

STUDENT CODE OF CONDUCT

Prepared Under the Direction of the Vice President for Student Services



Salt Lake
Community
College



Step Ahead.

UPDATED – January 2014

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STUDENT SERVICES OUR PURPOSE AND VALUES

Students, first and always, are of utmost importance to us.

- We are a personal bridge between the processes of the College and the needs of our students.
- We provide, in a caring and ethical manner, service, support and personal growth for our students.
- We assist students and each other with fairness, respect, integrity and care.
- We serve people without regard to race, ethnicity, personal belief, disability, age, or sexual orientation.
- Our commitment to students directs the way we make decisions, create programs and hire staff.
- We will maintain within Student Services an environment that nurtures our values which are diversity, community, honesty, people and service.

WELCOME TO SALT LAKE COMMUNITY COLLEGE

As members of the academic community, students enjoy the privileges and share the obligations of the larger community of which the College is a part. With membership in this community comes an obligation, which is consistent with goals of personal and academic excellence. This obligation is an acceptance of a code of civilized behavior.

These are the guiding principles for students at Salt Lake Community College:

“I will practice personal and academic integrity. I will respect the dignity of all persons. I will respect the rights and property of others. I will discourage bigotry, striving to learn from differences in people, ideas and opinions. I will demonstrate concern for others, their feelings and their need for conditions, which support their work and development. Allegiance to these ideals obligates each student to refrain from and discourage behaviors which threaten the freedom and the respect all community members deserve.”

--The Carolinian Creed

The College is committed to equitable, civil, and concerned treatment of all individuals regardless of age, gender, race, color, national origin, disabling conditions, religion, sexual orientation or veteran status.

It is imperative that students learn to recognize, understand and celebrate human differences. Colleges can, and indeed must, help their students become open to the differences that surround them: race, religion, age, gender, culture, sexual orientation, physical ability and nationality. These matters are learned best in settings that are rich with diversity, and they must be learned if the ideals of human worth and dignity are to be advanced.

Any expression of hatred or prejudice is inconsistent with the purposes of higher education in a free society. So long as intolerance exists in any form in the larger society, it will be an issue on College campuses. Salt Lake Community College is committed to maintaining an environment free from prejudice. Student conduct regulations of Salt Lake Community College are printed herein. These regulations pertain to all campuses, centers, sites and other locations where programs and activities of Salt Lake Community College are conducted.

TABLE OF CONTENTS

Student Services - Our Purpose and Values	3
Table of Contents	5
Preface	8
Authority and Responsibility	8
Due Process	9
Student Rights and Responsibilities	10
Freedom of Access to Salt Lake Community College	10
Freedom from Discrimination	10
Freedom from Harassment in General	11
Freedom from Sexual Harassment	11
Retaliation and Retaliatory Harassment.....	12
The Right to Dissent	12
Other Rights and Freedoms	14
Americans with Disabilities Act	16
Personal Responsibilities and Organizational Standards	17
Assault/Battery	17
Children or Guests on Campus	17
Computer Offenses	18
Disorderly Conduct	18
Disorderly Conduct in the Classroom	19
Disregard for College Authority	19
Explosives and Weapons	19
Fraud	19
Gambling/Betting.....	19
Inappropriate Dress	19
Littering	20
Malicious Treatment and/or Hazing	20
Misuse of Alcohol and Drugs	20
Personal Hygiene	21
Recording of Hearings, Meetings and Academic Instruction	21
Sexual Assault, Sexual Harassment & Sexual Violence	21
Smoking/E-cigarettes	22
Solicitation	22
Tampering with Emergency Equipment	22
Unauthorized Activity	23
Unauthorized Use of College Resources.....	23

Unauthorized Entry or Use	23
Vandalism or Theft	23
Violation of SLCC Travel Policies and Procedures	23
Enforcement	23
Procedures for Alleged Student Misconduct in the Classroom	24
Process for Alleged Student Misconduct in the Classroom – Flowchart	26
Sanctions.....	27
Process for Alleged Student Misconduct Outside the Classroom - Flowchart	29
Student Grievance	30
Student Initiated Grievance	30
Student Grievance Process	30
Arbitrary and Capricious Nature	31
Procedures for a Student Grievance	32
Process for a Student Grievance - Flowchart	34
Student Grievance Against Salt Lake Community College	35
Student Complaint Process.....	35
Student Standards Committee	36
Student Standards Committee Composition & Authority	38
Composition.....	38
Authority.....	38
Student Standards Committee Review Process	38
Medical Withdrawals.....	40
Involuntary Withdrawal	40
Readmission From Involuntary Withdrawal	40
Academic Standards	41
Academic Honesty	41
Forms of Academic Dishonesty	41
Cheating	41
Misrepresentation	41
Out-of-Class Work	42
Plagiarism	42

Other Academic Violations	42
Procedures for Alleged Academic Dishonesty	44
Sanctions for Academic Dishonesty	45
Academic Review Committee for Composition & Authority	45
Composition	45
Authority	46
Academic Review Committee Process.....	46
Process for Alleged Academic Dishonesty in Classrooms – Flowchart	47
Alleged Academic Dishonesty Involving Non-Classroom Testing Situations.....	48
Composition	48
Authority	48
Procedures	48
Process for Alleged Academic Dishonesty Involving Non-Classroom Testing Situations – Flowchart	50
Process for Requesting Permission to Use College Property for Public Expression.....	51
References	53

PREFACE

The Student Code of Conduct governs the behavior of our student body and is for your use as an informed member of the College community. The Code states the specific authority and responsibility of the College in maintaining social discipline, outlines the process for legitimate grievances and establishes the proper procedures to be followed to ensure “**due process**,” to protect accused students from unfair imposition of penalties and sanctions. The primary objective for the administration of discipline under the Student Code of Conduct is to foster **ethically responsible behavior** and to protect the safety of the campus community.

The College has the responsibility and authority to establish procedures and regulations for orienting and assisting students and for controlling disruptions that would deter the College from furthering its mission.

The College has primary interests with or in:

- Matters that infringe upon academic achievement and integrity
- Conduct that breaches the peace, causes disorder, and/or substantially interferes with the rights of others
- Behavior or actions that threaten the physical or mental health or safety of members of the College community
- Protection of College property and the property of its community members from theft, damage, destruction or misuse
- Fulfillment of contractual agreements
- Its obligation to support and be guided by the regulations of the College Board of Trustees, the Utah State Board of Regents, and the laws of the local, state and federal government

AUTHORITY AND RESPONSIBILITY

Daily responsibility for good conduct rests with **students** as individuals. All members of the College community are expected to use reasonable judgment in their daily campus life and to show due concern for the welfare and rights of others.

The ultimate responsibility and authority to enforce the Student Code of Conduct rests with the President of the College. The President has delegated responsibility for the administration of the discipline system to the Vice President of Student Services.

The Vice President of Student Services delegates responsibility to the Dean of Students. All procedures followed and decisions made by authorized hearing officers and bodies are subject to Vice Presidential and Presidential review.

The College reserves the right to take any necessary and appropriate action to protect the safety and well being of the campus community.

DUE PROCESS

The social discipline system is established in accordance with the concept of due process. Due process, as used herein, consists of two parts. The first means that a student will know in advance what conduct is unacceptable and the potential consequences of such conduct. It requires rules and regulations of student behavior that are reasonable, clear and precise, clearly communicated, and fairly and consistently administered (**substantive due process**).

The second part of due process means that a student will be notified in writing of the alleged misconduct against him/her and a fair opportunity to be heard and to present witnesses before a decision is rendered (**procedural due process**).

All hearings are closed to the College and public communities. Closed hearings are to ensure the fullest measure of confidentiality. Any student involved in a hearing may request that the Dean of Students refer the case to an even smaller ad hoc administrative hearing when warranted by the sensitive nature of the case.

STUDENT RIGHTS AND RESPONSIBILITIES

Students at Salt Lake Community College retain and enjoy all rights and laws of the United States, the State of Utah and local ordinances.

Rights and freedoms are best preserved in a community whose members are mutually tolerant of the exercise of rights and freedoms and whose members are free from physical violence, force, abuse and threat. Toward that end, SLCC has adopted certain personal and organizational standards, policies and procedures that govern the responsibilities and behavior of its members. Violations are grounds for judicial review and possible disciplinary sanctions. Any student who assists, encourages or incites others to violate Salt Lake Community College policies is similarly subject to such action.

The College distinguishes its responsibilities for student conduct from the controls imposed by the wider community. When students are charged with violations of laws of the community, the College will cooperate with law enforcement agencies, courts and other agencies. When appropriate, the College will cooperate with agencies for rehabilitation of students. The College may impose sanctions independent of any action taken or not taken by law enforcement, courts or other enforcement agencies if it is determined that the interests of the College community require such action. The College does not assume parental responsibilities for the conduct of students.

Freedom of Access to Salt Lake Community College

Salt Lake Community College, an equal opportunity institution, welcomes students for admission to any course of study for which their qualifications indicate they can benefit without regard to race, color, sexual orientation, national origin, age, gender, veteran status, disability or religion.

Freedom from Discrimination

Salt Lake Community College provides educational opportunities without regard to race, color, sexual orientation, national origin, age, gender, veteran status, religion, or disability.

Inquiries concerning the application of the Americans with Disabilities Act (ADA) may be referred to the Salt Lake Community College, Risk Management Office, 801-957-4041 or 801-957-4533.

Freedom from Harassment in General

The College is committed to maintaining the campus community as a place of work and study free from abuse, intimidation and harassment, where everyone is treated with respect and courtesy. Conduct which unreasonably disrupts, interferes with the safety of others, adversely affects, or otherwise interferes with the lawful functions of the College, or the rights of any individual to pursue an education at the College may be subject to College discipline.

Salt Lake Community College applies all Federal laws, rules and regulations, statutes and applicable Title IX programs; along with the State of Utah and appropriate local jurisdictions, the Board of Regents, Board of Trustees and the President's Executive Cabinet.

Freedom from Sexual Harassment

In accordance with the Department of Education, under the guidance of the Office of Civil Rights, Title IX and the policy of Salt Lake Community College, no member of the College community may sexually harass another. Consistent with federal regulations and College policy 2.06, "Sexual Harassment Avoidance," **sexual harassment is defined as follows:** Harassment includes verbal or non-verbal or physical aggression, intimidation, or hostility, in actions based on sex or sexual stereotyping, with or without conduct of a sexual nature. Acts of harassment include, but are not limited to: psychological bullying, cyber-bullying, flaming, denigration, impersonation, hazing, stalking or in any other manner likely to cause annoyance or alarm, or subjecting or threatening to subject another to striking, kicking, or shoving, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- submission to such conduct is made, whether explicitly or implicitly, a term or condition of an individual's employment, education, academic pursuits, or participation in a College activity.
- such conduct affects or has the purpose of unreasonable interference with an individual's employment, education, living environment, or participation in a College activity by creating an intimidating, hostile, or offensive working or classroom.

It is the policy of the College to protect the rights of all persons within the College community by providing fair and impartial investigations of all complaints brought to the attention of appropriate administrators. Any member of the College community found to have violated this sexual harassment policy will be subject to disciplinary action. Any allegations of sexual harassment involving students are referred to the Dean of Students.

This policy covers acts against any person on College owned or controlled property or at any College sponsored or supervised function.

The Dean of Students will act as Coordinator regarding student behavior to comply with and carry out the College's responsibility for nondiscrimination compliance for sexual harassment, sexual assault and sexual violence under Title IX. For questions or concerns, students should contact: the Dean of Students, 801-957-4004, Taylorsville Redwood Campus, Student Center, Room 276.

Retaliation and Retaliatory Harassment

The complainant will be informed that College policy and Title IX prohibits retaliation and Salt Lake Community College will take steps to prevent retaliation, but also take strong responsive action if it occurs. If the complainant continues to ask that his or her name or other identifiable information not be revealed, the College should evaluate that request in the context of its responsibility to provide a safe and nondiscriminatory environment for all students. Thus, the College may weigh the request for confidentiality against the following factors:

- the seriousness of the alleged harassment
- the complainant's age
- whether there have been other harassment complaints about the same individual
- the alleged harasser's rights to receive information about the allegations if the information is maintained by the College as an "education record" under the Family Educational Rights and Privacy Act (FERPA).

The College should inform the complainant if it cannot ensure confidentiality. Even if the College cannot take disciplinary action against the alleged harasser because the complainant insists on confidentiality, it should pursue other steps to limit the effects of the alleged harassment and prevent its recurrence.

The Right to Dissent

The College will respect and defend the right of its members to lawful exercise of free speech and assembly on behalf of causes, whether popular or unpopular, provided such exercise does not disrupt normal College functions, interfere with the College's educational, instructional and/or administrative process, cause personal injury, destroy College facilities or property or encompass the physical occupation of any campus building, facility, or parts thereof and is compliant with College procedure governing manner and duration of free speech activities. Rights of free speech are properly exercised only when due regard for the rights of others is assured. Actions denying the rights of others to move or speak freely, whether or not such actions are the motive, lie outside constitutional guarantees and the obligation of the College to defend them.

If, in the judgment of the Vice President of Student Services or his/her designee, persons are attempting to interfere with the freedom of movement or speech of members or guests of the College community, or the orderly operation of the College, the Vice President of Student Services or his/her designee is authorized to:

- Advise such persons of the impropriety of their activity and request immediate termination of such activity.
- Call the appropriate authority to remove those interfering.
- Suspend temporarily the members of the College community who participate and persist in such interference.
- Grant, as soon as reasonably possible, a hearing before an appropriate committee to any person appealing such suspension. Following such a hearing, the committee will make recommendations to the Vice President of Student Services.
- File charges with the appropriate civil authority against persons involved in violation of the law, including but not limited to the willful destruction of College or personal property.

Before College property can be used for the purpose of public expression, permission must be obtained from the Office of the Dean of Students. "Public expression" means free speech activities that are not sponsored by the College such as rallies, protests, demonstrations, picketing, or other similar forms of public expression that are held on College property and are open to the general college community. The reasons for requiring permission for such use are: (1) to assure that the College is able to accomplish its academic objectives, (2) to assure that College's properties are preserved and maintained for their intended purposes, (3) to prevent uses that are dangerous, unlawful, or impermissible under the College's rules and policies, (4) to assure financial accountability for damage caused by the improper use, or for personal injury to anyone attending or involved, and (5) to coordinate multiple uses of limited space.

Permission must be obtained at least three days prior to the date of the event from the Office of the Dean of Students before students can use College property for the purpose of public expression. "Public expression" means free speech activities that are not sponsored by the College and that are organized by students to form groups such as rallies, protests, demonstrations, picketing, or other similar forms of public expression that are held on College property and are open to the general college community. The procedures for obtaining permission are set forth on pages 51-52 of this Student Code of Conduct.

Other Rights and Responsibilities

- **The right** to reasonably accurate information in advertising, recruitment and orientation efforts.
- **The right** to free and peaceable inquiry, expression, association and assembly.
- **The right** to engage in demonstrations as long as the demonstration is not violent and does not disrupt the educational and administrative process of the College or interfere with the rights of other members of the College community. Rules and procedures pertaining to demonstrations are available from the office of Student Life & Leadership, STC 124.
- **The right** to reasonable use of College facilities and services intended for individual educational and social development.
- **The right** to participate freely in legal off-campus activities related to local, national, or international organizations for intellectual, social, religious, political, economic or cultural purposes without impairing official standing at SLCC.
- **The right** to protection against unreasonable surveillance, searches or seizures by members of the College community.
- **The right** to establish a College-recognized, democratic student government with authority to legislate and administer within its constitutional jurisdiction and within the limits of the law, with normal democratic safeguards against abuse of power.
- **The right** to form organizations within the College for any lawful purpose. The student government constitution establishes a procedure for College sanction. Organizations shall have the right to keep membership lists confidential and solely for their own use. The names and addresses of officers or representatives will be required by the College as a condition of registration or access to College funds or enjoyment of College privileges.
- **The right** to establish a College-recognized press and other media, free of censorship and advanced approval of copy or program material, as long as these publications and programs remain within the canons of responsible journalism and the policies and procedures of the College, the Board of Regents, the State of Utah and the United States.
- **The right** to expect that all official College student records contain only information reasonably related to the educational mission and goals of the College or the health and safety of the individual and others.

- **The right** to protection against unauthorized disclosures of confidential information contained in College records.
- **The right** of groups and individual students to distribute literature, within existing College procedure, on the campus in areas generally available to the public provided that the distribution of such written materials:
 - does not physically obstruct normal pedestrian or vehicular traffic
 - does not interfere with classes or scheduled meetings
 - does not damage College property; or does not unnecessarily litter College property
 - is not placed on vehicles in College parking lots

Those who distribute such materials must identify themselves clearly on the materials distributed.

- **The right** to expect the College to provide reasonable space indoors and outdoors for students and their organizations to post notices and posters. Such notices and posters may deal with subject matter including, but not limited to, notices of meetings or events, and expressions of positions and ideas on social or political topics. Designated posting spaces shall be established at appropriate locations throughout the campus with due regard to convenience and aesthetics. All notices and posters must be date stamped by the appropriate office, which may impose reasonable restrictions on time and place.
- **The right** to expect rules and regulations to be applied reasonably and impartially.
- **The right** to expect that procedural due process will be exercised before imposition of disciplinary sanctions.
- **The right** to enjoy privileges regardless of age, gender, sexual orientation, race, color, national origin, disabling condition, religion or veteran status.

AMERICANS WITH DISABILITIES ACT

All students with disabilities are encouraged to obtain information about the Americans with Disabilities Act (ADA) at the Disability Resource Center (DRC) at 801-957-4659 or TTY 801-957-4646. Additionally, the Office of Risk Management can be contacted at 801-957-4041 to help clarify requirements under the law and review decisions made by the DRC at 801-957-4659 or TTY 801-957-4646.

Students requesting accommodations, academic adjustments, auxiliary aids, or other services should contact the DRC for guidance on the documentation needed for their individual situations *for academic accommodations should be made through the Disability Resource Center rather than by making direct requests to faculty members.*

Students with disabilities, like all students at the College, must adhere to the provisions of the *Student Code of Conduct*. They must meet the College's performance requirements, and will be held to the same behavior standards as all other students. All students are required to adhere to the syllabus for each class and should carefully review its contents. Questions about class procedure should be directed to the faculty member.

PERSONAL RESPONSIBILITIES AND ORGANIZATIONAL STANDARDS

Salt Lake Community College sets high standards of personal and academic excellence. Any violation of the following standards may be considered “student misconduct.” For procedures on dealing with alleged misconduct, see pages 24-26.

If a student has a question or concern about any of the responsibilities or standards, he/she should address it with the Dean of Students at the Taylorsville Redwood Campus, STC 276 or 801-957-4004.

Assault and Battery

Assault or battery includes but is not limited to the following activities, all of which are prohibited by SLCC:

- threatening, attempting or causing injury or bodily harm to a faculty and/or individual in or outside of the classroom
- causing physical contact with another when the person knows or should reasonably believe that the other will regard the contact as offensive or unwelcome
- spoken or written assault that is threatening or carries with it intention to do bodily harm

Children or Guests on Campus

Children or guests are welcome on campus and must adhere to the following standards.

- Children require appropriate supervision. Whenever children are in any College facility, they need to be accompanied by a parent or guardian and display appropriate behavior. Unattended children will be escorted to the appropriate law enforcement officials.
- Students must have prior faculty approval before bringing children or guests into the classroom. This practice is discouraged and should only be done as a final resort on a short-term basis. The faculty member has the right to ask the parent or guardian to remove disruptive children or guests even if they were initially allowed to enter.

Computer Offenses

Students are held to the same standard as outlined in the College's Policy on Acceptable Use of College Computing Resources.

Intentionally or knowingly giving out passwords or other confidential information concerning the computer security system without proper authorization is prohibited. Negligence in protecting passwords, intentionally or knowingly interfering with the proper operation of the system or altering or destroying data is prohibited. Peer-to-peer file sharing of copyright protected files is prohibited.

"Fraudulent, harassing, or obscene [or pornographic] messages and/or materials are not to be knowingly retrieved, transmitted or stored. Users may not encroach on others' use of computer resources. Activities defined as encroachment are determined by the computer system administrator and include, but are not limited to excessive use of computer resources for trivial applications; sending harassing messages; sending frivolous or excessive messages, including chain letters, junk mail, and other types of broadcast messages, either locally or over the Internet; using excessive amounts of storage; intentionally introducing any rogue or malicious programs to SLCC hardware or software; or physically damaging systems."

Disorderly Conduct

Any behavior on College owned or controlled property or at College sponsored or supervised functions that distracts students from learning and/or obstructs the College's goal of creating a safe and productive campus community, violates the standard of fair access to the educational experience. Examples of disorderly conduct include but are not limited to:

- disrupting the classroom or office environment
- intentionally or recklessly endangering, threatening, or causing physical harm to any person, or intentionally or recklessly causing reasonable apprehension of such harm
- intentionally or recklessly interfering with normal College functions, College sponsored activities or events, included but not limited to studying, teaching, research, College administration, fire, police or emergency services
- intentionally and substantially interfering with the freedom of expression of others
- being under the influence of drugs, alcohol or other illegal substances
- harassing an instructor, staff, fellow student or community member

Disorderly Conduct in the Classroom

The primary responsibility for managing the classroom rests with the faculty. Students who engage in any misconduct that result in disruption of the classroom may be directed by the faculty member to leave the classroom for the remainder of the class period. A longer dismissal from a class must be preceded by a meeting with appropriate administrators and facilitated by the Dean of Students.

Disregard for College Authority

The College expects all students to comply with reasonable direction and/or instruction from College faculty or other personnel in the performance of their duties.

Explosives and Weapons

Possession or use of weapons, explosives and fireworks on College property or during College activities is prohibited, except for authorized law enforcement officers and persons exempt under Utah State law. Violations of this policy may result in suspension or termination from the College and prosecution under appropriate laws.

Fraud

The College strictly prohibits altering, falsifying, or otherwise misusing any College document or record. In addition, furnishing false information to the College with the intent to deceive or obstruct justice in any way is unacceptable. Examples include, but are not limited to, the falsification of admissions application information, transcripts, registration or financial aid forms.

Gambling/Betting

The College prohibits unlawful gambling/betting, as per state law, in any form at the College or at any College sponsored event.

Inappropriate Dress

Standards are high regarding students' appearance. Attire that interferes with the classroom environment, College business or College sponsored events may be in violation of the Student Code of Conduct. For example: shoes are required indoors while on campus.

Littering

Littering on the grounds and in the buildings detracts greatly from the College atmosphere and is prohibited. Materials, handouts or flyers distributed in parking lots are considered litter and are also prohibited.

Malicious Treatment and/or Hazing

No justifiable reason exists for participating in any act or threat, physical or mental, that subjects a student or other person to physical pain or discomfort, indignity or humiliation at any time, regardless of the intent. Such behavior includes, but is not limited to:

- misusing authority by virtue of one's class rank or leadership position
- striking another by hand or with any instrument
- using any form of physical bondage
- taking another to an outlying area and abandoning them
- forcing another into a violation of the law or policy of the College such as indecent exposure, trespassing, etc.
- making obscene gestures toward another individual
- threatening or intimidating another individual
- having firsthand knowledge that an incident of this type has occurred and failing to report it to appropriate College or public safety officials

Misuse of Alcohol and Drugs

Salt Lake Community College has the responsibility to maintain an educational environment conducive to academic and vocational achievement. The College recognizes that the use and abuse of alcohol and other drugs may interfere with students' educational goals. Therefore, SLCC has a stringent policy governing the use of alcohol and other drugs (reference www.slcc.edu/hw). Simply stated, the purchase, possession, use, consumption, sale, distribution or storage of any alcoholic beverage, controlled substance or illegal drug is prohibited on SLCC campuses, training sites and at all College sponsored student events, conferences and activities.

The College is committed to facilitating a drug-free classroom environment and utilizes the Health and Wellness Services department to increase campus awareness regarding alcohol and other drugs. This office promotes healthy lifestyle alternatives and is available as a resource to the campus community.

In addition, students should be aware that according to the Anti-Drug Abuse Act of 1988 (Section 5301) students who receive Federal Financial Aid and are convicted of drug possession or distribution may become ineligible for Title IV financial aid.

Personal Hygiene

Standards are high regarding students' hygiene. Hygiene that interferes with the classroom environment, College business or College sponsored events may be in violation of the Student Code of Conduct.

Recording of Hearings, Meetings and Academic Instruction

Students are prohibited from taping or recording communications, i.e. lectures or other academic events, with members or guests of the College unless given previous authorization. Designated administrative meetings and student hearings at the College may be recorded so long as the recording device is in plain view and everyone in attendance is aware that communications are being recorded. Administrative systems, such as voice mail, are also permitted. This section does not apply to monitoring or tape recording pursuant to a court order or other legitimate law enforcement activities (see Governor's Executive Order, State of Utah, January 27, 1993).

Sexual Assault, Sexual Harassment & Sexual Violence (Title IX – 20 U.S.C.A. Section 1681 (a))

"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied benefit of, or be subjected to discrimination under any education program or activity receiving federal funds." Examples of violations:

- Sexual advances, requests for sexual favors and sexually motivated physical conduct
- Overt or subtle pressure for sexual favors
- Sexually offensive verbalization including remarks, such as: teasing, slurs and innuendo
- Repeated inappropriate jokes or comments about sex or gender specific traits

- Conduct that is demeaning or derisive and occurs substantially because of one's gender; discrimination due to one's gender stereotypes
- Sexual assault
- Sexual violence

Prohibition against Retaliation

Report any complaints regarding potential violations of Title IX to the Dean of Students at 801-957-4004 or the Director Administrative/Equal Employment Opportunity/Risk Administration at 801-957-4561.

NOTE: For information regarding Freedom from Sexual Harassment, refer to page 11.

Smoking/E-cigarettes

Smoking in public buildings, which includes College facilities, violates the Utah Indoor Clean Air Act (Rule R392-510). This rule and its regulations also applies to e-cigarettes. State Statue (26.38.2) defines an "E-cigarette" as: an electronic device that provides a vapor of nicotine or other substance and which simulates smoking through its use or through inhalation of the device. It is an oral device that is composed of a heating element, battery, or electronic circuit and marketed, manufactured, distributed, or sold as an e-cigarette; e-cigar; e-pipe; or any other produce name or descriptor. Smoking is also prohibited within 25 feet of any entrance or ventilation access of any building on any College site except where federal laws apply and greater distances are posted.

Solicitation

Solicitation and sales by students and others on campus is strictly prohibited without prior approval from the Senior Director for Auxiliary Services. Distributing advertising materials, leaflets or handbills or using audio equipment to promote sales on College premises without prior written approval is also prohibited.

Tampering with Emergency Equipment/False Reporting

Intentionally setting off a fire alarm, reporting a false fire or emergency, tampering with fire or other emergency equipment is prohibited behavior, except when done with reasonable belief that a true emergency exists.

Unauthorized Activity

No rally, parade, demonstration, or similar activity shall be held at the College or at any College sponsored event unless organizers file an activity plan with the Dean of Students office in advance of the event.

Unauthorized Use of College Resources

The College prohibits the illegal distribution of copyrighted material, i.e. uploading and downloading copyright works, through peer-to-peer file sharing on campus networks.

Unauthorized Entry or Use

The College prohibits the unauthorized entry to or use of a College facility and/or property.

Vandalism or Theft

The College prohibits the abuse or theft of College property or the property of students, faculty, staff or guests.

Violation of SLCC Travel Policies & Procedures

All student travel whether as a class or club activity must be approved through appropriate College officials. Each student participating must review and sign required forms prior to traveling as a part of any College sponsored event. Travel policies, procedures and forms are available in the Student Life and Leadership office or departments allocating the travel.

ENFORCEMENT

Any student found to have violated these standards may be subject to disciplinary actions set forth in the Student Code of Conduct. Failure to observe these standards may lead to additional actions taken. Refer to pages 27-28 for possible sanctions. Some academic programs have more specific standards for probation and dismissal as outlined in their programs' student policy manual.

PROCEDURES FOR ALLEGED STUDENT MISCONDUCT

The following procedures will be used in all misconduct cases and referred to the Dean of Students, or refer to the flowchart on page 29. In reference to classroom behavior, for specific instructions, refer to the Faculty Prerogative Document, Chapter 4 Academic Affairs, Policy 1.03, on the College website, <http://vwww.slcc.edu/policies/docs/c4s01-03 .pdf> and/or the flowchart on page 26.

- a. *Any member of the College community including students, faculty or staff may make allegation of student misconduct. All cases of alleged student misconduct shall be referred, in writing, to the office of the Dean of Students for review.*
- b. *When the misconduct involves a complaint by a staff member about a student outside of the classroom, staff response should be progressive beginning with the least confrontational and disruptive method given the circumstances. If disruption can't be resolved by the staff member, student should be referred to the appropriate supervisor or the Dean of Students. For specific procedures involving misconduct outside of the classroom, refer to page 29.*
- c. *When the misconduct involves a complaint by a faculty member in the classroom, faculty response should be progressive beginning with the least confrontational and disruptive method given the circumstances. If disruption can't be resolved by the faculty member, students should be referred to the Program Director/Associate Dean. For specific procedures involving misconduct in the classroom, refer to pages 24-26.*

In case of perceived or physical threat in the classroom (such as a weapon or an on-line threat), faculty members must take reasonable action to protect themselves and others. This and other types of threats must be reported immediately by contacting 911. Faculty must immediately report to their Program Director/Associate Dean the incident and the actions taken. The Program Director/Associate Dean will notify the appropriate Dean and the Dean of Students of the details of the incident and the action taken. The Dean of Students will then notify the Office of Risk Management.

In cases where the student alleges that the misconduct is a manifestation of his or her disability, the Dean of Students will consult with appropriate professionals and involve the Risk Management Office in any subsequent deliberative due process. If the student allegation(s) involve sexual harassment, sexual assault or sexual violence, under Title IX, the EEO Officer is immediately notified and included in the investigative process.

- d. Within 5 days (excluding weekends and holidays) of the initial referral, the Dean of Students will notify the student of the allegations and will ask the student to meet with him/her within a reasonable amount of time. The notice will include a description of the alleged act(s), the time and place if known, and a summary of the information upon

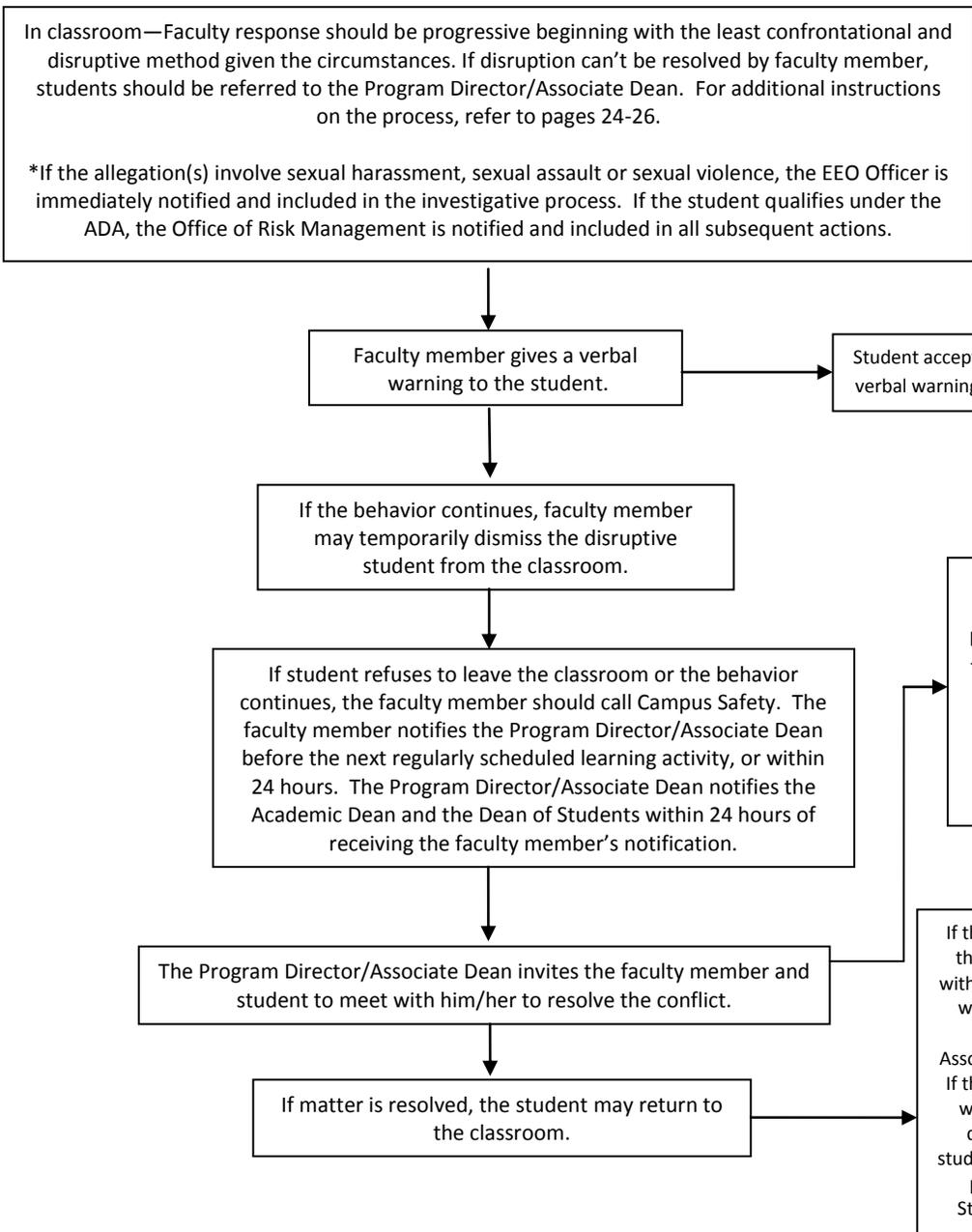
which the alleged misconduct is based. The allegation of misconduct against the student will be read to him/her and the procedures will be explained. The student will be given a copy of the allegation(s) with a reference to the Student Code of Conduct. He/she will also be informed of the name(s) of the complainant(s) and any witnesses, except in the case of sexual harassment, sexual assault, sexual violence or perceived or direct threat, and will be given a summary of their testimony. The student will be given an opportunity to present his/her case. If the student chooses not to meet with the Dean of Students and/or the student cannot be reached for comment, the student forfeits his or her right to be heard and the Dean of Students will continue with the investigative process without the student's input.

- e. The Dean of Students will then conduct an investigation. Following the investigation, providing merit is found in the case, the Dean of Students will take appropriate action and apply sanction(s) as outlined on page 27 and provide written notice to the student.
- f. Within 5 days (excluding weekends and holidays) of receiving the written notice of the case, the student may either accept or reject the decision and/or recommended sanction(s).
- g. If the respondent chooses to have the matter heard by the Academic Review Committee, he/she must notify the Dean of Students Administrative Assistant, in writing, within 5 days (excluding weekends and holidays) after receiving the decision from the Dean. The respondent must follow the procedures for review outlined by the Academic Review Committee. The written notification must include the following:
 - Name, address and student telephone number
 - Description, date(s) and place (s) of alleged act(s)
 - Circumstances which the student feels merit review

NOTE: If the respondent fails to request a hearing within the above mentioned time period, the original sanction(s) becomes final.

- h. If the student rejects the decision by the Dean of Students he or she may request an appeal to the Student Standards Committee. This appeal must be made, in writing, within 5 days (excluding weekends and holidays), through the Dean of Students Office. A request for an appeal is granted by the Student Standards Committee Chair, if 1) the student is able to provide pertinent information that was not considered in the original decision, or 2) if due process was not appropriately administered. All administrative processes will be handled by the Administrative Assistant in the Dean of Students office.
- i. Should the student violate any other standards during the disciplinary process or the sanction period, further action may be taken against the student. This can be in the form of additional sanctions or other reasonable measures deemed appropriate by the Dean of Students. **NOTE:** For specific instructions regarding due process, refer to page 9.

PROCESS FOR ALLEGED STUDENT MISCONDUCT IN THE CLASSROOM



NOTE: In case of perceived or physical threat in the classroom, (such as a weapon in the classroom), faculty members must take reasonable action to protect themselves and others. This and other types of threats must be reported immediately by contacting 911. As soon as possible, faculty should notify the Program Director/Associate Dean, Dean of Students, Public Safety and the Office of Risk Management.

For assistance, contact:
 Dean of Students Office
 Student Center, Room 276
 Salt Lake Community College
 4600 South Redwood Road
 Salt Lake City, Utah 84123
 801-957-4004

SANCTIONS

In cases of student misconduct, sanctions must be in writing and may include one or more the following. In cases of academic dishonesty, sanctions also must be in writing. For specific details, refer to page 44-45:

1. *Verbal Reprimand*: The least severe form of disciplinary action.
1. *Written Reprimand*: An official written notice to a student that his/her conduct is in violation of the Student Code of Conduct and as such is unacceptable to the College.
2. *Restitution or Reimbursement*: Assessments of financial charges and/or other forms of recompense for any damage or loss incurred by the College or any member of the College community.
3. *Reduction of Privilege*: Denial of particular student privileges such as the privilege to park on campus or use of computer lab equipment or use of Testing Services.
5. *Disciplinary Probation*: A more severe sanction than a reprimand. For a stated probationary period, the student must comply with College rules or regulations or other stipulated conditions or requirements, which may include, but are not limited to, forfeiting the privilege of having a leadership role in club or team activities or other College-based extracurricular activities.
6. *Temporary Class Dismissal*: In the case of student misconduct in the classroom, faculty members have the right to temporarily remove a student from the classroom. Removal is normally not longer than one class period. In cases where additional time is needed, the faculty member must consult with the Program Director/Associate Dean, in coordination with the Dean of Students to ensure due process. In cases where reassignment of the student is considered, the decision to reassign the student must be made between the faculty member, Program Director/Associate Dean, in coordination with the Dean of Students.

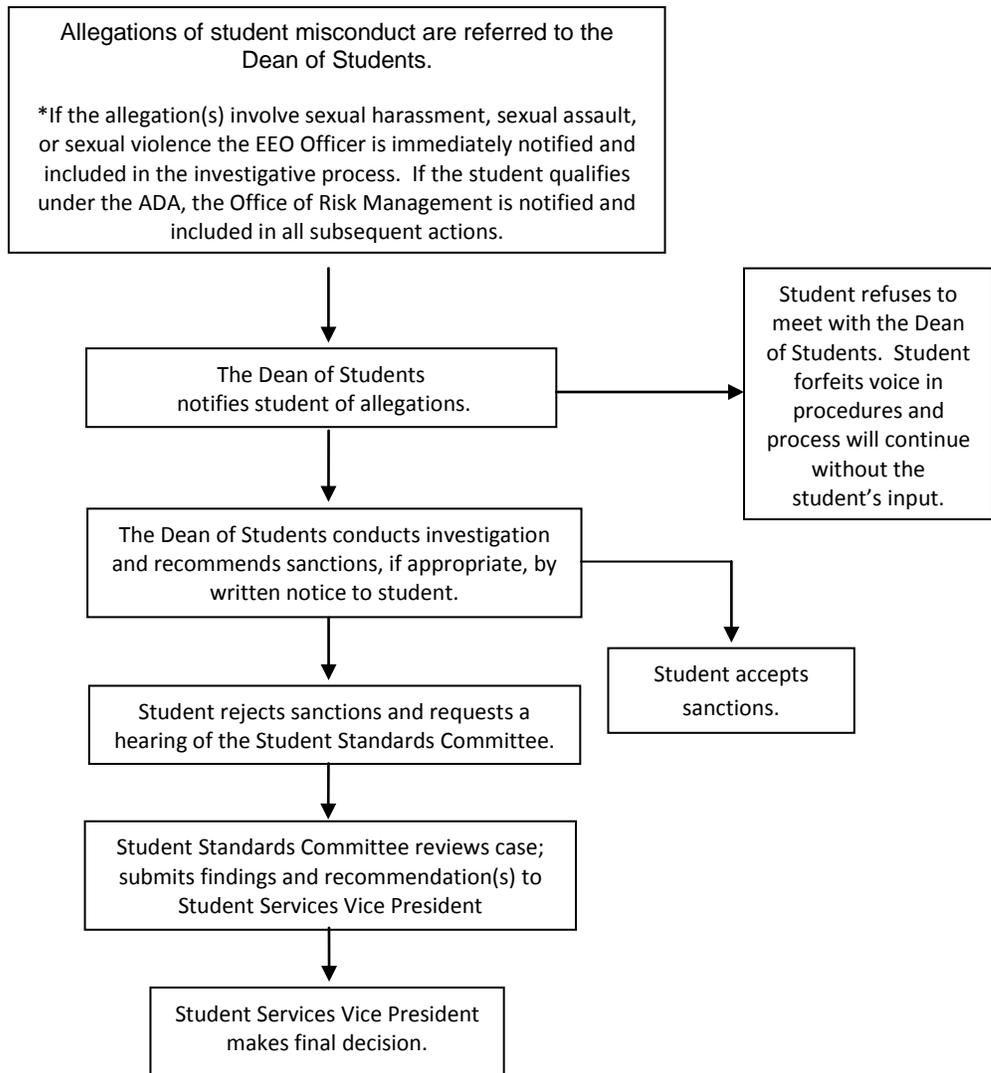
This reassignment may be temporary or permanent depending on the outcome of the investigation.

7. *Interim Suspension*: A suspension of less than a term designed to prohibit the presence of the student on campus until the case can be resolved in accordance with prescribed College procedures. The Dean of Students, in consultation with the Vice President of Student Services, may impose an interim suspension on any student who poses a threat to himself/herself, or to the well-being, rights, or property of the College community. The interim suspension is not entered on a student's record and does not affect the student's status except as described above.

8. *Suspension from the College:* Withdrawal from all divisions of the College for a period of time no shorter than the remainder of the term in progress when the sanction is imposed. The student must be informed in writing of the effective period of suspension and the reasons at the time the suspension is imposed.

9. *Expulsion from the College:* Permanent separation from the College, this is imposed by the Vice President for Student Services or designee. An expelled student may not be readmitted to any of the units of the College. The student must be informed in writing of this expulsion and the reasons at the time it is imposed.

PROCESS FOR ALLEGED STUDENT MISCONDUCT OUTSIDE THE CLASSROOM



NOTE: In case of perceived or physical threat outside the classroom, (such as a weapon), staff members must take reasonable action to protect themselves and others. This and other types of threats must be reported immediately by contacting 911. As soon as possible, faculty should notify the Dean of Students, Public Safety and the Office of Risk Management.

For assistance, contact:
 Dean of Students Office
 Student Center, Room 276
 Salt Lake Community College
 4600 South Redwood Road
 Salt Lake City, Utah 84123
 801-957-4004

STUDENT GRIEVANCE

Student Initiated Grievance

Students are encouraged to pursue educational studies and other College sponsored activities that will promote growth and personal development. In pursuing these ends, the student should be free from unfair and improper action by any member of the College community.

In cases where a grievance is brought by a student who alleges that the charge is based on his/her disability, the Dean of Students will involve the Office of Risk Management in the deliberative due process.

Student Grievance Process

Definition. A grievance is a claim or charge of injustice, oppression or discrimination based upon an event or condition that affects the welfare or conditions of an individual student or group of students. When students feel they have been subjected to such unjust action or denied their rights by a member of the College community, they can seek resolution through established procedures of the College. A grievance action may be initiated by a student against another student, a faculty member or a member of the staff. The grievance process is intended to be non-adversarial. The objective of a grievance hearing is to seek a viable solution to a problem.

The basis for a student grievance includes, but is not limited to the following:

- act or threat of intimidation
- act or threat of harassment, in general
- act or threat of sexual harassment, sexual assault or sexual violence (Title IX complaint)
- act or threat of physical aggression
- arbitrary action or imposition of sanctions without proper regard to due process as specified in College procedures
- violation of student rights as described in College policies and procedures
- discrimination on the basis of age, gender, race, color, national origin, religion, veteran status, sexual orientation or disability

- unfair grade based on **arbitrary or capricious nature***

***Arbitrary and Capricious Nature**

The grading process is one of the most important elements of the learning and teaching experience. The grade established by the faculty member is at the discretion of that faculty member and should not be trivialized nor taken lightly. However, if a student feels that a grade received was not consistent with what his/her work represented or was not based on the criteria defined in the syllabus, and is of an arbitrary or capricious nature, then a student may make a formal complaint to the faculty member or in some instances go directly to the Program Director/Associate Dean.

According to *A Legal Guide for Student Affairs Professionals*, "The arbitrary and capricious standard gauges whether the deciding body acted without reason." This means the faculty member did not follow the syllabus or policies or there was a form of harassment or discrimination. In the case of grading this means there was some arbitrary or capricious reason the appropriate grade was not given. If a faculty member can substantiate the reason for the grade, it will not be changed.

NOTE: If a formal complaint is filed, the student is required to present his/her complaint, in writing, to those involved. If resolution cannot be made at the lowest level, the student may present grievance to the next appropriate level, which may include the Program Director/Associate Dean.

PROCEDURES FOR A STUDENT GRIEVANCE

A student filing a grievance should attempt to reach a reasonable resolution involving the following parties:

- Student grieving against another student presents grievance to the Dean of Students
- Student grieving against a staff person presents grievance to staff person's immediate supervisor
- Student grieving against a faculty member should present grievance to the faculty member for resolution. If resolution cannot be reached, student presents grievance to the Program Director/Associate Dean
- Student grieving against a student, faculty member, or staff member based on disability related issues presents grievances to the Risk Management Director, 801-957-4041

If the student does not agree with the resolution reached in the discussion with those involved or if the student has received no answer within 5 days (excluding weekends and holidays), he/she may do the following:

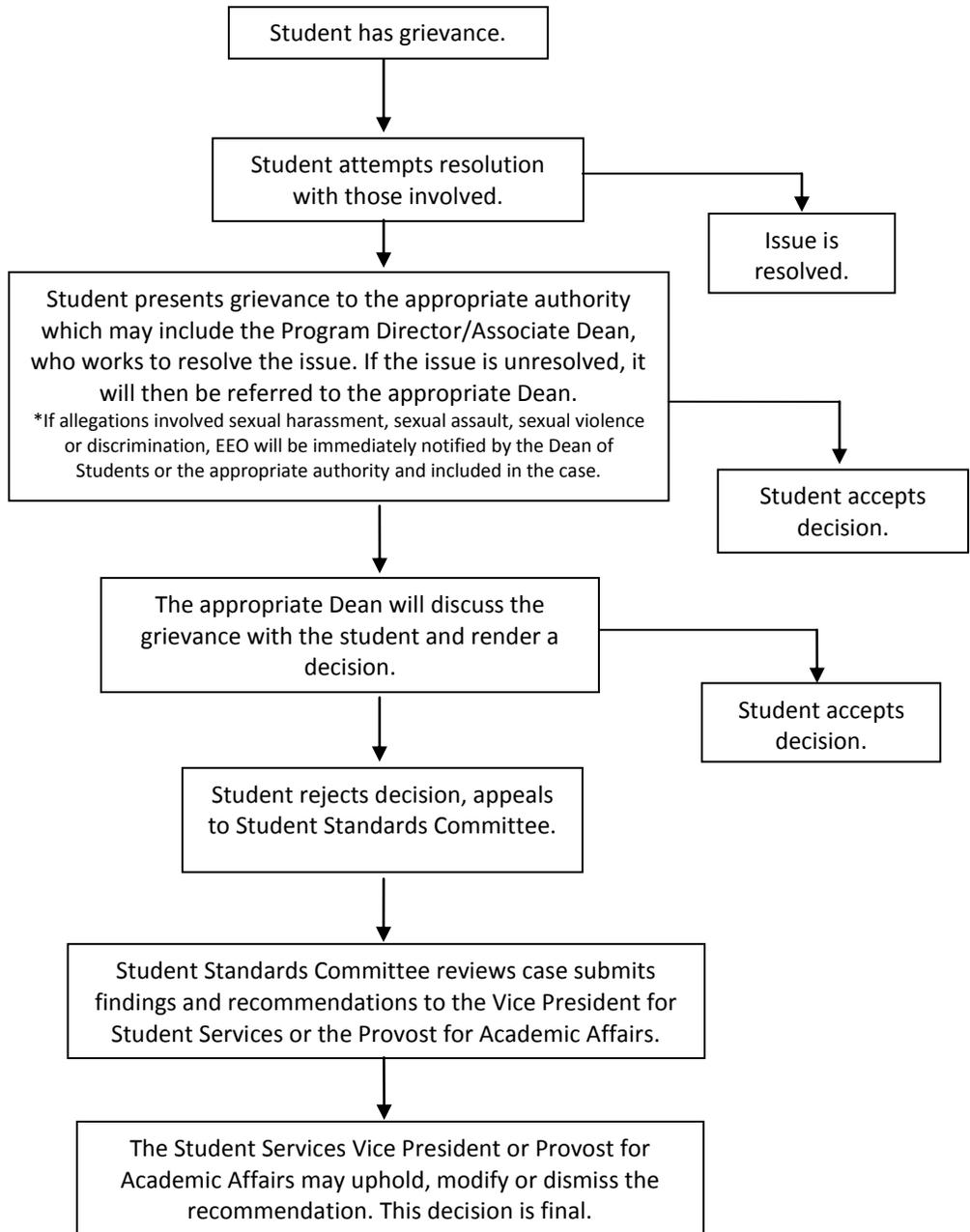
1. If the issue is unresolved with the Program Director/Associate Dean, the appropriate Dean, in consultation with the Dean of Students, will discuss the grievance with the student, those involved and render a decision within 5 days (excluding weekends and holidays).
2. The student may accept the decision in step number one or initiate an appeal, in writing, through the Dean of Students Office to the Student Standards Committee within 5 days (excluding weekends and holidays).

NOTE: Under Title IX, if grievance includes a claim of sexual harassment, sexual assault, or sexual violence, the College EEO Officer will be notified immediately by the Dean of Students or appropriate authority involved in the case.

3. The Student Standards Committee shall conduct hearings and submit its findings and recommended action to the Vice President for Student Services or the Provost for Academic Affairs within 5 days (excluding weekends and holidays), who will review and consider the recommendation.
4. The Vice President for Student Services or the Provost for Academic Affairs may dismiss, modify or uphold the recommended action, or sustain the recommendation of the Student Standards Committee (see Student Standards Committee Review Process page 39). This decision will be shared with the parties involved within 5 days (excluding

weekends and holidays) unless the time is extended for good cause. The decision of the Vice President or Provost is final.

PROCESS FOR A STUDENT GRIEVANCE



For assistance, contact:
Dean of Students Office
Student Center, Room 276
Salt Lake Community College
4600 South Redwood Road
Salt Lake City, Utah 84123
801-957-4004

STUDENT GRIEVANCE AGAINST SALT LAKE COMMUNITY COLLEGE

In accordance with the Program Integrity Rule (34 CFR § 600.9(a)) requires postsecondary institutions to be legally authorized by the state where they are located. Legal authorization is established if (1) the state has a process to review and appropriately act on consumer complaints concerning an institution; and (2) the institution is establishing by name as an educational institution by the state's statute.

Student Complaint Process

Students who have complaints against the school relating to fraud, false advertising, or other deception practices can file a complaint with the Utah Division of Consumer Protection, 160 East 300 East, 2nd Floor, Salt Lake City, UT 84111, Telephone No. 801-530-6601, Toll Free in Utah at 1-800-721-SAFE. In addition, students involved with distance and correspondence education can file a complaint with their state's enforcement authority.

Students who have complaints relating to issues that are covered by the student code of conduct should follow the institution's process for filing a complaint. The student code of conduct is found online at http://vwww.slcc.edu/policies/docs/Student_Code_of_Conduct.pdf.

Students who have complaints relating to the school's quality of education or other issues appropriate for its accrediting body to consider, can file a complaint with the Northwest Commission on Colleges and Universities at www.nwccu.org.

Copies of documents describing the school's accreditation and state approval are available for review upon request.

For complete details, regarding State Authorization Update memorandum, dated February 7, 2013. Contact the Dean of Students office, STC 276 or call 801-957-4776.

STUDENT STANDARDS COMMITTEE

1. A respondent (student) may request a hearing before the Student Standards Committee under the following conditions: (1) The investigative process was incomplete or, (2) The respondent provides the Dean of Students office with new information prior to the hearing that was not available while the original investigation was conducted.
2. If the respondent chooses to have the matter heard by the Student Standards Committee, he/she must notify the Dean of Students, in writing, within 5 days (excluding weekends and holidays) and then follow the procedures for review outlined by the Student Standards Committee. The written notification must include the following:
 - Name, address and student telephone number
 - Description, date(s) and place(s) of alleged act(s)
 - Circumstances which the student feels merit review (refer to #1 above)

NOTE: If the respondent fails to request a hearing within the above-mentioned time period, the original sanction(s) becomes final.

- The hearing is not intended to be an adversarial process. The respondent has the right to be accompanied at the Student Standards Committee hearing by an advocate of his/her choice including legal counsel. Should the respondent choose to be accompanied by an advocate, or legal counsel, the respondent must notify the Dean of Students in advance and must personally present his or her evidence and position. Should the respondent choose to bring legal counsel, the College's legal counsel will also be present.
- The respondent shall have the opportunity to present evidence and witnesses. The respondent must give the Dean of Students a list of witnesses in advance and the Dean of Students office will notify the witnesses and coordinate their participation in the hearing. Any evidence relevant to the case may be admitted and considered.
- The Dean of Students or the complainant(s) has the right to provide witnesses directly involved in the case. If witness statements have been previously submitted, the witness who supplied the statement may need to be present at the hearing.

NOTE: If the respondent to attend the scheduled hearing or not give appropriate notification to reschedule the hearing, the original sanction(s) becomes final.

- The respondent has the right to provide witnesses directly involved in the case. If witness statements have been previously submitted, the witness who supplied the statement may need to be present at the hearing.

- If the respondent fails to attend the scheduled hearing or not give prior notification to reschedule the hearing, the original sanction(s) becomes final.
- The deliberation should be concluded within 24 hours (excluding weekends and holidays). Within 5 days of the conclusion of their deliberation, the Committee will provide a written summary of its recommendation to the Vice President for Student Services or the Provost for Academic Affairs, who will make a decision according to the recommendation. The Vice President for Student Services or the Provost for Academic Affairs may accept, modify or dismiss the recommendation. The decision rendered by the Vice President or Provost is final. The Vice President for Student Services or Provost for Academic Affairs then forwards a letter to the respondent and a copy to the Student Standards Committee Chair and other appropriate members of the College involved in the process.

STUDENT STANDARDS COMMITTEE COMPOSITION & AUTHORITY

Composition

The composition of the Student Standards Committee pool shall be the 16 members, that acts as an impartial hearing board: **six faculty**, nominated by the Faculty Senate and appointed by the President of the College; **six students**, nominated by the Student Association and appointed by the President of the College; **three staff members**, one of whom will be the Staff Association President, the other two will be selected by the Vice President for Student Services and appointed by the President of the College.

Authority

The Student Standards Committee shall be the principal College-wide committee with jurisdiction to conduct hearings at the request of students accused of misconduct or involved in a grievance action.

The Student Standards Committee shall act only within the strict guidelines of the Student Code and shall serve no other purpose of any other official capacity.

In addition, the committee chair shall be nominated by the Faculty Senate and appointed by the President of the College. Each faculty and staff member will be appointed for a three-year term. Student terms will be for one year. Any member can be reappointed to a second term. All committee members are voting members. The Dean of Students, or designee, will also be present during the hearing but will not be a voting member.

For a given case, two faculty members, two students, a staff member and the Faculty Chair will be chosen based on availability from the committee pool. In cases involving staff members, the Staff Association President will serve as the staff member on the panel. The Faculty Chair will conduct the hearing.

Prior to the hearing, any committee member that has previous knowledge of the case or has had contact with the student(s) involved, should recuse themselves from service. Additionally, any respondent or complainant that has previous relationship with any committee member, should have the right to request that member(s) be recused.

Student Standards Committee Review Process

The Student Standards Committee will conduct its proceedings as follows: The hearing is closed to the public. The Dean of Students will introduce the written appeal to the committee. The person presenting the appeal shall have the right to be accompanied at the hearing by an

advocate of his or her choice, including legal counsel. Should the person choose to be accompanied by an advocate or legal counsel, he or she must personally present their own evidence or position. If the party chooses to bring legal counsel, the College's legal counsel will also attend. If the party chooses to have witnesses, those names will be forwarded to the Dean of Students Office in advance of the hearing and the Dean of Students Office will contact them.

The Committee will discuss issues, hear testimony, question witnesses and consider available evidence pertaining to the case. Each party will have the opportunity to present statements, testimony, evidence and witnesses. Each party will have the opportunity to respond to questions by members of the Student Standards Committee. The Committee will submit its written findings of facts and recommended action to the Vice President for Student Services or the Provost for Academic Affairs within 5 days (excluding weekends and holidays) of hearing the grievance, unless this time is extended for good cause by the Committee.

The appropriate Vice President will review the findings of fact and recommendation of the Committee and shall render a written decision within 3 days (excluding weekends and holidays). Based upon the Committee's recommendation, the Vice President for Students Services or the Provost for Academic Affairs may dismiss, modify or uphold the recommendation of the Committee. The decision of the Vice President or Provost is final.

All hearings before the committee will be audio recorded, kept in a confidential file in the office of the Dean of Students, and made available to the complainant and/or respondent for at least two years.

MEDICAL WITHDRAWALS

Involuntary Withdrawal

The Dean of Students may recommend withdrawal of a student from one or more classes or from the College when the student poses a direct threat to self or others, when the behavior is disruptive to the educational environment or classroom, or when other behavior related to a medical condition interferes with the educational processes of the College. A medical condition can also include the following: suicidal behavior, suicide threat, or suicidal ideation. For clarification of any of these conditions refer to the Student Suicide Prevention Protocol document on the Dean of Students website http://vwww.slcc.edu/policies/docs/Student_Code_of_Conduct.pdf.

Readmission from Involuntary Withdrawal

A student who is involuntarily withdrawn from College must submit a written request for readmission to the Dean of Students.

The Dean of Students may require updated medical information from a treating health care provider or other professional indicating current treatment and that the student is ready and able to return to and benefit from enrollment in the College. Additionally, documentation should include any needed terms, conditions, or limitations for continued College enrollment. The Dean of Students may consult with a qualified professional of its choice to help assess current medical evidence as to the students' readiness for reentry to the College and of his/her ability to attend classes without disruptive behavior or substantial risk of harm to the health and safety of others. The Dean of Students may require other current information reasonably calculated to assist in making an appropriate decision regarding readmission. The Dean of Students may, based upon the information presented, set certain requirements for readmission and continued enrollment. Any breach of the readmission requirements may result in immediate involuntary withdrawal of the student. The student may submit a grievance of any decision. Refer to pages 30-32 for instruction.

ACADEMIC STANDARDS

Academic Honesty

Honesty is an expectation at Salt Lake Community College (SLCC). This means that each student at SLCC will adhere to the principles and rules of the College and pursue academic work in a straightforward and truthful manner, free from deception or fraud. Any attempt to deviate from these principles is academic dishonesty and will be dealt with according to rules of due process as outlined on page 9.

This section explains situations that constitute misconduct.

Forms of Academic Dishonesty

Cheating: Presenting others' work as one's own or assisting another student to do so in the classroom, lab or the Testing Services. Cheating may also occur when a student violates the conditions governing an examination.

Examples of cheating include, but are not limited to the following:

- using oral, written, visual, or other forms of communication intended to give or receive improper assistance
- looking at or copying another's work
- use of unauthorized materials (texts, notes, calculators, etc.)
- taking an exam for another student
- having someone else take the student's exam
- altering one's work after an exam has been returned and before resubmitting it
- obtaining and/or using an upcoming exam ahead of test time

Misrepresentation: Falsifying information. This includes, but is not limited to the following:

- having another person represent or stand in for oneself in circumstances where one's attendance and/or performance is required
- misrepresenting class attendance

- presenting false academic credentials
- submitting someone else's work as one's own
- submitting work originally submitted for one course to satisfy the requirements of another course without prior consent of the current instructor. It is assumed that the current instructor expects the work to be original
- forging or using another's signature
- altering or destroying academic records and documents
- presenting false data, experimental or physical results

Out-of-Class Work: Collaborating on or aiding out-of-class work when prohibited by the instructor. Such unauthorized activity includes, but is not limited to the following:

- receiving unauthorized outside help on take-home exams or assignments
- consulting with others' about homework, laboratory reports, etc.
- copying another's homework, laboratory reports, etc. and submitting it as one's own

Plagiarism: Using another person's ideas, evidence, or words without proper acknowledgment or conveying the false impression that the arguments and writing in a paper are one's own. Plagiarism includes, but is not limited to the following:

- acquiring by purchase or otherwise, a part of or an entire document of work which is represented as one's own
- representing the ideas, data, or writing of another person as one's own work, even though some wording, method of citation, or arrangement of evidence, ideas, or arguments have been altered
- concealing the true sources of information, ideas, or argument in any piece of work

Other Academic Violations: Violations of academic policy considered as academic dishonesty include, but are not limited to the following:

- removing materials from the library without proper authority

- infringing on the rights of other students to fair and equal access to academic resources
- duplicating course materials expressly forbidden by the instructor
- using tape recorders or other recording devices in a classroom when not specifically authorized to do so by the faculty member or Disability Resource Center
- ignoring or willfully violating class or laboratory instructions or policies

PROCEDURES FOR ALLEGED ACADEMIC DISHONESTY

1. A faculty member who suspects a student of academic dishonesty must inform the student, in writing, of the alleged infraction within 5 days (excluding weekends and holidays) after the discovery of the violation. The faculty member shall offer to meet with the student to discuss the violation and provide evidence of his/her allegations. The faculty member may inform and/or request assistance from his/her Program Director/Associate Dean.

In cases where the student claims the alleged dishonesty is a manifestation of his/her disability, the faculty member will involve the Risk Management Director or the students' Disability Resource Center advisor in any subsequent deliberative due process.

2. Within 5 days (excluding weekends and holidays) after informing the student of the alleged infraction and meeting with him/her, the faculty member may investigate to further substantiate the allegation(s). Following the investigation, if there is sufficient merit to the allegation(s), the faculty may impose sanction(s) for Academic Dishonesty. The faculty member will notify the student of the sanction(s). Refer to step 1.
3. Within 5 days (excluding weekends and holidays) after the imposition of a decision and possible sanction(s) by the faculty member, the student may submit an appeal, in writing, to the Program Director/Associate Dean, if not currently involved in the case. Otherwise, the case will be referred to the appropriate Dean who oversees the class in question. The appropriate Dean will review the findings from the decision made by the faculty member and render his/her decision. The appropriate Dean will notify the student, in writing, of his/her decision to uphold, modify or dismiss the decision and possible sanction(s) imposed by the faculty member. Within 5 days (excluding weekends and holidays) after receiving the decision made by the appropriate Dean, the student can accept or reject the decision.

If the student rejects the appropriate Dean's decision, he/she may submit an appeal, in writing, to the Dean of Students office. Refer to page 46. A request for an appeal is granted by the Academic Review Committee Chair if, 1) the student is able to provide pertinent information that was not considered in the original decision, or 2) if due process was not appropriately administered. The Administrative Assistant will schedule the Academic Review Committee hearing. The hearing will be scheduled within 5 days (excluding weekends and holidays) of the written request. Delays, if needed, will be communicated to all parties.

During the Academic Review Committee hearing, the student and faculty shall have the right to present evidence and witnesses. Any evidence having reasonable value as to a relevant fact may be admitted and considered. A list of witnesses will be presented to the Administrative Assistant not later than 5 working days prior to the hearing. The Administrative Assistant will notify all witnesses. At the conclusion of the hearing, the

Review Committee Chair will submit the Review Committee's findings and recommendation to the Provost for Academic Affairs.

4. Within 3 days (excluding weekends and holidays) after receiving the recommendation from the Academic Review committee, the Provost for Academic Affairs shall dismiss, modify or uphold the recommendation of the Committee. The decision of the Provost for Academic Affairs is final.

Sanctions for Academic Dishonesty

In cases of academic dishonesty, faculty members may impose one or more of the following sanctions:

- failing the assignment in which the infraction occurred
- failing the certification of competency in the area in which the infraction occurred
- failing the course in which the infraction occurred

In addition, in cases where academic dishonesty has been repeated by the same student, the faculty member should notify his/her Program Director/Associate Dean and/or the appropriate Dean of the alleged infraction, decision and possible sanction(s). If the alleged infraction occurs during the final examination period of the term, the faculty member may assign the student an "I" grade to indicate a problem or incomplete work at final time. This grade will remain until the alleged violation is adjudicated.

In cases of academic dishonesty in Testing Services, the proctor will immediately notify the instructor of record of the infraction. The instructor is responsible for notifying the student of the alleged infraction. Refer to page 45.

In addition, in cases where academic dishonesty has been repeated or is of an especially serious nature, the Director of Testing Services may recommend to the faculty of record the imposition of additional corrective actions, including those for misconduct.

Academic Review Committee Composition & Authority

Composition

The composition of the Academic Review Committee shall consist of four members, that act as an impartial hearing board: **two faculty** (one being the chair) nominated by the Faculty Senate and appointed by the Provost for Academic Affairs; **one student** currently serving as

the Executive Vice President, and **one staff member** currently serving as the Advisor for Academic Standards.

Authority

Each faculty member will be appointed for a three-year term. Student term will be for one year. The Academic Standards Advisor is a standing position. Any member can be reappointed to a second term. All committee members are voting members. The Dean of Students or designee, will also be present for the hearing, but is a non-voting member.

A faculty member (appointed by the Provost for Academic Affairs) shall function as the Chair during all Review Committee hearings. The decision of the Provost is final.

For information on the hearing procedures, refer to pages 45-46 or, contact the Dean of Students Office at 801-947-4776.

Academic Review Committee Process

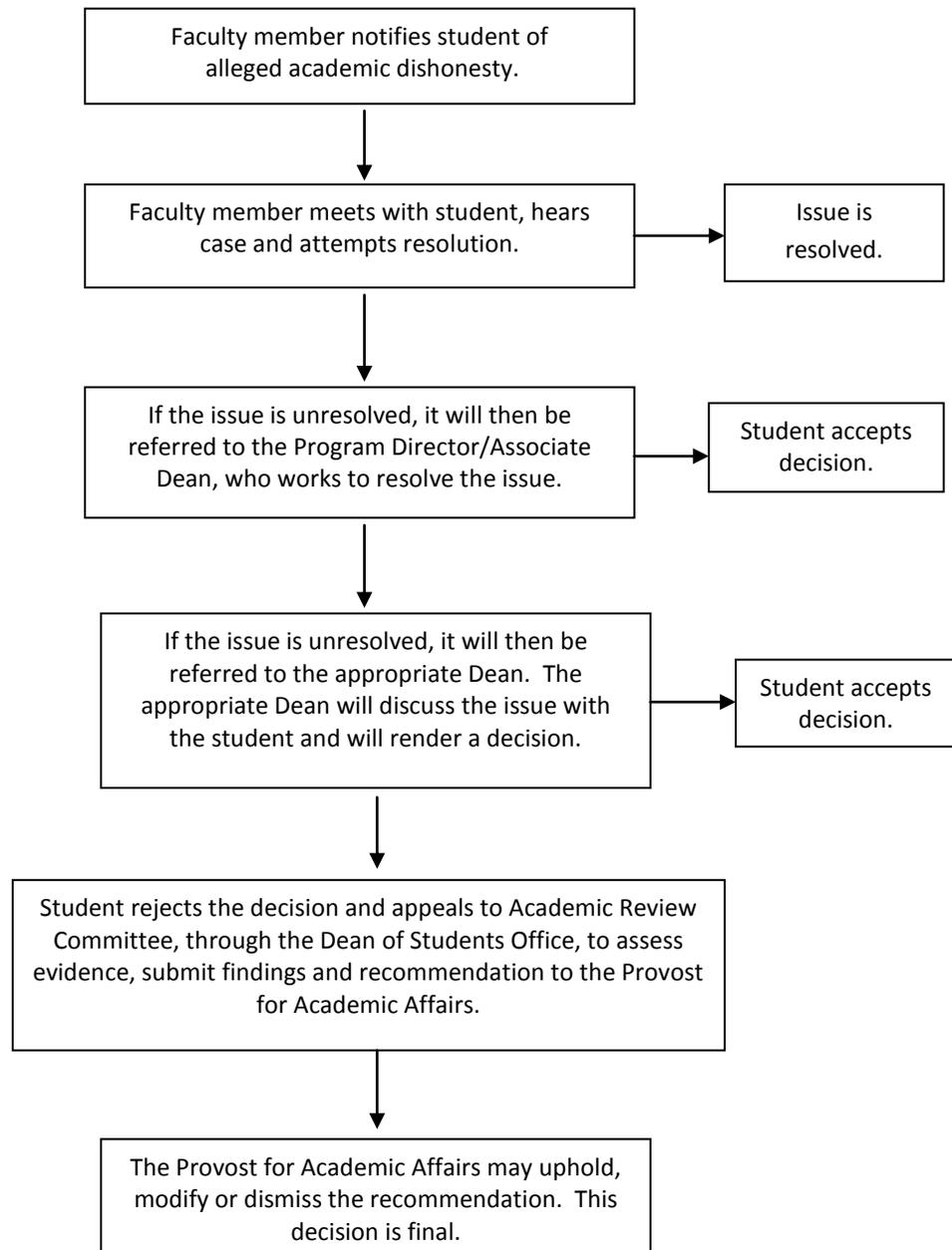
The Review Committee will conduct its proceedings as follows: The hearing is closed to the public. The Dean of Students will introduce the written appeal to the committee.

The Review Committee will discuss issues, hear testimony, question witnesses and consider available evidence pertaining to the appeal hearing. The respondent will have the opportunity to present statements, testimony, evidence and witnesses. The respondent will have the opportunity to respond to questions by the members of the Review Committee. The Committee will submit its written findings of facts, its recommendation(s) to the Provost for Academic Affairs within 3 days (excluding weekends and holidays) of hearing the case, unless this time is extended for good cause by the Committee.

The Provost for Academic Affairs will review the findings of fact and recommendation of the Committee and shall render a written decision within 3 days (excluding weekends and holidays). Based upon the Committee's recommendation, the Provost for Academic Affairs may dismiss, modify or uphold the recommendation of the Committee. The decision of the Provost is final.

All hearings before the committee will be audio recorded, kept in a confidential file in the office of the Dean of Students, and made available to the complainant and/or respondent for at least five years.

PROCESS FOR ALLEGED ACADEMIC DISHONESTY IN CLASSROOM SITUATIONS



For assistance, contact:
Dean of Students Office
Student Center, Room 276
Salt Lake Community College
4600 South Redwood Road
Salt Lake City, Utah 84123
801-957-4004

ALLEGED ACADEMIC DISHONESTY IN NON-CLASSROOM TESTING SITUATIONS

In cases of academic dishonesty involving other non-classroom assessments, the procedures for adjudication outlined below are the same except that the Testing Services Director will inform the student of the alleged infraction, investigate and take action.

Composition

The composition of the Review Committee shall consist of **four** members, that act as an impartial hearing board: the **Assistant Vice President for Enrollment Services** will serve as chair, **one faculty** nominated by the Faculty Senate and appointed by the Provost for Academic Affairs; **one student** currently serving as the Executive Vice President, and **one staff member** currently serving as the Advisor for Academic Standards.

Authority

Each faculty member will be appointed for a three-year term. Student term will be for one year. The Academic Standards Advisor is a standing position. Any member can be reappointed to a second term. All committee members are voting members. The Dean of Students or designee, will also be present for the hearing, but is a non-voting member.

A faculty member, appointed by the Provost for Academic Affairs, shall function as the Chair during all Academic Review Committee hearings. The decision of the Provost is final.

Procedures

A respondent (student) may request a hearing before the Academic Review Committee under the following conditions: 1) The investigative process was incomplete or, 2) the respondent provides the Dean of Students office with new information prior to the hearing that was not available while the original investigation was conducted. For detailed information on the hearing process, refer to pages 45-46.

If the respondent chooses to have the matter heard by the Academic Review Committee, he/she must notify the Dean of Students Administrative Assistant, in writing, within 5 days (excluding weekends and holidays) after receiving the decision from the Dean. The respondent must follow the procedures for review outlined by the Academic Review Committee. The written notification must include the following:

- Name, address and student telephone number
- Description, date(s) and place (s) of alleged act(s)
- Circumstances which the student feels merit review (refer to step 1 above)

NOTE: If the respondent fails to request a hearing within the above mentioned time period, the original sanction(s) becomes final.

The hearing is not intended to be an adversarial process. The respondent has the right to be accompanied at the hearing by an advocate of his/her choice including legal counsel. Should the respondent choose to be accompanied by an advocate, or legal counsel, the respondent must notify the Dean of Students Administrative Assistant in advance and must personally present his or her evidence and position. Should the respondent choose to bring legal counsel, the College's legal counsel will also be present.

The respondent shall have the opportunity to present evidence and witnesses. The respondent must give the Dean of Students Administrative Assistant a list of witnesses in advance and the Administrative Assistant will coordinate their participation in the hearing. Any evidence relevant to the case may be admitted and considered.

NOTE: If the respondent fails to attend the scheduled hearing or give appropriate notification to reschedule the hearing, the original sanction(s) becomes final.

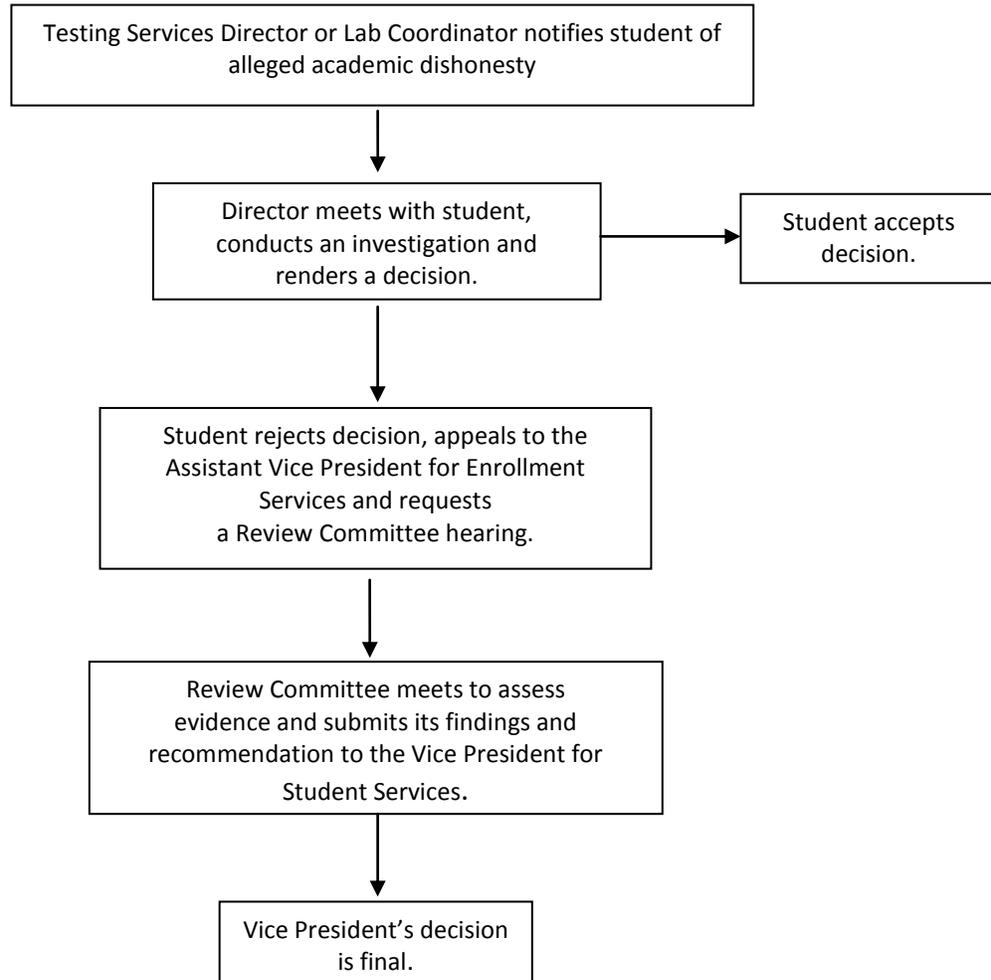
The faculty member, Program Director/Associate Dean, if applicable, and the Dean have a right to provide witnesses directly involved in the case, as a result of the sanction(s) imposed on the student. Also, if witness statements have been previously submitted, the witness who supplied the statement may need to be present at the hearing.

The deliberation should be concluded within 24 hours (excluding weekends and holidays). When the deliberations are concluded, the Review Committee will provide a written summary of its recommendation to the Provost for Academic Affairs, who will make a decision according to the recommendation.

The Provost, may accept, modify or dismiss the recommendation. The decision rendered by the Provost is final. The Provost then forwards a letter to the respondent of the action taken along with the Chair of the Review Committee.

NOTE: The Academic Review Committee for a non-classroom testing situation will make their recommendation and the final decision rests with the Vice President for Student Services. The Academic Review Committee for classroom or testing room infraction will make their recommendation and the final decision rests with the Provost for Academic Affairs. The Vice President's decision is final.

PROCESS FOR ALLEGED ACADEMIC DISHONESTY IN NON-CLASSROOM TESTING SITUATIONS*



For assistance, contact:
Dean of Students
Student Center, Room 276
Salt Lake Community College
4600 South Redwood Road
Salt Lake City, Utah 84123
801-957-4004
*Testing Services, labs, etc.

PROCESS FOR REQUESTING PERMISSION TO USE COLLEGE PROPERTY FOR PUBLIC EXPRESSION

The procedures for obtaining permission to use College property for public expression are as follows:

General. The request for use must be submitted to the Office of the Dean of Students, Taylorsville Redwood campus, Room 276, at least three (3) business days prior to the day for the requested use. The request will need to identify a contact person who will communicate with the Office of the Dean of Students.

Requirements for the Request for Use. The request for use shall be in writing (including electronic form if available on the College's web page) and shall include the following information:

- The name of the organization and the name of the individual requesting use of a College facility.
- A brief description of the intended use, including the name of any speaker or speakers, and the general topic of an address or presentation, if applicable.
- The exact date and time of the request.
- The anticipated number of persons who will attend.
- Whether an admission fee will be charged and, if so, the amount and purpose of such fee.
- Any special set-up or equipment that may be required.
- Any preference for a specific location.

Grounds for Denial of Request for Use. A request for use may be denied for any one of the following reasons:

- The request for use is not timely made.
- Any one of the standards and requirements set forth in SLCC Policies 10.10, 10.11, or 10.12 is not satisfied.
- The current or any previous request contains a material falsehood or misrepresentation.
- The request was submitted after another similar request.
- The use is junior in priority to another competing use. See an explanation of priorities in SLCC Policy 10.10.
- The request is determined by the Director of Public Safety to pose an unreasonable risk of substantial disruption of or material interference with the College's activities or mission.

Decision of the Office of the Dean of Students. The Office of the Dean of Students will notify the student or student organization of its decision within two (2) business days after receiving the request. If the request is denied, the Office of the Dean of the Students will set forth in writing the grounds for the denial. Where feasible, the Office of the Dean of Students will

propose measures that the requestor can take to cure the defects in the request. If the denial is based on a competing request, the Office of the Dean of Students will suggest an alternate time or place.

Appeal Rights. If a request has been denied, the requestor has five (5) business days to appeal the decision to the Vice-President of Student Services or his/her designee. The decision of the Vice-President of Student Services or his/her designee shall be final. Failure to request an appeal within the prescribed time, will result in a forfeit of the right to appeal.

Free Speech Areas. In an effort to better meet the purposes for these procedures, the College has designated specific areas on the grounds of its campuses as “free speech areas” where speakers can request to address those outdoors who may be willing to listen. These areas are:

- Taylorsville Redwood Campus: The Student Center West Patio or the Alder Amphitheatre.
- South City Campus: The outside fountain area east of the east entrance.
- Jordan Campus: The south quad (between the High Tech Center and Health Sciences).
- Other locations as may be designated by the Dean of Students and Campus Security.

Nothing in this section shall be interpreted as limiting the right of free speech elsewhere on the College’s campuses as may otherwise be provided by the College’s Policies and Procedures.

Sound Amplification Equipment. Permission must be obtained from the Office of the Dean of Students before using sound amplification equipment. Sound equipment shall only be used at sound levels which do not disrupt or disturb teaching, research or other duly authorized meetings or activities. Violations of this restriction shall constitute grounds for revocation of the permission to use the sound amplification equipment. Where permission to use sound amplification equipment is denied or revoked, the user shall have the appeal rights set forth above.

Rental Fees or Additional Costs. A student or student organization is not required to pay any rental fees for use of College property when used for purposes of public expression. However, the College reserves the right to charge for any abnormal costs that the use imposes on the property. The user agrees to hold the College harmless for any assessed damages or liabilities that result from the use.

References. The procedures in this section are subject to the following laws and regulations:

- U.S. Constitution, Amendment 1
- Constitution of Utah, Sections 1 and 15
- Utah Code Ann. § 53B, Chapter 3 (Enforcement of Regulations at Institutions)
- Utah Board of Regents Policy, R255, Scheduling and Authorizing Use of Campus Facilities
- SLCC Policy CS10.10, Acquisition and Use of Facilities and Properties
- SLCC Policy CS10.11, Sales and Sponsorship
- SLCC Policy C2S10.12, Advertising and Posting

REFERENCES

The Joint Statement on Rights and Freedoms of Students (Twenty Five Years Later), Richard H. Mullendore, *New Directions for Students Services, Rights, Freedoms and Responsibilities of Students*, #59, Fall 1992, Jossey-Bass Publishers, San Francisco pp. 5-23

Standards of Behavior and Disciplinary Proceedings, Donald D. Gehring and William R. Bracewell, *New Directions for Student Services, Rights, Freedoms and Responsibilities of Students*, #59, Fall 1992, Jossey-Bass Publishers, San Francisco pp. 90-98

Drug Free Campus, Alcohol and Drug Education and Prevention, Salt Lake Community College, 1990

Student Code, University of Utah

"Carolinian Creed" Hits Intolerance From a Different Angle, *National On-Campus Report*, Volume 20, Number 7, April 6, 1992

The Carolinian's Creed, The University of South Carolina

Student Freedoms and Responsibilities, *De Anza College Resource Guide*, Foothill/De Anza Community College District, Cupertino, California

Your Code of Student Conduct: Development and Use in Campus Discipline, Edward N. Stoner II, *The ASJA Newsletter (Association for Student Judicial Affairs)*, Volume 3, Number 5/Fall 1991

Student Rights and Responsibilities, Utah Valley State College

Hate Speech: ACLU's Stand, *The Campus Legal Monthly*, Volume 7, Number 5, Dennis R. Black, Editor, Magna Publications, Madison, WI p.3

Speech Codes: Noble End, Ignoble Means, *The Campus Legal Monthly*, Volume 7, Number 4, Dennis R. Black, Editor, Magna Publications, Madison, WI p. 8

Student Rights and Freedoms: Joint Statement on Rights and Freedoms of Students, National Association of Student Personnel Administrators, Washington D.C., 1990

"Where Does the Buck Stop?," Selected Standing Committees, Review Boards and Grievance/Appeal Procedures at the University of Idaho, Judy McNevin, PACRAO, 66th Annual Conference, Phoenix, Arizona, November 1992

General Policy; Sexual Offenses, William Rainey Harper Colleges, Palatine, IL

A Legal Guide for Student Affairs Professionals, Adapted from *The Law of Higher Education*, 3rd Edition, William A. Kaplin and Barbara A. Lee, Jossey-Bass San Francisco, CA 1997

Office for Civil Rights, U.S. Department of Education and Title IX Rules and Regulations

Department of Education, Program Integrity Rule (34 CFR § 600.9 (a)), Consumer Complaint Process

Utah Indoor Clean Air Act, (Rule R392-510)

SLCC Policies and Procedures, Faculty Prerogative in Maintaining a Safe, Supportive, and Effective Learning Environment. Chapter 4, Policy 1.03

Title IX – 20 U.S.C.A. Section 1681 (a)