



STUDENT CODE OF CONDUCT

Campus Disruptions

Section 3345.21 of the Ohio Revised Code authorizes the College to develop rules for the conduct of students, faculty, staff, and visitors. Persons who violate such rules or otherwise interfere with others' abilities to benefit from College offerings may be removed from College property and subject to suspension or expulsion.

Introduction

Zane State College (hereby referred to as the College) seeks to provide a positive atmosphere in which individuals can pursue educational opportunities. To safeguard that positive atmosphere, the College has adopted a Student Code of Conduct Policy to set the standards for appropriate and inappropriate behaviors for students and to establish due process procedures consistent with regulations governing the College. The Provost/Chief Academic Officer or designee is charged with enforcing the Student Code of Conduct and the policies and procedures thereof. The Provost/Chief Academic Officer or designee will review the offense, decide an appropriate response to resolve the violation, and make a decision available to affected parties. Students subject to disciplinary sanctions have due process rights that provide avenues for a hearing and an appeals process. Confidentiality, in accordance with the Family Educational Rights and Privacy Act, will be maintained in disciplinary action proceedings.

Jurisdiction

The Student Code of Conduct is applicable: on College owned or leased grounds, buildings, equipment, and facilities; at all College-sponsored activities, regardless of location; and outside the College and its facilities when a threat to safety is posed to any person within the College community.

Definitions

Within College publications, the term "College" means Zane State College.

The term "student" includes all persons taking courses at the College, both full-time and part-time, for credit and non-credit and persons who have been admitted to the College but are not officially enrolled for a particular term.

The term "faculty" means any person or group of persons hired by the College to conduct classroom activities.

The term "College official" includes any person employed by the College, performing assigned administrative or professional responsibilities.

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

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

The term “misconduct” is defined as any behavior which compromises the health, safety, peace, or property of any other student, any member of the College community, guests or invitees of the College on property of the College, or in any manner interferes with the operation of the College.

The term “organization” means an association of individuals who have complied with the formal requirements of College registration of an organization.

The term “Hearing Board” means any group authorized by the Provost/Chief Academic Officer or designee to determine whether a student has violated the Student Code of Conduct and to recommend sanctions to the conduct.

The term “shall” is used in the imperative sense. The term “may” is used in the permissive sense.

The term “policy” is defined as the written regulations of the College as found in the College catalog.

The Provost/Chief Academic Officer or designee is the person designated by the College President to be responsible for the administration of the Student Code of Conduct.

Prohibited Conduct

Prohibited conduct subject to disciplinary action includes, but is not limited to:

1. The Zanesville campus is tobacco-free. Use of tobacco products is prohibited.
2. Physical or verbal abuse, intimidation, threats, or harassment of any kind to another person or group of persons, or action which threatens or endangers the health, well-being or safety of any person.
3. Participation in a hate crime.
4. Illegal or unauthorized possession or use of firearms, guns, knives, other weapons, explosives, dangerous chemicals, fireworks or other items with potential to cause harm or use of any such item, even if legally possessed, in a manner that harms, threaten or causes fear to others.
5. The use or possession of any illegal drug or inappropriate behavior caused by the use of such drugs.
6. The use or possession of alcohol or inappropriate behavior caused by alcohol intoxication.
7. Theft of property of the College or of any person physically located on College-owned or leased property.
8. Disruption or obstruction of, or leading or inciting others to disrupt or obstruct, teaching, research, administration, disciplinary proceedings, other College activities, including public service functions on or off campus, or other College authorized activities when the act occurs on College premises.
9. Behavior or actions inside the classroom which disrupt other students, faculty, or visitors. Note: This includes the use of personal electronic devices, including but not limited to cell phones and other personal message devices, which must be turned off during all Zane State College classes and academic functions.
10. Behavior or actions outside the classroom which disrupt the function of the College or interfere with the rights of other members of the College community.
11. Disorderly, lewd, indecent, or obscene conduct on College-owned or controlled property or at College-sponsored or supervised functions.
12. Deliberate or negligent destruction of, or damage to, malicious misuse of, or abuse of College, faculty, or student property or equipment.

13. Entry or use of restricted facilities, buildings or grounds, without approval of appropriate representatives.
14. Failure to comply with directives of College authorities acting in accordance with College policies, procedures, and adopted guidelines.
15. Falsification or misrepresentation of facts pertaining to admissions, financial aid, or other acts which result in personal or financial benefit, any College identification cards, parking permits, records, or information storage/retrieval systems.
16. Violation of the College Computer and Lab Usage Policy.
17. Intentional false reporting of a fire or bomb or other explosive device that allegedly has been placed on school property. Intentionally activating a false fire alarm or tampering with any type of safety equipment, including fire alarms, fire extinguishers, and smoke detectors.
18. Academic dishonesty including fraud, forgery, or knowingly furnishing false statements.
19. Abuse of the Student Code of Conduct and hearing procedures; violation of prior disciplinary rulings or sanctions.
20. Hazing, which includes recklessly or intentionally causing any action or situation which endangers the mental or physical health or safety of another person.
21. Sexual offenses, including, but not limited to:
 - a. Sexual intercourse with, and/or sexual intrusion against, a person capable of giving consent, without such person's consent, or a person incapable of giving consent.
 - b. Sexual assault or abuse, statutory or acquaintance rape, sexual harassment.
22. Violation of federal, state, or local law.

Procedural Protections

Students accused of violating the Student Code of Conduct are entitled to procedural protections as follows:

1. To be informed of the charge and alleged misconduct upon which the charge is based.
2. To be allowed reasonable time to prepare a defense.
3. To be provided with the evidence upon which the charge is based and be given an opportunity to respond.
4. To request relevant witnesses be called forward and to question those witnesses.
5. To be assured confidentiality, pursuant to the terms of the Family Educational Rights and Privacy Act.
6. In the instance that a hearing is conducted, to request that any member of the College Hearing Board be replaced due to personal bias or conflict of interest.
7. To be considered innocent of the charges until proven responsible for alleged actions by a preponderance of the evidence.
8. To be advised by a person of their choice.

Charges and Due Process

Due Process Hearings

1. Students accused of violating the Student Code of Conduct that may result in sanctions are entitled to a hearing. The student shall be provided with written notice of the specific charges at least five (5) working days prior to the hearing and shall have reasonable access to the case file prior to and during the hearing (excluding personal notes made by College employees or complainants). The student will have the opportunity to respond to the evidence and call relevant and necessary

- witnesses as well as have the right to be accompanied by an advisor. An accused student may waive his/her right to a hearing by providing such waiver to the Provost/Chief Academic Officer or designee in writing. In this instance the Provost/Chief Academic Officer or designee will conduct a disciplinary conference with the accused student. Upon conclusion of the conference, the Provost/Chief Academic Officer or designee shall have five (5) working days to provide the accused student with a written decision regarding whether the evidence supports a finding of violation of the College Student Code of Conduct and the imposition of sanctions based on this determination.
2. Students who choose to exercise their rights to a hearing will go before the College Hearing Board. The Hearing Board shall consist of three (3) voting members: one (1) administrator, one (1) other College employee from the ranks of administration, professional staff, or faculty, and one (1) student. The College President shall appoint the College Hearing Board and select one additional administrator to serve as the Hearing Board Chair.

Charges

1. Any member of the College community may file charges against any student for misconduct. Charges shall be filed in writing with the Provost/Chief Academic Officer or designee. Any charges should be submitted as soon as possible after the event takes place, preferably within thirty (30) calendar days.
2. The Provost/Chief Academic Officer or designee, or his/her designee, may conduct an investigation to determine if the charges have merit and/or if they can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the Provost/Chief Academic Officer or designee. Such disposition shall be final and there shall be no subsequent proceedings, pending an appeal hearing.
3. All charges shall be presented to the accused student in writing.

Disciplinary Sanctions

Behavior that interferes with educational objectives and programs of the College is unacceptable. Such behavior will result in disciplinary action. Disciplinary action may result in one or more of the following sanctions being imposed upon any student found to have violated the Student Code of Conduct:

1. Warning – A written notice to the student from the Provost/Chief Academic Officer or designee that the student is violating or has violated institutional regulations. This notice shall outline the regulation(s) violated, the future expectations of the student, and potential consequences for further violation.
2. Probation – A written reprimand to the student from the Provost/Chief Academic Officer or designee for violation of specified violations of the Student Code of Conduct. The probation shall include the specific violations, corrective actions to be taken by the student, a specified time period for correction of the violations, the specified duration of the probation, and potential consequences for further violations.
3. Restitution – Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
4. Dismissal from Class – The student is not permitted to attend a certain class or classes. The College will withdraw the student from the course(s) with no refund of

- tuition or fees unless the withdrawal takes place during the prescribed College tuition refund time frame.
5. Suspension – Separation of the student from the College for a specified period of time after which a student may be readmitted. To be considered for readmission, the student shall provide a written letter to the College President requesting readmission and providing rationale for the request. Specific procedures for request for readmission to the College may be obtained from the Provost/Chief Academic Officer or designee. In certain circumstances, to ensure the safety and well-being of College community and/or College property, to ensure the student's own physical or emotional well-being, or if the student poses a threat of disruption of or interference with the normal operations of the College, the Provost/Chief Academic Officer, or his/her designee, may impose interim suspension prior to the hearing. During the interim suspension, which is effective immediately, the student shall be denied access to all campus facilities and activities to include classes. The student may report to designated College premises only upon notice to appear for the hearing or business related to the hearing on a specified date(s) and time(s).
 6. Expulsion – Permanent separation of the student from the College.
 7. Other sanctions may include, but are not limited to loss of privileges, fines, and withholding of transcripts.

Other than expulsion, disciplinary sanctions shall not be made part of the student's permanent academic record, but shall become part of the student's confidential record. Upon graduation, the student's confidential record may be expunged of disciplinary actions other than suspension or expulsion, upon application to the Provost/Chief Academic Officer or designee. Cases involving the imposition of sanctions other than suspension or expulsion shall be expunged from the student's confidential record five (5) years after final disposition of the case.

Appeals

1. A decision reached by the College Hearing Board or a sanction imposed by the College Hearing Board Chair, or a decision reached by the Provost/Chief Academic Officer or designee or a sanction imposed by the Provost/Chief Academic Officer or designee in the event the student waives his/her right to a hearing, may be appealed by the accused student(s) to the College Appeals Board within five (5) working days of the decision. Such appeals shall be in writing and shall be presented or mailed to the Provost/Chief Academic Officer or his/her designee.
2. The College Appeals Board shall consist of five (5) members: two (2) administrators, one (1) full-time faculty member, one (1) professional staff member, and one (1) student. The College Appeals Board shall be appointed by the Provost/Chief Academic Officer or designee who also will select the Appeals Board Chair.

If the decision of the Appeals Board is different than the Provost/Chief Academic Officer or designee decision, the final decision will be reviewed by the College Provost, in consultation with the President, for final determination. The Provost/Chief Academic Officer will make final and binding decision.