



Mid Michigan Community College's

Code of Student Conduct Policy



Mid Michigan
Community College

MID MICHIGAN COMMUNITY COLLEGE
CODE OF STUDENT CONDUCT

Mid Michigan Community College endeavors to provide educational and community leadership to enhance the learning experiences of its students, staff, and college community. To this end, the College is obligated to provide its students with a socially unhindered and secure environment. The student, in turn, is expected to adhere to standards and responsibilities to other members of the Mid Michigan Community College population. The most important of these responsibilities is to refrain from interfering with the rights and accountabilities of others to teach, learn, and effectively manage the institution. Students are required to engage in responsible social and academic conduct that reflects positively upon the College and models good citizenship in the community. Students are expected to act in an accountable manner that promotes the learning environment of the College. Conduct violations that disrupt the College environment are not tolerated and addressed assertively. The three forms of misconduct subject to disciplinary action are 1) violations of civil/criminal law, 2) disruption of the educational process, and 3) violation of College rules, regulations and policies.

The Student Code of Conduct applies to all MMCC locations including off-site campus locations, internships, studies abroad, club and athletic events, and at any College-sponsored activity or event. Off-campus behavior that may adversely affect the College and/or the pursuit of its objectives may also be considered violations of this Code.

Article I: Definitions

The term **College** denotes Mid Michigan Community College.

The term **student** includes all persons taking courses full or part-time at the College, whether for credit or non-credit. **Student** also includes persons who withdraw from College after allegedly violating the Student Code; those who are not officially enrolled for a particular term but who have a continuing relationship with the College; or those who have been notified of their acceptance for admission even though they are not currently enrolled in this institution.

The term **faculty 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.

The term **College official** includes any person employed by the College and is performing assigned administrative or professional responsibilities.

The term **member of the College community** includes any person who is a student, College official, faculty member, visitor to the College, or any other person employed by the College.

The term **College premises** includes all land, buildings, facilities, and other property in possession of or owned, used, or controlled by the College (including adjacent streets and sidewalks).

The term **organization** refers to any number of students/student groups who have complied with

the formal requirements for College recognition/registration.

The term **Office of Student Oversight** denotes a person or persons authorized by the Executive Dean of Student and Academic Support Services to determine whether a student has violated the Student Conduct Code and to recommend sanctions that may be imposed when a violation has occurred.

The Office of Student Oversight (OSO) is responsible for the administration and oversight of the Student Conduct Code. The OSO is:

- Authorized to investigate violations of the Student Conduct Code
- To render final decisions and impose sanctions

The Executive Dean of Student and Academic Support Services is responsible for selecting members to serve on the Student Oversight Committee and the Appeals Board.

The term **Appellate Board** is any person or persons allocated by the Executive Dean of Student and Academic Support Services to consider the appeal of a decision made by a member of the Office of Student Oversight.

Disciplinary Records is a term referring to documentation of any student's code violations, assessed sanctions, and the completion of any said sanctions. Disciplinary records are maintained separately from the student's academic record but are part of the student's educational record.

The term **shall** is used in the imperative sense

The term **may** is used in the permissive sense

The term **policy** refers to the written regulations of the College as found in but not limited to, the Student Code, the College's Campus Non-Discrimination, Harassment, and Sexual Misconduct Policy, Alcohol and Other Drug Policy, Smoking and Weapons Policies, the College Webpage and Computer Use policy, and the College Catalog.

The term **Academic Dishonesty** includes, but is not limited to: (1) use of any unauthorized assistance in taking quizzes, tests, or examinations; (2) use of resources 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.

The term **plagiarism** includes but is not limited to, the use of the published or unpublished work of another person, by paraphrase or direct quotation, 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.

The term **Complainant** refers to any person that submits a charge, alleging a Student Code violation. When a student believes that they have been a victim of another student's misconduct, said student will have the same rights under this Student Conduct Code as are provided to the Complainant even if the charge was submitted by another College community member.

The term **Accused Student** denotes any student accused of violating this Student Conduct Code.

Article II: Student Conduct Code Authority

The Office of Student Oversight, under the supervision of the Executive Dean of Student and Academic Support Services, shall develop policies for the administration of the student conduct system and procedural rules that shall be followed during an investigation and through a final determination and sanction phase that are consistent with provisions of the Student Code of Conduct. These policies work in concert with the policies of the Board of Trustees.

Decisions made by the Office of Student Oversight and/or Executive Dean of Student and Academic Support Services shall be final, pending the appeal process as described in this Student Code of Conduct.

Article III: Proscribed Conduct

Jurisdiction of the College Student Code

The College Student Conduct Code shall apply to any conduct that occurs on College premises or at College sponsored activities, and addresses off-campus conduct that adversely affects the College Community and/or the pursuit of its objectives. Each student is responsible for their conduct from the time of acceptance to the College through their academic life, even though conduct may have commenced before classes begin or after classes end. In the event that a student withdraws from classes, the Student Conduct Code shall apply if a disciplinary matter is pending. The Office of Student Oversight, in consultation with the Executive Dean of Student and Academic Support Services, shall decide whether the Student Conduct Code shall be enforced with conduct occurring off campus, on a case-by-case basis.

Conduct—Rules and Regulations

Any student found to have committed or to have attempted to commit the following misconduct is subject to the disciplinary sanctions outlined in Article IV:

Acts of dishonesty, including but not limited to the following:

- Cheating, plagiarism, or other forms of academic dishonesty.
- Furnishing false information to any College official, faculty member, or Office.
- Forgery, alteration, or misuse of any College document, record, or instrument of identification.

Disruption or obstruction of teaching, research, administration, disciplinary proceedings, or other College activities including public service functions on or off campus; other authorized non-College activities when the conduct occurs on College premises.

Physical abuse, verbal abuse, bullying, threats and/or other conduct which threatens or endangers the health or safety of any person.

Any acts of discrimination, harassment, sexual misconduct, dating violence, domestic violence, stalking, coercion, or any other acts that violate the College's Campus Non-Discrimination, Harassment, and Sexual Misconduct policy. (A full copy the policy can be found at www.midmich.edu/titleix ; along with information on how to file a complaint and contact information for the College's various Title IX Coordinators and Deputy).

Attempted or actual theft of and/or damage to property of the College or the property of a member of the College community; other personal or public property, on or off campus.

Hazing, defined as an act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property for the purpose of initiation, admission into, affiliation with, or condition for continued membership in a group or organization. The express or implied consent of the victim will not be a defense. Apathy or acquiescence in the presence of hazing are not neutral acts; they are violations of this rule.

Failure to comply with directions of College officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.

Unauthorized possession, duplication or use of keys to any College premises or unauthorized entry to or use of College premises.

Violation of any College policy, rule, or regulation published in hard copy or available electronically on the College website.

Violation of the MMCC Smoking and Tobacco Use Policy, which states: To promote the health and well-being of its students, faculty and staff and reduce involuntary exposure to secondhand smoke; smoking and/or the use of any tobacco products, vapor or e-cigarettes is prohibited within or outside of all facilities, vehicles and grounds that are owned, leased or operated by Mid Michigan Community College.

Violation of any federal, state or local law.

Use, possession, manufacturing, or distribution of marijuana, heroin, narcotics, or other controlled substances except as expressly permitted by law.

Public intoxication or use, possession, manufacturing, or distribution of alcoholic beverages (except as expressly permitted by College regulations). Alcoholic beverages may not, in any circumstance, be used by, possessed by or distributed to any person under twenty-one (21) years of age. Behavior must also comply with provisions of the College's Alcohol and Other Drug Policy which can be found at www.midmich.edu/alcoholandotherdrug.

Possession of firearms, explosives, other weapons, or dangerous chemicals on College premises or the use of any such item, even if legally possessed, in a manner that harms, threatens or causes fear to others.

Participating in an on or off-campus demonstration, riot or activity that disrupts the normal operations of the College and/or 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.

Obstruction of the free flow of pedestrian or vehicular traffic on College premises or at College sponsored or supervised functions.

Conduct that is disorderly, lewd, or indecent; breach of peace; aiding, abetting, or procuring another person to breach the peace on College premises or at functions sponsored by or participated in by the College or members of the academic community.

Disorderly Conduct includes but is not limited to any unauthorized use of electronic or other devices to make an audio or video recording of another person while on College premises without his/her prior knowledge, or without his/her effective consent when such a recording is likely to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room, or restroom.

Theft or other abuse of computer facilities and resources, including but not limited to:

- Unauthorized entry into a file, to use, read, change the contents, or any other purpose.
- Unauthorized transfer of a file.
- Use of another individual's identification and/or password.
- Use of computing facilities and resources to interfere with the work of another student, faculty member or College Official.
- Use of computing facilities and resources to send obscene or abusive messages.
- Use of computing facilities and resources to interfere with normal operation of the

College computing system.

- Use of computing facilities and resources in violation of copyright laws.
- Any violation of the College Computer Use Policy.

Abuse of the Student Conduct System, including but not limited to:

- Failure to obey a notice from the Office of Student Oversight or College official to appear for a meeting or participate in the College's Conduct process as it relates to the Student Conduct System.
- Falsification, distortion, or misrepresentation of information to the Office of Student Oversight
- Disruption or interference with the orderly conduct of an Office of Student Oversight investigation and/or proceeding
- Initiating a student conduct code proceeding in bad faith.
- Attempting to discourage an individual's proper participating in, or use of, the Student Conduct System.
- Attempting to influence the impartiality of a member of the Office of Student Oversight prior to, and/or during the course of an investigation or proceeding.
- Harassment (verbal or physical) and/or intimidation of a member of the Office of Student Oversight prior to, during, and/or after a student conduct code proceeding.
- Failure to comply with the sanction(s) imposed under the Student Code of Conduct.
- Influencing or attempting to influence another person to commit an abuse of the Student Conduct System.

Children on Campus Policy

The college environment is not well suited for the presence of young children; generally, bringing children to Campus shall be discouraged. However, should circumstances arise that a child must be brought to Campus, the following expectations will be enforced:

- Children must be with a responsible adult (parent/guardian), which means at the adult's side.
- Children are not permitted in classrooms.
- Children must remain quiet, controlled, and non-disruptive.

Failure to comply with the above may result in a directive for the adult and the child to leave campus; further incidents may result in further disciplinary action against the adult student.

Violation of Law and College Discipline

College disciplinary proceedings may be instituted against a student charged with conduct that

potentially violates both criminal law and the Student Conduct 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. At the discretion of the Executive Dean of Academic and Student Support Services, proceedings may be carried out prior to, simultaneously with, or following, a civil or criminal proceeding off campus. Determinations made or sanctions imposed under the Student Conduct Code shall not be subject to change because criminal charges arising out of the same facts were dismissed, reduced, or resolved in favor of or against the criminal law defendant.

When a student is charged by federal, state, or local authorities with a violation of law, the College will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also being processed under the Student Conduct Code, the College may notify off-campus authorities of the existence of our violation and how such matters are typically handled within the College community. The College will attempt to cooperate with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators (provided that the conditions do not conflict with campus rules or sanctions). Individual students and other members of the College community, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

Article IV: Student Conduct Code Procedures

Charges and Office of Student Oversight Investigation/Proceeding Process

1. Any member of the College community may file a complaint against a student for violations of the Student Code. A complaint should be submitted through the online reporting system (Maxient) or prepared in writing and directed to the Office of Student Oversight. Any complaint should be submitted as soon as possible after the event takes place. The online reporting form can be accessed at www.midmich.edu/incidentreport or by contacting the Office of Student Oversight at (989) 386-6638.
2. An Office of Student Oversight investigation shall be conducted and will follow the general timeline below. It shall be concluded within 60 days (excluding any appeal):
 - Alleged violation received (Day 1)
 - Case Manager determines extent of investigation and assigns matter to an Investigator from the Office of Student Oversight; a preliminary investigation may be necessary and interim measures may be implemented (Day 2-7)
 - Initial intake by the Investigator will include a brief meeting with the reporting party and/or the Complainant

- The Investigator will notify the Accused, in writing (e-mail is an acceptable method of delivery), of the Complaint/Report and will outline the charge(s) and will further provide: (Day 8-10)
 - A copy of the Respondent/Accused's Rights will be included in the letter
 - Information regarding possible sanctions that could be issued, should the Accused be found responsible using the preponderance of evidence (or more likely than not standard)
 - The Accused will also be provided with an outline of the Administrative Model/Conduct Process, as well as next steps

 - The Investigator will meet with the Complainant, Accused and any witnesses. This policy and the administrative model will be reviewed with the individuals involved. All will be afforded the opportunity to share their version of events and suggest other witnesses during the meeting. (Day 10-20)

 - The Investigator will prepare the preliminary Case Summary and will send a copy to the Accused and possibly the Complainant, for review. E-mail is an acceptable method of delivery. (Day 21-27)

 - The Accused will have five (5) days to prepare a written rebuttal to the information in the preliminary Case Summary and/or address any **additional** information, facts or witnesses that were unavailable during the investigation but could have a potential effect on the outcome of the case. (Day 28-32)

 - The Investigator will consider any additional information and will conduct any additional interviews and/or investigations, as necessary. (Day 33-39)

 - The Investigator will prepare a Final Case Resolution which will include their findings, rationale, and sanctions. (Day 40-53)

 - A final determination letter with the Case Resolution will be sent to the Accused (depending on the circumstances, a copy may be provided to the Complainant, as well) along with Appeal information. E-mail is an acceptable method of delivery (Day 54-60)
3. As part of the investigative process, the Investigator will promptly meet with the Complainant to obtain all of the necessary and relevant information, including a detailed description of the incident(s) and the identity of any witnesses. Any person(s) against whom a complaint is made will be notified of the complaint and will have the opportunity to respond to the allegations; present any and all relevant information including witness statements or other evidence.

4. Appropriate documentation of the complaint and the investigation will be maintained by the Investigator and will be disclosed to others on a need-to-know basis consistent with state and federal law.

Sanctions

The following sanctions may be imposed upon any student found to have violated the Student Code:

- **Warning**—A notice in writing to the student that the student is violating or has violated institutional regulations.
- **No Contact** – A notice that a student or students are not to approach or speak to each other, contact using phone, email, text, social media, or third party individuals. Violation of the No Contact Order can result in further sanctions.
- **Probation**—A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to violate any institutional regulation(s) during the probationary period.
- **Loss of Privileges**—Denial of specified privileges for a designated period of time.
- **Fines**—previously established and published fines may be imposed.
- **Restitution**—Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- **Referral/Assessment** – Students may be required to arrange external assessment, counseling or treatment programs and to release results to the College. Continued enrollment may be dependent on the results of such referrals.
- **Contract** – A student may be required to refrain from (or to perform) specific activities; continued enrollment may be dependent on reports of success in meeting the stated criteria.
- **Discretionary Sanctions**—Work assignments, essays, service to the College, or other related discretionary assignments. For academic matters such as plagiarism or academic dishonesty, sanctions may include, but are not limited to, failure of the course, failure of the assignment, or resubmission of work.
- **Suspension**—Separation of the student from the College for a definite period of time

after which the student is eligible to return. Conditions for readmission may be specified

- Expulsion—Permanent separation of the student from the College.
- Revocation of Admission and/or Degree—Admission to or a degree awarded from, the College may be revoked for fraud, misrepresentation, or other violation of College standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- Withholding Degree or Transcript —The College may withhold awarding an otherwise earned degree or fulfilling a transcript request until the completion of the process set forth in this Student Conduct Code, including the completion of all sanctions imposed, if any.

More than one of the sanctions listed above may be imposed for any single violation.

Other than College expulsion, revocation or withholding of a degree, disciplinary sanctions shall not be made part of the student's permanent academic record but shall become part of the student's disciplinary record. The student's disciplinary record may be expunged of disciplinary actions other than suspension, expulsion, revocation or withholding of a degree upon application to and approval by the Executive Dean of Student and Academic Support Services

In situations involving both an Accused Student(s)/group or organization and a student(s) claiming to be the victim of another student's conduct, sanction and process records, if any, shall be considered to be a part of the education records of both the Accused Student(s) and the student(s) claiming to be the victim. The educational career and chances of success in the academic community of each may be impacted.

The following sanctions may be imposed upon groups or organizations:

- a. Those sanctions listed above.
- b. Loss of selected rights and privileges for a specified period of time.
- c. Deactivation. Loss of all privileges, including College recognition for a specified period of time, possibly permanent

Interim Suspension

In certain circumstances, the Office of Student Oversight, in alliance with the Executive Dean of Student and Academic Support Services, may impose a College suspension prior to the investigation and/or final outcome.

Interim suspension may be imposed:

- 1) to ensure the safety and well-being of members of the College community or preservation of College property
- 2) to ensure the student's own physical or emotional safety and well-being; or
- 3) if the student poses an ongoing threat of disruption of, or interference with, the normal operations of the College.
 - The student should be notified in writing of this action and the reasons for the suspension. The notice should include the time, date, and place of a subsequent hearing at which the student may show cause why his or her continued presence on the campus does not constitute a threat.
 - During the interim suspension, a student shall be denied access to the campus (including classes) and/or all other College activities or privileges for which the student might otherwise be eligible, as the Executive Dean of Student and Academic Support Services may determine to be appropriate. The interim suspension does not replace the regular process which shall proceed on the normal schedule up to and through a final determination.

Appeals

The Complainant or Accused may file an appeal with the Appeals Board. The petition must be filed within five (5) business days of receiving the written final determination. Any party that files an appeal must do so, in writing, to the Executive Dean of Student and Academic Support Services. Other parties will be notified that an appeal has been filed and forwarded to the Appeals Board for consideration. Within fifteen (15) business days, the Appeals Board will determine if the request is timely and has merit; an Appeal decision will be rendered by the Board within an additional fifteen (15) business days.

The original findings and sanctions are acknowledged to be reasonably and appropriately determined. Therefore, the only grounds for appeal are:

- If a procedural [or substantive] error occurred that significantly impacted the outcome of the hearing (e.g., substantiated bias, material deviation from established procedures, etc.).
 - To consider new evidence that was unavailable during the original hearing or investigation and could substantially impact the original finding or sanction. A summary of this new evidence and its potential bearing must be included.
 - The sanctions imposed are substantially disproportionate to the severity of the violation.
- Post-investigation sanctions that are imposed can be appealed by either party.**

Article V: Interpretation and Revision

Any question of interpretation or application of the Student Conduct Code shall be referred to the Executive Dean of Student and Academic Support Services or his or her designee for final determination.

The Student Code shall be reviewed every year under the direction of the Executive Dean of Student and Academic Support Services.

Article VI: Contact Information

MMCC Campus Security:

Harrison Campus (989) 339-4204

Mt. Pleasant Campus (989) 339-7323

POLICE

Clare County

Emergency dial- 9-1-1

Non-Emergency- (989) 539-7166

Isabella County

Emergency dial- 9-1-1

Non-Emergency (989) 773-6116

Office of Student Oversight:

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MMCC Policies referenced:

Student Code of Conduct: www.midmich.edu/codeofconduct

Campus Non-Discrimination, Harassment,
and Sexual Misconduct: www.midmich.edu/titleix

Alcohol and Other Drug www.midmich.edu/alcoholandotherdrug