

## **Board Policy 5.14: STUDENT CODE OF CONDUCT**

Colleges recognize the student as an adult pursuing an education. Just as a student does not lose citizenship rights upon enrolling at a college, the student also does not become immune to society's obligations and laws or to the responsibilities of daily living in a broader society. In general, the behavioral norms expected of the college student are those of common decency and decorum, recognition of and non-infringement upon the rights and property of others and of the college, honesty in academic work and all other activities, and observance of local, state, and federal laws.

When students enter Eastern Wyoming College, they take upon themselves certain responsibilities and obligations, including satisfactory academic performance and social behavior consistent with the lawful purposes of the college. Student conduct, therefore, is not considered in isolation within the college community but as an integral part of the education process. All students are expected to know and abide by this code of student conduct. A copy of the student code shall be available at the College library and may be inspected upon request.

### **PROHIBITED CONDUCT**

The following conduct is prohibited: interference with the rights or freedoms of others; wrongful utilization of goods, services, or information; and criminal conduct.

Interference with the rights or freedoms of others shall include but not be limited to the following:

1. Disruption of the classroom learning environment, including but not limited to activities such as repeatedly leaving and entering the classroom without authorization, making loud or distracting noises, persisting in speaking without being recognized, or resorting to physical threats.
2. Assaulting, striking, or in any way unlawfully threatening or causing physical harm to another.
3. Unlawfully threatening, harassing or stalking another.
4. Participating in any actual or threatened non-consensual sexual act.
5. Participating in sexual harassment.
6. Participating in unlawful harassment of acts or threats directed toward individuals or groups including groups defined by race, creed, national origin, disability and Vietnam veteran status.
7. Participating in any act of hazing of any variety by an individual or group. "Hazing" includes, but is not limited to, an act which endangers the mental or physical health or safety of a student or which destroys or removes public or private property.
8. Unlawful possession of or unlawful use of firearms or dangerous weapons of any kind.
9. The use and/or possession of alcoholic beverages on college-owned or controlled property or being under the influence of alcoholic beverages while operating a vehicle on college owned or controlled property.
10. The unlawful possession or use of any drug or controlled substance (including but not limited to stimulant, depressant, narcotic, prescription medication, or hallucinogenic drug or substance, or marijuana), or the unlawful sale or distribution of any drug or controlled substance.
11. Participating in the destruction of or otherwise vandalizing the public or private property of others.
12. The unlawful trespassing upon or forcefully entering public or private premises without authorization.

13. Possessing or using unlawful explosives or other dangerous devices.
14. Unlawfully creating a safety hazard, or health hazard. Starting a fire in an unsafe manner or location that poses a risk to others.
15. Activating a fire alarm or pre-alarm cover without the existence of a fire or a similar emergency situation. Directing that others activate a fire alarm or prealarm cover without the existence of a fire or a similar emergency situation.
16. Rendering inoperable or abusing a fire alarm, extinguisher, or other safety device located upon public property.
17. Participating in any activity that disturbs the peace, disrupts the lawful orderly activities of others, or otherwise interferes with any lawful college activity or function.
18. Visiting in the residence hall rooms in a manner that is in violation of the housing regulations.
19. Participating in unlawful gambling in any form.
20. Participate in the unlawful operation of a motor vehicle in a manner that threatens the safety of people or property.
21. Possession of an animal on campus in violation of residence hall policy or college policy.
22. Littering.
23. Throwing or otherwise ejecting any objects from windows or roofs of college buildings.
24. Unlawfully conveying false information.

**Wrongful Utilization of Goods, Services, or Information shall include but not be limited to the following:**

1. Plagiarism, cheating, and other forms of academic dishonesty, or facilitating any such act.
2. Failure to promptly meet financial responsibilities to the institution.
3. Stealing from and/or possessing without authorization, any property or services from another person, group of people, or the college.
4. Embezzling, defrauding, or procuring any money, goods, or services under false pretenses.
5. Possessing, purchasing, or receiving property, money, or services knowing them to have been stolen or embezzled.
6. Issuing a check on campus knowing that it will not be honored when presented for payment.
7. Duplicating keys, computer access codes and other devices without proper authorization.
8. Forging, altering, or causing any false information to be entered on an administrative record or presented at an administrative proceeding.
9. Unauthorized use of long distance caller identity codes.
10. Unauthorized use of the computer system, computer access codes, and restricted areas of computer services.

**Criminal Conduct:**

The violation of a local, state or federal criminal statute shall be a violation of this code, whether or not such violation is prosecuted by public officials. The college may refer such violations to appropriate law enforcement agents.

## **SANCTIONS**

Upon a determination that a student or organization has violated any of the rules, regulations, or disciplinary offenses set forth in the regulations, the following disciplinary sanctions may be imposed, either singly or in combination, by the appropriate institution officials:

1. Warning: Notice, in writing, that the student is violating or has violated institutional rules and that continuation or repetition of similar misconduct, within a prescribed period of time, may cause for further disciplinary action and more severe sanctions.
2. Restitution or Reimbursement: Reimbursement for damage to or misappropriation of property or for personal injury costs.
3. Mandatory Community Work: Assigned campus and/or community service appropriate to the offense.
4. Mandatory workshop for alcohol or drug-related misconduct.
5. Personal counseling referral.
6. Class Attendance: The individual enrolls in and completes a class that helps the person understand why the conduct is prohibited.
7. Restriction or Revocation of Privileges: Restriction or revocation of certain student privileges for a specified period of time.
8. Residence Hall Probation: Warning that further violation of guides to residence hall living may result in expulsion from campus housing and/or revocation of privileges to live in campus housing for a specified period of time.
9. Disciplinary Probation: Warning that further violation of specified regulations within the probationary period, are likely to result in more severe disciplinary sanctions, to include suspension from the institution.

The following sanctions may be assigned only by the Dean of Students:

1. Probation: Warning that violation of any institutional regulation within the probationary period may result in more severe disciplinary sanctions, to include suspension or expulsion from the institution.
2. Suspension: Termination from classes and other privileges or activities for a period not to exceed two years. Suspension will be noted on a student's permanent record (transcript).
3. Disciplinary Dismissal: Permanent termination of student status. Disciplinary dismissal will be noted on a student's permanent record (transcript).

## **INFORMAL GRIEVANCE PROCEDURE – (As it pertains to students)**

In order to insure the most complete processing of complaints or concerns within the environs of Eastern Wyoming College, the College adopts the following procedures: The first procedure, the informal grievance procedure, is designed to permit an expedited and orderly processing of all complaints or concerns of students in an informal manner, while at the same time insuring that the complaints are fully explored and that a reasonable effort has been made to resolve the difficulties without the necessity of formal grievance proceedings.

The informal complaint procedure may be utilized to resolve any student or personnel problems arising at the college.

If the grievance cannot be resolved through this informal procedure, the person or persons involved may avail themselves of the formal grievance procedure.

The informal complaint process is limited to fifty (50) calendar days from the alleged event. Complaints of events exceeding 50 days prior to statement of the complaint shall be handled through the formal complaint procedure. Any student who has a complaint may utilize this informal complaint procedure. In implementing this procedure, the complaining party should

proceed as follows:

1. A complaint should be discussed initially between the persons involved; many problems may be resolved on this one-to-one basis.

2. If the persons(s) concerned are unable to resolve the problem on a one-to-one basis, the following procedures should be followed:

(a) In the event that the grievance concerns the College President, the complaint will be submitted to a mediation committee of three individuals. One individual shall be selected the complainant, one by the College President, and the two selected individuals shall jointly select a third individual. This committee shall then make recommendations in an effort to resolve the matter.

(b) A student should define the complaint to the appropriate Division Chairperson regarding instructional personnel or matters; and to the appropriate student activities director regarding noninstructional personnel or matters.

This informal procedure does not rule out discussions among the complainant, his/her supervisors, or any other person who may assist in resolving the situation, including the Dean in charge of the particular depart or activity involved. The Board of Trustees should not be involved in any informal discussion of the grievance with any party involved.

In the event the above procedure does not result in a mutually agreeable solution, the student may file a formal grievance which will then be processed in accordance with the procedures set forth within the College's Formal Grievance Procedure.

### **FORMAL GRIEVANCE PROCEDURE – (As it pertains to students)**

If the complaining party or parties have been unable or unwilling to resolve the complaint utilizing the procedures available under the "Informal Complaint Procedure," the complaining party or parties may proceed to file a formal grievance.

1. The formal grievance procedure begins with the filing of a written complaint. The written complaint must be filed within ten (10) working days following the alleged event, or ten (10) working days after unsuccessfully resolving the complaint informally.

The format of the written formal grievance shall contain the following:

- a. A concise statement of the grievance;
- b. A complete description of the action(s) of all parties involved;
- c. A detailed description of the alleged events;
- d. The date of the alleged occurrence;
- e. The place of occurrence of the alleged events;
- f. The relief or remedy sought by the complainant.

2. If the grievant is a student, the grievant shall submit the written complaint to the appropriate Division Chairperson, if the grievance involves instruction matters, and to the Dean of Students if the grievance involves noninstructional matters.

All formal student complaints are kept on file in the Dean of Students office. The Division Chairperson, or Dean of Students shall notify the relevant parties in the dispute of the receipt of the formal grievance within five (5) working days, shall investigate, facilitate, and answer the grievance in writing.

3. If either party is dissatisfied with the written decision from the, Division Chairperson or Dean of Students, either party may request a review by the Grievance Review Committee. Such request must occur within five (5) working days after receiving the written decision from the Division Chairperson or Dean of Students. The Grievance Review Committee shall conduct an investigation of the matter within ten (10) working days after the request is submitted. A written decision shall be submitted to the respective parties within five (5) working days

after the investigation is completed.

4. If either party is dissatisfied with the written decision of the Grievance Review Committee, either party may request a review of the decision by the College President. The request must occur within five (5) working days after receiving the written decision from the Grievance Review Committee. The President shall conduct an investigation of the matter within ten (10) working days after the request is submitted. A written decision shall be submitted to the respective parties within five (5) working days after the investigation is completed.

5. If either party is dissatisfied with the written decision of the College President, either party may request a hearing before the Board of Trustees. Such a request for hearing must occur within five (5) working days after receiving the written decision from the College President. The Board shall then conduct a formal hearing in accordance with its Rules of Practice For Contested Cases.

6. COLLEGE PRESIDENT. If the grievance or complaint concerns the College President, the formal Complaint shall be submitted directly to the Grievance Review Committee within ten (10) working days following the alleged event, or ten (10) working days after unsuccessfully resolving the complaint informally. The Grievance Review Committee shall conduct an investigation of the matter within fifteen (15) working days after the Complaint has been submitted. A written decision shall be submitted to the respective parties within five (5) working days after the investigation is completed. If either party is dissatisfied with the written decision of the Grievance Review Committee, either party may request a hearing before the Board of Trustees. Such a request for hearing must occur within five (5) working days after receiving the written decision from the Grievance Review Committee. The board shall then conduct a formal hearing in accordance with its Rules of Practice For Contested Cases.

7. Student Grievance Review Committee:

- Administrator (Chairperson) appointed by the College President
- Professional Staff Member appointed by the Chairperson
- Faculty Member appointed by the Chairperson
- Classified Staff Member appointed by the Chairperson
- Student Senate Member recommended by Student Senate President

## **WHAT IS SEXUAL HARASSMENT**

Sexual harassment is an abuse of power which is demeaning and interferes with the ability to work or participate in an educational setting. Sexual harassment, including peer sexual harassment is a form of prohibited sex discrimination. Thus, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when the conduct is sufficiently severe, persistent, or pervasive to limit a student's ability to participate in or benefit from the education program, or create a hostile or abusive educational environment. Both male and female students are protected from sexual harassment; even when the harasser and the person being harassed are members of the same sex.

Sexual harassment can be blatant or it can be very subtle behavior. Blatant forms of sexual harassment include sexual propositions, inappropriate touching, unsolicited embracing or kissing, and assault or rape. Subtle forms include inappropriate or obscene jokes; intimate language, such as dear, sweetheart, darling, and leering. All forms of sexual harassment cause the victim to feel uncomfortable or threatened by the behavior and may cause the victim to fear retaliation such as the loss of job, poor grades, or physical harm.

Victims of sexual harassment may experience physical and emotional reactions to the behavior.

Anger, depression, self-blame, denial and decreased self-esteem are common reactions to sexual harassment. Headaches, stomach disorders, inability to concentrate, insomnia, and backaches are sometimes experienced as symptoms of the stress that a victim feels. Students who have concerns about sexual harassment should contact the college affirmative action officer immediately.

## **SEXUAL HARASSMENT POLICY**

Definition: Eastern Wyoming College endorses the definition of sexual harassment provided under Title VII of the Civil Rights Act of 1964. Accordingly, Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitutes sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonable interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

### **Policy Statement on Sexual Harassment**

Eastern Wyoming College strives to create a working and learning environment that is desirable for all employees and students.

Sexual harassment of employees or students is reprehensible, illegal and will not be tolerated at Eastern Wyoming College. Such activity which influences employment decisions or the academic success of students is contradictory and antithetical to the environment provided by this institution, and prompt and remedial action will be taken by Eastern Wyoming College upon any finding of sexual harassment.

All complaints of sexual harassment will be investigated. Employee complaints should be filed with the complainant's immediate supervisor or the Affirmative Action Officer. Student complaints should be registered with the relevant Division Chair or the Affirmative Action Officer. If the complaint cannot be resolved at this level, the College Grievance Procedure under EWC Grievance Policy No 1.7 should be followed. Victims of sexual harassment are strongly encouraged to disclose any episode(s) of sexual harassment. Such disclosure will assist EWC in its attempts to prevent future episodes of sexual harassment.

Any Eastern Wyoming College agent or employee who is found to have engaged in sexual harassment of another employee or student will be subject to disciplinary sanctions, which may include, but not limited to, written reprimand, demotion, transfer, required professional counseling, and/or termination of employment. Any student who violates this policy will be subject to prompt and appropriate discipline. Such discipline may result in the student being expelled from Eastern Wyoming College.

No employee or student shall suffer reprisal from Eastern Wyoming College as a consequence of filing a "good faith" complaint.

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