information regarding the incident may result in formal disciplinary procedures as outlined below.

Formal Process

The Associate Dean will invite the student via written notification to discuss the possible code of conduct violations and disciplinary action(s). Notice of this meeting should, whenever possible, be given at least two working days prior to the scheduled appointment. During the meeting the participants may present any evidence, explanations and/or defenses regarding the events that occurred. If either the complainant or respondent fails to appear for their scheduled appointment or refuses to present any explanations and/or evidence, they lose any rights to further meetings or to appeal any resulting disciplinary decision.

After the meeting, the Associate Dean will consult with the Conduct Team to determine whether the student is responsible for violating the code of conduct and if so, which disciplinary sanctions will be imposed. The following disciplinary sanctions may be applied:

- a) **Disciplinary Probation:** Disciplinary Probation may be applied for repeated minor misconduct, single incidents which contain multiple minor violations of misconduct, or for more serious misconduct that falls short of suspension-level misconduct. A student who is placed on disciplinary probation may also be required to sign a behavior contract and/or complete educational sanctions such as reflective exercises, research and civic education, community education, community involvement, academic success, restorative education and/or referral sanctions. The student will receive a sanction letter outlining probationary conditions which spell out prohibited conduct and/or activities. The sanctioned student is conditionally allowed to continue attending classes and/or participate in student activities. Sanctions of disciplinary probation are recorded in the student’s formal disciplinary file and may be considered in further conduct cases.

- b) Suspension: Suspended students are forbidden to enroll in or attend classes, or may not be allowed on campus for a specified period of time, up to two academic years (eight terms). The student will receive a suspension letter which specifies conditions for possible re-enrollment after the suspension period. Suspensions are recorded in the student's formal disciplinary file and may be considered in further conduct cases.
- c) Expulsion: Expelled students are forbidden to enroll in or attend classes, or are not allowed on campus for an indefinite period of time. The student will receive an expulsion letter. Expulsions are recorded in the student's formal disciplinary file.
- d) No-Trespass Order: A suspended or expelled student may also be excluded from campus or issued a no-trespass order, particularly if the individual reenters campus after the suspension or expulsion takes place. The student will be identified in campus systems as prohibited from being on campus without prior arrangement with the Associate Dean.

DRAFT