

# STUDENT CODE OF CONDUCT

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The following list of violations of the Student Code of Conduct outlines behaviors that may result in disciplinary action by the College. This list is not to be regarded as all-inclusive. In the event of ambiguity, inconsistency or a need for further clarification regarding what constitutes a violation of the Student Code of Conduct, the vice president of student services will make the final determination. All TVCC students or student organizations found to be responsible for misconduct are subject to College sanctions.

The Student Code of Conduct applies to all TVCC students, regardless of their campus affiliation or mode of instruction delivery (i.e., dual credit, distance learning, etc.).

## Academic dishonesty and Cheating

**Academic dishonesty and cheating** includes:

1. submitting material that is not the student's as part of the student's course performance;
2. using information or devices that are not allowed by the faculty;
3. obtaining and/or using unauthorized materials;
4. fabricating information, research and/or results;
5. violating procedures prescribed to protect the integrity of an assignment, test or other evaluation;
6. collaborating with others on assignments without the faculty's consent;
7. cooperating with and/or helping another student to cheat; and/or
8. demonstrating any other forms of dishonest behavior.

## Plagiarism

**Plagiarism** includes:

1. directly quoting the words of others without using quotation marks or indented format to identify them;
2. using sources of information (published or unpublished) without identifying them;
3. paraphrasing materials or ideas without identifying the source; and/or
4. unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic material.

## Alcohol Possession and Use

**Alcohol possession and use** includes:

1. possessing or consuming alcoholic beverages on campus, including residence halls or during school-related activities;
2. driving under the influence of alcohol; and/or

3. participating in any activity or conduct involving the use of alcohol that is in violation of law.

## **Assault**

**Assault** includes:

1. any intentional physical contact of an insulting or provoking nature, and/or
2. any physical abuse, intentional injury or physical harm to another person.

## **Classroom Disruption**

**Classroom disruption** includes any classroom behavior that interferes with the instructor's ability to conduct class or the ability of other students to learn.

Disruptive classroom behavior involves physical actions, utterances, or other activities that distract, intimidate, or threaten others in a manner that interferes with either the instructor's ability to conduct the class or the ability of students to profit from the instructional program.

Disruptive behavior includes, but is not limited to, the following types of behavior:

1. Persistent interruption of others, such as speaking without being recognized
2. Interference with the normal flow of teaching and learning
3. The use of technology, such as cell phones, computers, or other devices, without the instructor's prior permission, to send text messages, make or receive calls, or otherwise divert attention from the topic at hand
4. Disrespectful actions or speech or emails directed toward instructors or class members, such as inflammatory comments or personal insults in oral or online discussions
5. Physical threats, harassment, or any speech or actions that are considered threatening by instructors or students in the class or that place individuals at risk
6. Refusal to comply with an instructor's requests for appropriate behavior

## **Damage or Destruction of Property**

**Damage or destruction of property** includes causing any damage or destruction of college property or another person's property. By definition, classroom shall include any gathering of instructor(s) and students for the purposes of teaching and learning authorized by Trinity Valley Community College. Examples include but are not limited to the face to face classes, online courses, ITV courses, and any other teaching/learning situation in which instructors engage in a teaching/learning environment as part of the college's mission.

## **Deception**

**Deception** includes:

1. misusing any college records, forms or documents through forgery, unauthorized alteration, reproduction or other means;

2. giving or receiving of false information to the College or to any college official, administrator or administrative unit;
3. providing false information to law enforcement officials;
4. possessing fake, altered or any other identification that belongs to another person; and/or
5. attempting to perpetrate a fraud against the College or a member of the college community.

## **Disorderly Conduct**

**Disorderly conduct** includes:

1. all lewd, obscene, indecent behavior or other forms of disorderly conduct;
2. abuse or unauthorized use of sound amplification equipment; and/or
3. any conduct which materially interferes with the normal operation of the College or with the requirements of appropriate discipline.

## **Disorderly/Improper Assembly**

**Disorderly/Improper Assembly** includes:

1. any assembly for the purpose of causing a riot, destruction of property or disorderly diversion, which interferes with the normal operation of the College, and/or
2. any obstruction to the free movement of other persons about campus or the interference with the use of college facilities.

## **Drug Activity**

**Drug activity** includes:

1. the possession, use, manufacture, cultivation, distribution, sale and/or misuse of any controlled or illegal substance, including designer drugs;
2. the possession and/or use of any drug paraphernalia; and/or
3. any activity or conduct involving drugs that is in violation of local, state or federal law. Use and/or possession of marijuana or other illegal drugs in the residential halls will result in suspension from the residential hall.

## **Failure to Comply**

**Failure to comply** includes:

1. failing to respond to a lawful request by properly identified college officials or law enforcement officials in the performance of their duties;
2. failing to report for a conference, meeting or appointment with any college official or faculty member;
3. failing to appear and cooperate as a witness in a disciplinary case when properly notified;

4. failing to comply with any disciplinary condition imposed on a person by any judicial body or administrator; and/or
5. fleeing from law enforcement or college officials.

## **False Representation**

**False representation** includes any unauthorized claim to speak and/or act in the name of Trinity Valley Community College or any organization, student, college officials or faculty members.

## **Felony Conviction**

**Felony conviction** means:

1. being convicted of a felony,
2. pleading guilty to a felony,
3. pleading nolo contendere to a felony, and/or
4. receiving first offender treatment or similar pretrial diversionary treatment for a felony-grade offense.

## **Fire Safety**

**Fire safety** includes:

1. failure to evacuate or immediately respond to a fire alarm;
2. participation in creating or causing a false fire alarm;
3. participation in tampering, disconnecting or altering any fire alarm system, equipment or component;
4. failure to follow the instructions of staff and emergency personnel during fire alarms;
5. the possession, use, manufacture and/or sale of any incendiary device;
6. participation in setting or causing to be set any unauthorized fire; and/or
7. the possession and/or use of any type of fireworks.

## **Gambling**

**Gambling** includes engaging in any form of gambling that is in violation of the law.

## **Harassment**

**Harassment** includes:

1. any act that creates an unpleasant or hostile situation for another person, especially by uninvited and unwelcome verbal or physical conduct, and/or
2. intentionally and/or repeatedly following, stalking or contacting another person in a manner that intimidates, harasses or places another in fear of his/her personal safety or that of his/her property.

## Hazing

**Hazing** is defined as an act which endangers the emotional, mental or physical health or safety of a student, with or without his/her expressed permission, or which destroys or removes public or private property for the purpose of initiation, admission into, and affiliation with or as a condition for continued membership in a group or organization. Hazing includes acts that are intended to or actually cause physical discomfort, embarrassment and/or ridicule of another person for the purposes mentioned above. Any acts of hazing are considered violations of the Student Code of Conduct.

## Joint Responsibility

**Joint responsibility** refers to:

1. students who knowingly act or plan to act in concert to violate College regulations, and/or
2. any student who knowingly allows another student to violate College regulations without reporting to a College official. Such students have individual and joint responsibility for their behavior.

## Sexual Assault

**Sexual assault** includes any sexual conduct that takes place without the victim's consent. Sexual conduct will be deemed to be without the victim's consent when:

1. the victim has instructed the perpetrator not to engage in the conduct;
2. the victim is forced to submit to the act;
3. the victim is reasonably in fear that the victim or another person will be harmed if the victim does not submit to the act;
4. the victim is unable to give consent or permission or is unable to resist because of intoxication with drugs or alcohol; and/or
5. the victim is unable to give consent or permission, or is unable to resist because of any mental or physical disability.

## Sexual Harassment

**Sexual harassment** is defined

1. as unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature when submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment or academic standing;
2. submission or rejection of such conduct by an individual is used as a basis for an employment or academic decision affecting such individual; and/or
3. such conduct unreasonably interferes with an individual's work or academic performance or creates an intimidating or hostile work or academic environment.

## Sexual Misconduct

**Sexual misconduct** is defined as intentional touching of the victim's intimate parts (the primary genital area, groin, inner thigh, buttock or breast) without or against the victim's consent. It includes:

1. touching either the body part directly or on the clothing covering that body part and/or
2. forcing the victim to touch an intimate area of another person.
3. Sexual conduct will be deemed to be without the victim's consent when:
  - the victim has instructed the perpetrator not to engage in the conduct;
  - the victim is forced to submit to the act;
  - the victim is reasonably in fear that the victim or another person will be harmed if the victim does not submit to the act;
  - the victim is unable to give consent or permission or is unable to resist because of intoxication with drugs or alcohol; and/or
  - the victim is unable to give consent or permission or is unable to resist because of any mental or physical disability.

## Solicitation

**Solicitation** includes:

1. conducting an unauthorized sales campaign in a residence hall, classroom or administrative building or any other campus location, and/or
2. placing door hangers or signs on cars on campus or in on-campus residential facilities or other campus property.

## Student Identification Card Violations

**Student identification card violations** include

1. altering, lending or selling a student identification card;
2. using a student identification card by anyone other than its original holder; and/or
3. using a student identification card in any unauthorized manner.

## Theft

**Theft** means taking, possessing or attempting to sell or distribute any property that is the property of another person, organization or entity (including, but not limited to, the College) without the owner's permission.

## Threat

**Threat** includes an expression of intention to inflict injury or damage and/or causing another person to feel fear for their safety or well-being.

## Unauthorized Entry

**Unauthorized entry** into any college building, office, residence hall, off-campus residence, parking lot, motor vehicle or other facilities includes remaining in any building after normal

closing hours without proper authorization, and/or remaining overnight in public areas of the residence hall or surrounding areas without approval from the College.

## Unauthorized Use

**Unauthorized use** includes:

1. unauthorized use of college equipment;
2. unauthorized use of bathrooms, exits or windows;
3. unauthorized use or duplication of keys; and
4. unauthorized use or possession of any parking permit.

## Unauthorized Use of Computer Resources

**Unauthorized use of computer resources** includes:

1. unauthorized entry into a file to use, read or change the contents, or for any other purpose;
2. unauthorized transfer of a file;
3. unauthorized use of another individual's identification and password;
4. use of computing facilities that interferes with the normal operation of the college computing system;
5. use of computing facilities that violates copyright laws;
6. use of tools for port-scanning, "sniffing" or monitoring or reading transmissions from other users on the network; and/or
7. any violation of the college's computer use policies.
8. All devices attached to the college network must be registered. Workstations attached to the college network are required to have virus protection software. Virus definitions must be updated at least every two weeks.

## Violation of Confidentiality

**Violation of confidentiality** means violating the confidentiality of a student's educational record and includes judicial advocates or College Judicial Board members, who may not disclose confidential judicial information, and/or student employees, who may not disclose confidential work-related information.

## Violation of Law

**Violation of law** is any act that violates a provision of the laws of the United States, the laws of any state in which such act occurs, the ordinances of any county, city, municipality or other political subdivision or the laws of another nation or political subdivision. Such acts are deemed to be a violation of the Student Code of Conduct when the act:

1. occurs on the campus of the College, including all property owned, leased, licensed or otherwise controlled by the College;
2. occurs in the context of any event planned, presented, sanctioned or made available by the College, any affiliate of the College or any student organization;

3. occurs at any intercollegiate athletic event in which one of the College's teams is participating, home or away; involves more than one member of the college community; and/or otherwise adversely affects the College.
4. results in an arrest and the act is classified as a misdemeanor or a felony.

## **Weapons and Firearms**

### **Weapons and firearms**

1. No student may keep, use, possess, display or carry any rifle, shotgun, handgun or other lethal or dangerous device capable of launching a projectile by air, gas, explosion or mechanical means (including BB guns, air-soft guns, stun guns and paintball guns) on any property owned, controlled or leased by the College unless specifically authorized in the TVCC Concealed Handgun Carry policy or by the administration or as part of a college-sanctioned event;
2. No student may use, possess, display or carry any toy weapon which resembles a real weapon, any swords, any illegal knives, any explosives (including fireworks and sparklers), any martial arts weapons or any devices which are used to threaten the safety and well-being of a person on any property owned, controlled or leased by the College unless specifically authorized by the TVCC Concealed Handgun Carry Policy or by the administration or as part of a college-sanctioned event.
3. Anything used to injure, attempt to injure or harass another person is considered a weapon.
4. Illegal or unauthorized weapons include but are not limited to handguns (unless in compliance with the TVCC Concealed Handgun Carry Policy), rifles, shotguns, explosives, other weapons or dangerous chemicals.

## **Student Code of Conduct Judicial Process**

### **Summons**

The judicial officer may summon a student to appear before him/her in connection with an alleged violation by notifying the student

1. orally at the time of the violation,
2. via email, or
3. hand delivering a letter via a campus administrator or designee

If a student fails, without good cause, to comply with a letter of summons, the judicial officer may suspend the student from classes until the student reports.

### **Disposition**

At a conference with the student, the judicial officer will advise the student of his/her rights. After an initial investigation, the judicial officer will make a ruling. If a student accepts the ruling of the judicial officer, the student will sign a statement that he/she understands the nature of the charges, his/her right to a hearing or to waive the same, the penalty imposed and the student's waiver of the right of appeal. The judicial officer will



prepare an accurate, written summary of each administrative disposition of a violation. A copy will be retained and made available to the student, judicial officer, vice president of student services and College president, upon request. The student may deny the alleged violation and request to appeal the ruling of the judicial officer.