

CHAPTER:	Code of Conduct and Discipline	DATE ADOPTED: August 10, 1999	NUMBER
STUDENTS		Revised: November 13, 2012 June 11, 2013 June 13, 2017 August 11, 2020 June 8, 2021 July 12, 2022	406
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1	<p>Statement of General Expectations: Iowa Central Community College seeks to provide a living and learning environment in which the student can meet their academic goals. The College has the responsibility of providing the student with a clear understanding of its academic requirements and conduct expectations, which are generally set forth in the College catalog and the College website.</p> <p>The College has the right to determine when its policies are violated and to determine the appropriate course of action. By enrolling at Iowa Central Community College, the student accepts the responsibility to comply with the College’s authority, to respect the rights of others, and to protect private and public property.</p> <p>Every student (any person enrolled in credit or non-credit courses) has the right to all the advantages, prestige, and honors accruing to a student of the College. The student retains the rights guaranteed under the Constitution of the United States, the right of freedom from control by any persons except as may be in accord with College policies and /or local, state, or federal law, and the right to pursue an education and to receive a degree or certificate for the successful completion of its requirements.</p>
2	<p>Institutional Regulations: The Board of Directors of Iowa Central Community College confers upon the faculty and staff the powers:</p> <ul style="list-style-type: none"> a. To invoke sanctions to protect the educational processes and the rights of students, faculty, and staff; and b. To provide procedures that will clearly inform Iowa Central Community College students of the regulations that govern their behavior while on College property, at cooperating agencies, or while in attendance at College sponsored activities or events.
3	<p>Student Responsibilities and Rights: Iowa Central Community College offers each student the freedom to learn and the freedom to enjoy College life in an orderly and lawful manner. In return, the College expects every student to assume the obligation and responsibilities that accompany those freedoms. By voluntary enrollment at the College, students assume the obligation and responsibility of conducting themselves in accordance with the reasonable and lawful requirements of Iowa Central Community College and its educational functions and processes. Violations of these responsibilities may result in sanctions that can include expulsion from the College. Students are guaranteed their constitutional right to due process in certain circumstances in which due process rights are triggered. The College forbids unlawful discrimination on the basis of race, color, national origin, sex, disability, religion, creed, age, marital status, sexual orientation, gender identity, socioeconomic status, or military service.</p> <p>Individuals may login to Triton Pass and click on “Concern Form” to report any concern they have.</p>
4	<p>Jurisdiction of Student Conduct Policy: The Student Conduct, Discipline, and Appeals Procedure applies to conduct that occurs on Iowa Central Community College property, at College sponsored activities at clinical sites, attendance centers, or any College facility, while enrolled in any online courses, and off-campus conduct that adversely affects Iowa Central Community College and/or the pursuit of its educational mission. Each student shall be responsible for their conduct from the time of application for admission through the actual awarding of the degree or certificate. This includes conduct that may occur before classes begin or after classes end, as well as during the academic year and during periods between terms and actual enrollment, and conduct discovered by the College after a student has completed a course and/or after a student has been</p>

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<p>awarded a degree. The Student Conduct Policy shall apply to a student's conduct even if the student withdraws from school while a disciplinary matter is pending. The President and Vice President of Student Services shall decide whether the Student Conduct Policy shall be applied to conduct occurring off-campus on a case by case basis.</p>			
5	<p>Student Conduct Subject to Sanctions: Conduct which is contrary to any of the following may subject the student to disciplinary action and shall constitute a violation.</p> <p>a. Scholastic Dishonesty - In order to maintain its credibility as an institution of higher education, the College must establish and maintain standards of academic honesty. Upon enrolling in the College, each student assumes an obligation to conduct their academic affairs in a manner compatible with the standards of academic honesty established by the College and its faculty. If this obligation is neglected or ignored by the student, through the normal procedures of course work evaluation, students' course work will be evaluated and disciplinary action taken. The following statements identify the types of activities that would constitute violations of the College's standards of academic honesty.</p> <p>(1) Plagiarism - The unauthorized use of materials not written or created by the person claiming authorship. Plagiarism includes but is not limited to the following:</p> <ul style="list-style-type: none"> (a) Turning in a written essay produced by someone else; (b) Collaborating on a written assignment without the specific approval of the instructor; (c) Borrowing materials from any source (professional or amateur) and turning them in as original; or (d) Failure to acknowledge through appropriate citations any words, ideas, research, graphics, etc., produced by someone other than the person claiming authorship. <p>(2) Cheating - Dishonest acts committed while being tested or evaluated:</p> <ul style="list-style-type: none"> (a) Copying from another person's tests or assignments; (b) Using unauthorized test aids such as notes, drawings, books, etc., during an examination; (c) Submitting a paper which was turned in to another instructor in another class to fulfill part of that course's required work-unless agreed upon ahead of time by the instructors of the second course; (d) Aiding another student in dishonesty such as producing written work or sharing information during a test period; (e) Fabricating research or source materials; or (f) Stealing, buying, or somehow obtaining a test from an instructor's work or computer files. <p>b. Computer Misuse - The following information sets forth the Computer Use Policy for Iowa Central Community College. Each individual who obtains a network/email account, or uses the computers and network resources made available by Iowa Central Community College, must understand that they are accountable for the policies set forth in this document. In addition, users assume responsibility for:</p> <ul style="list-style-type: none"> • Protection of their passwords; • Reporting any breach of system security; • Reporting unauthorized use of their accounts; • Changing their passwords on a regular basis; • Frequently making backup copies of your work to ensure against loss; and • Clearly labeling works and opinions as their own before they are widely distributed. <p>Iowa Central Community College's computer facilities and services are offered in support of teaching, learning, and research. Access to the computer systems and networks owned and operated by Iowa Central Community College impose certain responsibilities upon users, in accordance with College policy and local, state, and federal law. Users accept the responsibility for utilizing services in ways that are ethical, that demonstrate academic integrity and respect for others who share this resource. This policy is established in</p>		

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an effort to help users understand what is expected of them. It sets guidelines regarding the issues of privacy and respect for property, ownership of data, system security, and misuse of the system.

The following constitute violations of the computer conduct policy:

- (1) Intentionally disrupting access of other students, faculty, or staff members to College computer and other technological resources;
- (2) Knowingly obtaining without authorization access to a computer account assigned to another person;
- (3) Knowingly using an account belonging to another student, faculty, staff, department, or organization for other than its intended purpose without permission from the owner;
- (4) Intentionally using any unauthorized account;
- (5) Using College computer equipment to interfere with the lawful rights of others by such activities as falsifying or altering records, creating fraudulent documents, damaging programs belonging to another, sending harassing or threatening material, or duplicating copyrighted software unlawfully;
- (6) Using computer or network services for commercial purposes;
- (7) Excessive game playing which impairs the academic work of other students;
- (8) Excessive WEB surfing not related to College course work and/ or assignments;
- (9) Sending excessive email or messages locally or over the network such as chain letters, advertisements or solicitations;
- (10) Knowingly installing or running a program that will damage or place an undue burden on the system;
- (11) Knowingly acting in a manner that will disrupt normal operations of computers of the network;
- (12) Using computer or network services in a way that violates copyrights, patent protections or license agreements;
- (13) Unauthorized copying of any software (including operating systems, programs, applications, databases, or code) which is licensed or protected by copyright;
- (14) Gaining unauthorized access to information that is private or protected, or attempting to do so;
- (15) Running programs that attempt to identify passwords or codes;
- (16) Interrupting programs that protect data or secure systems, or attempting to do so;
- (17) Monitoring or tampering with another person's email;
- (18) Copying, changing, or deleting another person's work;
- (19) Using another person's password or allowing others to use yours;
- (20) Attempting to gain network privileges to which you are not entitled;
- (21) Using outside software programs in any lab or office. This includes, but is not limited to programs known as computer viruses, Trojan Horses, worms and personal software from home;
- (22) Personally installing hardware or software on any college-owned computer;
- (23) Changing computer CMOS settings;
- (24) Using a computer that would in any way be disruptive to the academic environment;
- (25) Removing computer equipment, software, or peripherals that are owned by Iowa Central Community College;
- (26) Food, beverage and tobacco products; and
- (27) Using the computer or computer systems to engage in the following forms of prohibited communication:
 - (a) Obscene, lewd, or sexually explicit images or text;
 - (b) Defamation;
 - (c) Advocacy directed to incite or produce lawless action;
 - (d) Threats of violence;
 - (e) Harassment based on sex, race, disability, or any other protected status; or
 - (f) Anonymous or repeated messages designed to annoy, abuse, or torment.

c. Discrimination and/or Harassment - Engaging in behavior which is discriminatory of race, color, national origin, sex, disability, religion, creed, age, marital status, sexual orientation, gender identity, socioeconomic

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status, or military service will not be tolerated. Behavior may take the form of name calling, taunting, undesired statements regarding the person, graffiti, or other outward actions which are interpreted as discriminating to others. Behavior of this nature will not be tolerated and will be dealt with in accordance with the Discrimination Complaint Procedure. Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or physical contact of a sexual nature.

d. Use or Presence of Alcohol or Controlled Substances on Campuses - The presence or use of alcohol or other controlled substances on all campuses, in all facilities of Iowa Central Community College, and at all College sponsored events is strictly prohibited. This regulation pertains to all Iowa Central Community College student housing facilities and surrounding grounds and at activities or athletic events, on and off campus. The College enforces the State of Iowa drinking laws, including the prohibition of use by persons under 21 years of age. Iowa Central Community College enforces both the State of Iowa and the Federal drug laws regarding the use, possession, and sale of illegal drugs and drug paraphernalia.

The following actions constitute violations of the Substance Abuse Regulations:

- (1) Being personally present at a gathering where alcohol or other controlled substances are being consumed;
- (2) Being personally present in an area containing full or empty alcohol containers or drug paraphernalia;
- (3) Being under the influence of alcohol or another controlled substance in class, on campus, or at an off-campus College sponsored activity; or
- (4) Manufacturing, processing, selling, providing, using, or possessing any narcotic drug, marijuana, or other illegal controlled substance, and/or drug related paraphernalia on College property.

Violators of the Use or Presence of Alcohol or Controlled Substances regulations may be reported to proper authorities for legal action or possible arrest by law enforcement officials for apparent violation of local, state, or federal laws pertaining to illegal use or possession of alcohol or other controlled substances. Violators may also be required to participate in an alcohol or drug education program.

e. Other Conduct Subject to Sanctions -

- (1) Acting or failing to act in a manner which causes concern for the health and safety of oneself or others. Assaulting, threatening, verbally or physically abusing, or endangering in any other manner the health or safety of; 1) a College student, staff, or instructor; or 2) any person on the campus or at a College-sponsored or supervised activity or event;
- (2) Misusing or misappropriating College property or private property on campus or at off-campus College activities, including, but not limited to: theft; burglary; willful possession of stolen property; and willful destruction, damage, defacement, or mutilation of property belonging to, or in the custody of, the College or member of the College community;
- (3) Using or possessing weapons, firearms, BB guns, tasers, knives, ammunition, explosives, fireworks, or simulations of any such items (devices that appear to be real such as a realistic toy, replica, paint-ball gun, air soft gun, laser pointer, and etc.) and other dangerous articles within College buildings, on campus (including parking lots), or at College-sponsored or supervised functions, except in authorized facilities and by students who are law enforcement officers required to carry such weapons at all times. A weapon may also include an object designed for use or used in a manner to inflict harm or threaten harm to a human being or animal;
- (4) Intentionally initiating a false alarm of a fire, bomb threat, or other catastrophe by verbally reporting one or by tampering with an alarm system or safety equipment;
- (5) Engaging in the intentional setting of fires or explosions within College buildings or on the campus without proper authority;
- (6) Threatening to place or attempting to place any incendiary or explosive device or material in or about the College premises or at the site of a College-sponsored activity;

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	<p>(7) Willfully failing to identify oneself by name and/or comply with a proper order of any faculty member or other College official, including employed security personnel, properly identified (by stating their name and title if requested by a student) and acting within the scope of their authority;</p> <p>(8) Intentionally disrupting the orderly process of the College or intentionally obstructing or defying access to services or facilities by those entitled to use such services or facilities. Intentionally interfering with the lawful rights of other persons on the campus. Inciting others to do any of the above;</p> <p>(9) Operating a motor vehicle recklessly so as to pose a threat to the safety of others or to property, on campus, or at College- sponsored activities off campus. Failing to abide by the Iowa Central Community College traffic and parking regulations;</p> <p>(10) Making a disruptive noise in the vicinity of the College or at College-sponsored activities which disrupts the orderly, efficient, and disciplined atmosphere of the College or College- sponsored activity;</p> <p>(11) Engaging in willful misrepresentation of any material fact to faculty, College staff or others about one's status, academic performance within the College or of the support, sponsorship, or approval by the College of the services or activities of any person, group, or organization;</p> <p>(12) Falsifying any document used to conduct academic, employment, housing, or other business of the College. This includes, but is not limited to, falsely reporting hours of employment, forging a signature, falsely reporting an incident, or in any other manner reporting false information to any College office;</p> <p>(13) Communicating any confidential information gained through student employment;</p> <p>(14) Any other willful or intentional inappropriate conduct for which the College can demonstrate a clear and distinct interest as an academic institution and which seriously threatens; 1) any educational process, operation or other function of the College; or 2) the health or safety of any member of the academic community;</p> <p>(15) Engaging in forgery, alteration, or misuse of any College records or documents, College keys or keycards, or student or staff identification cards;</p> <p>(16) Disorderly, lewd, indecent or obscene conduct; or</p> <p>(17) Violation of Iowa Central Residence Life and Student Housing rules, guidelines, policies, and procedures.</p>		
6	<p>Sanctions: Any student who is found to have violated a regulation governing student conduct will be subject to the following sanctions and will be notified of the right to appeal.</p> <p>a. Reprimand - Written censure by the College. This written warning serves to remind the student that further violation of the regulations governing student conduct may result in more serious sanctions including but not limited to suspension. A record of disciplinary action is kept in the student's file;</p> <p>b. Restitution - Reimbursement for damage to or misappropriation of Iowa Central Community College property. Written notice will be sent to the student requiring restitution when the student has damaged or misappropriated Iowa Central Community College property. Reimbursement may take the form of appropriate service to repair or otherwise compensate for damages;</p> <p>c. Disciplinary Probation - A warning indicating that further violations may result in suspension. Disciplinary probation may be imposed for any length of time up to one year and the student shall be automatically removed from probation when the imposed period expires;</p> <p>d. Suspension of Rights or Privileges - An elastic penalty which may impose limitations or restrictions to fit the particular case;</p>		

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	<p>e. Hold on Records and Registration - Imposed upon a student who fails to pay a debt owed the College or who has a disciplinary case pending final disposition. The penalty terminates on payments of the debt or final disposition of the case;</p> <p>f. Suspension from the College - Suspension can be imposed in such a manner that a student can be dismissed from a class, specific number of classes, program, student organization, activity, or the College. The privilege of readmission may depend on the fulfillment of certain conditions imposed by the College and/or the program. A suspended student may be prohibited from appearing on campus, at attendance centers, at off-campus classes, or at any activity sponsored by the College;</p> <p>g. Eviction - Eviction from the privilege of living in campus housing facilities may also include restrictions or denial of visiting privileges;</p> <p>h. Expulsion from the College - Expulsion can be imposed in such a manner that a student can be dismissed from the College. The privilege of readmission may depend on the fulfillment of certain conditions imposed by the College and/or the program and completed thru the Office of the Vice President of Student Services. An expelled student may be prohibited from appearing on campus, at attendance centers, at off-campus classes, or at any activity sponsored by the College; or</p> <p>i. Reducing the student's grade in a course and/or revocation of awarded degree: student conduct subject to sanctions discovered by the College after a student has completed a course and/or after a student has been awarded a degree may result in reducing the student's grade for the course, assigning an "F" for the course, or may result in revocation of an awarded degree.</p>		
7	<p>Disciplinary Procedures: Procedures are designed to cover charges against students based on alleged violations of the above student conduct subject to sanctions. The Board of Directors of Iowa Central Community College confers upon the faculty and staff the power to invoke sanctions to protect the educational processes and the rights of students, faculty, and staff. Any person may bring a complaint against a student under these procedures based on the student's alleged violation of one or more of the regulations. All such complaints shall be in writing.</p> <p>a. Notice to Appear - A student may be ordered to appear before a Department Head, Director, Dean, Vice President, President, or designee, in connection with an alleged violation by a written or verbal notice.</p> <ul style="list-style-type: none"> • The notice shall direct the student to appear at a specified time and place and provide the student a description of the student conduct subject to sanctions alleged to be violated; and • Failure to comply with a Notice to Appear constitutes a violation of the Student Code of Conduct and may result in additional disciplinary sanctions. If the student has not contacted the President, Vice President, or designee, and/or does not appear at the hearing, the President, Vice President, or designee, may make a decision of responsibility or non-responsibility and the sanction. <p>b. Informal Hearing - When the student appears before a Department Head, Director, Dean, Vice President, or designee, the College official shall advise the student of their rights as set forth in this Student Code of Conduct. After completing discussion and investigation of the charge, the designated College official shall provide the student with a written statement within five (5) full College class days from meeting date, which states the following:</p> <ul style="list-style-type: none"> • The nature of the violation; • The sanction that will be imposed and its implications; and • The right to appeal the decision of the Vice President, or designee, according to the procedures listed in the Student Code of Conduct. <p>c. Interim Suspension - The Vice President of Student Services, Vice President of Instruction, or designees, shall have the authority to immediately and summarily suspend any student, when in the opinion of any of</p>		

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these officials: 1) such student is alleged to have violated any student conduct subject to sanctions as provided in this Student Code of Conduct; and 2) whose presence poses a continuing danger to persons and/or property, and/or who is an ongoing threat of disrupting the academic process, is subject to an immediate temporary suspension from a class, a specific number of classes, a program, an activity, athletic participation, housing and Residence Life, or the College. A temporary suspension shall be followed by appropriate notice and an informal hearing before the appropriate Vice President/Dean as soon as possible. Depending upon the circumstances, the temporary suspension may be continued until the completion of these procedures. This Interim Suspension process includes the authority of the Vice President of Student Services, Vice President of Instruction, or designees, to immediately and summarily evict the student from a College housing facility.

- d. Disciplinary Removal - A faculty or staff member may enact immediate temporary removal of a student from a class, office, attendance center, clinical site, or other Iowa Central related facility for disciplinary reasons. These include, but are not limited to:
- (1) Any attempt to threaten by words or actions which causes concern for the health and safety of others;
 - (2) Possession, use, sale, or purchase of illegal drugs or intoxicating beverages on campus;
 - (3) Destruction or theft of College property or another person's personal property; or
 - (4) Any activities causing a major disruption or disturbance.

- e. Appeal Procedures - A student who receives a written notice of sanction under this Student Code of Conduct may request in writing to the President, Vice President, or designees, within three (3) full College class days of the student's receipt of the written notice of sanction that the charge be pursued through an appeal.

The President, Vice President, or designees, shall initiate discussions within three (3) full College class days from receiving the student's written appeal request.

Within five (5) full College class days after the investigation, the President, Vice President, or designee, may either:

- Dismiss the allegation as unfounded, either before or after conferring with the student;
- Modify the sanction given; or
- Agree with the sanction imposed.

The President, Vice President, or designee, will determine if any one of the following constitutes reason for dismissing the allegation or modify sanctions:

- The student's due process rights were substantially violated in the hearing process;
- There was not substantial evidence to support the decisions reached;
- There is new material evidence that could not have been discovered at the time of the hearing; or
- The sanctions imposed were too severe or not appropriate for the violation.

The President, Vice President, or designee will send their decision in writing to the student by means of the email address provided by the College to the student or to a different email address if the student has requested in writing that the College use an alternate email address.

- f. Appeal to the Board of Directors - If the student still feels their side was not heard or disagrees with the President, Vice President, or designee's written decision, the student has five (5) full College class days from the student's receipt of the written decision of the President, Vice President, or designee to submit a written appeal and request for a formal hearing with the College Board of Directors.

The student must deliver their written appeal and request for a formal hearing with the College Board of Directors by letter mailed by United States Postal Service, email, or in person to the Secretary of the College Board of Directors.

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An appeal hearing may be conducted before the College Board of Directors or a subgroup thereof consisting of at least three (3) members of the Board to be appointed by the Chairman of the Board of Directors. The hearing shall be informal to the extent that each side is afforded the maximum opportunity to present information to support or dispute the recommendation by the President without legal technicality. Hearsay is admissible. The President or their designated representative will present information in support of the recommendation to indefinitely suspend or expel. The student or their representative or advisor will present information to oppose the recommendation of the President. Either side may call witnesses and/or confront witnesses called in support or in opposition to the recommendation.

The hearing will be conducted in a session closed to the public except for those parties participating in the hearing. Witnesses may be sequestered.

The hearing will be recorded by tape or any other fashion as to provide an adequate record. The decision of the appeal to indefinitely suspend or expel a student will be based solely on evidence introduced at the hearing. The decision will be mailed in writing to the student or personally delivered to the student within three (3) days from the date of the hearing. The decision of the appeal will state concisely the findings and conclusions of the decision makers.

The Board, or subgroup thereof, may be represented by counsel throughout the aforementioned procedures. No counsel hired by the Board may advocate or present evidence on behalf of either party in support of or in opposition to the recommendation.

g. Rights at Hearing - The student who has appealed a decision has the following rights at a hearing: 1) to present their side of the story; 2) to present witnesses and evidence on their behalf; 3) to cross-examine witnesses presenting evidence against the student; and 4) to be represented by an advisor at the student's expense. Throughout the process, the student should work with the Board Secretary or designee who will assure that the student understands their rights and the procedures involved.

h. Advisors or Legal Counsel Representing Students in Academic or Disciplinary Hearings - Iowa Central Community College is making this statement available to advisors/attorneys that have been retained by students charged with violations of the academic or disciplinary procedures of the College so that the roles and purposes of these proceedings will be clear to all participants. Please note an advisor is permitted for the charged party. The hearings conducted by the College Board of Directors are not quasi-judicial proceedings. Therefore, advisors/counsel may be present to advise clients but may not actively participate by questioning witnesses, cross-examining witnesses, or other participants not formally addressing the Board. The role of the attorney is to advise clients and assist them in performing such questioning. The presiding officer of the Board will determine whether offered evidence is admissible, but the Rules of Evidence will not be applied. Both written and oral testimony may be used. The standard for admission of evidence is that "which reasonable prudent persons are accustomed to rely on in the conduct of their serious affairs." Determination standard is preponderance of the evidence. Students who are involved in these hearings will be provided with the complete policy and procedure statement of the College.

8 Disciplinary Records: If disciplinary action is taken against a student under the procedures outlined above and a sanction imposed, a record of the action will be kept by the Vice President of Student Services. Record of nonacademic disciplinary sanctions will not, however, appear on the charged student's transcript but a copy may be maintained in the student's file. Disciplinary actions are part of the education records of the student and consequently are not available for public disclosure or discussion. The College will not disclose information outside the College relating to the student's nonacademic disciplinary record, except as allowed by law or when prior written permission from the student has been received.