



# STUDENT HANDBOOK

2025-2026

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Highland Community College (hereinafter referred to as “HCC” or “the College”) students are responsible for knowing and adhering to the information, policies, and procedures outlined in this document. The College reserves the right to revise this information, including the HCC Student Code of Conduct and other related policies, as necessary and once those changes are posted online, they are in effect. Students are encouraged to review all College policies to ensure they understand them. The digital version of this document is regularly updated and reflects the most up to date information and policies. Major changes to policies, whether temporary or permanent, will be communicated to students (and applicable staff) through official methods of communications (see Official Communication Policy below). The student handbook is located at <https://highlandcc.edu/pages/handbook>.

Questions about the handbook should be addressed to the Dean of Students at 785-442-6020.

## ABOUT HIGHLAND COMMUNITY COLLEGE

### Vision Statement

Highland Community College is recognized as the college of choice for Northeastern Kansas.

### Mission Statement

HCC, the first college in Kansas, provides lifelong learning opportunities and contributes to economic development to enhance the quality of life in the communities we serve.

### Shared Performance Expectations

Students, faculty, and staff at HCC are expected to grow both academically/professionally and personally in their ability to work and associate with other members of the HCC Community. HCC has defined six “Shared Performance Expectations” (see below) that are essential for all members of the community to exhibit in order for HCC and all its community members to realize their full potential.

1. **Be Competent at your Work** - Know your area of work or study, consistently perform to expectations, use constructive feedback to improve.
2. **Communicate Effectively** - Demonstrate the ability to create and understand messages in written, oral, or visual form.
3. **Respect Others** - Show respect for other people and the environment, be open to perspectives different from your own, treat people and the environment with courtesy.
4. **Make Good Decisions** - Apply critical thinking processes-examine assumptions, gather relevant and reliable data and information, make decisions based on evidence.
5. **Act Responsibly** - Within your role or roles at HCC, meet your commitments and be accountable for your own behavior and performance.
6. **Work Effectively in Teams**-Contribute productively-as a leader or member of a team.

# CAMPUS ENVIRONMENT/OFFICIAL COMPLIANCE

## Federal Right to Know and Campus Security Act

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and the Student's Right-to-Know and Campus Security Act (Public Law 101-542), the College collects and reports specific information on campus crime statistics, campus security policies, retention/graduation rates, and student financial assistance. Additionally, the College is required to inform the campus community where information concerning registered sex offenders can be obtained. Information regarding campus crime statistics and campus security policies may be requested from the Dean of Students located on the first floor of the David Reist Administration Building. Information regarding retention/graduation rates and student financial assistance may be requested from the Dean of Students located on the first floor of the David Reist Administration Building. This information is also accessible at:

- Campus Crime Statistics
  - <https://ope.ed.gov/campussafety/#/>
- Graduation Rates/Financial Assistance
  - <https://nces.ed.gov/ipeds/survey-components/9>
- Kansas Bureau of Investigation (KBI) Kansas Registered Offenders List
  - <https://www.kbi.ks.gov/registeredoffender/>

## Disability Services

The College is committed to full compliance with the Americans With Disabilities Act of 1990 (ADA), as amended, and Section 504 of the Rehabilitation Act of 1973, which prohibit discrimination against qualified individuals with disabilities, as well as other federal and state laws and regulations pertaining to individuals with disabilities. Under the ADA and its amendments, an individual has a disability if they have a physical or mental impairment that substantially limits a major life activity. The ADA also protects individuals who have a record of a substantially limiting impairment or who are regarded as disabled by the College, regardless of whether they currently have a disability. A substantial impairment is one that significantly limits or restricts a major life activity such as hearing, seeing, speaking, breathing, performing manual tasks, walking, or caring for oneself. The Coordinator of Accommodations has been designated as the College's ADA/504 Coordinator responsible for overseeing efforts to comply with these disability laws, including responding to grievances and conducting investigations of any allegation of noncompliance or discrimination based on disability. Complaints may be made to: Kristy Sumpter, Director of Academic Advising and Disability Services located in the HCC Library. Accommodation request forms are available in the HCC Library or by request from the Director of Academic Advising and Disability Services. For additional information see the "Student Assist Services" section.

## **Drug/Alcohol-Free Campus**

The College has long recognized that an academic community is harmed in many ways by the abuse of alcohol and the use of other drugs. This high-risk behavior is exemplified by decreased productivity of members of the community, serious health problems, and strained social interactions as well as forms of vandalism. Problems associated with the illicit use and abuse of substances have a pervasive impact upon the academic community and are not associated with a single socioeconomic group or age level. The processes of education and learning are especially impaired by alcohol abuse and the use of illicit drugs. The College subscribes to the basic philosophy of the Network of Colleges and Universities Committed to the Elimination of Drug and Alcohol Abuse:

1. The institutional establishment enforces clear policies that promote an educational environment free from the abuse of alcohol and other drugs.
2. The institution will provide education for its members for the purpose of preventing alcohol and other drug abuse, as well as educating them about the use of legal drugs in ways that are not harmful to self or others.
3. HCC will create an environment that promotes and reinforces healthy responsible living; respect for community laws; campus standards and regulations; the individual's responsibility within the community; and the intellectual, social, emotional, spiritual, or ethical, and physical well-being of its community members.
4. The College will provide a reasonable level of care for alcohol and drug abusers through counseling, referral, and treatment. The foundation of the philosophy concerning alcohol and drug abuse for HCC is the firm commitment to an educational program which provides adequate information and counseling to help all members of the academic community to make informed and responsible decisions concerning the use of any controlled substance. The College is committed to a healthy environment for learning and living.

## **Peaceful Assembly and Protest**

As a public educational institution in Kansas, the buildings, facilities, and grounds of the College are dedicated to education and the fulfillment of the College's mission to provide high quality instruction and make original contributions to the knowledge and human understanding of its students. The public character of the College does not grant to individuals an unlimited license to engage in activity which limits, interferes with, or otherwise disrupts the normal activities for and to which the College's buildings, facilities, and grounds are dedicated and said buildings, facilities, and grounds are not available for unrestricted use by groups affiliated with the College or non-College groups. All requests are subject to the approval of the Dean of Students or designee. Time, place, and manner restrictions are intended to balance the College's responsibility to fulfill its mission as an educational institution in Kansas with the interests of groups affiliated with the College and non-College groups who are interested in using campus spaces for purposes of constitutionally protected speech, assembly, or expression. More information

related to this policy can be found in Appendix B of this document and by request from Lexy Clark, Human Resources located on the second floor of the David Reist Administration Building.

## **Equal Opportunity Statement**

Highland Community College does not discriminate on the basis of race, color, religion, national origin, sex, age, disability, marital status, or military veteran status as defined by law, in employment, admission, or operation of its educational programs and activities, as prescribed by Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Executive Order 11246, as amended, sections 503 and 504 of the Rehabilitation Act of 1973, the Vietnam Era Veteran's Readjustment Assistance Act of 1974, the Age Discrimination Acts of 1974 and 1975, and other federal and state laws and regulations. Inquiries concerning the application of these laws and regulations to the College may be directed to either of the College's Title IX Coordinators or the Office of Civil Rights, U.S. Department of Education, Washington, D.C. 20201.

## **Equal Opportunity, Harassment, and Nondiscrimination Grievance**

HCC's full Equity Grievance Policy and processes associated with Equal Opportunity, Harassment, and Nondiscrimination may be found online at [highlandcc.edu/pages/handbook](https://highlandcc.edu/pages/handbook). All students are required to review this policy.

## **Official Communication Policy**

For all college business, HCC will use email ([highlandcc.edu](mailto:highlandcc.edu)) as the official/primary mode of communication with students, faculty, and staff. While the College may utilize other means of communication (e.g., print, social media, radio, TV, etc.), based on the nature of the communication, all students, faculty, and staff are expected to check, read, and reply (when applicable) to emails from @highlandcc.edu accounts. Those who are experiencing difficulty accessing their @highlandcc.edu account should contact HCC's IT Help Desk (785-442-6060 or [helpdesk@highlandcc.edu](mailto:helpdesk@highlandcc.edu)).

## **Accessibility**

Complete copies of HCC Policies referred to in this handbook, including the HCC Housing Handbook, may be found online at: <https://highlandcc.edu/pages/handbook>.

## **Accreditation**

Highland Community College is authorized to operate by the Kansas Board of Regents and is regionally accredited by the Higher Learning Commission (HLC). HLC offices are located at 230 South LaSalle Street, Suite 7-500, Chicago, IL 60604, (800) 621-7440/ (312) 263-0456. Program-specific accreditations are available on file at Highland Community College Technical Center, Atchison, KS.

- HCC Nursing Programs are approved by the Kansas State Board of Nursing (KSBN). The curriculum for both the LPN - RN Program and the PN Program support the statewide alignment as outlined by the Kansas Postsecondary Technical Education Authority (TEA) under the auspices of KBOR as approved by KSBN.
- HCC's Auto Technology Program is ASE Education Foundation (formerly NATEF - National Automotive Technician Education Foundation) certified.

Highland Community College is authorized by the U.S. Department of Education to participate in the Title IV, HEA programs listed in our Program Participation Agreement available on file in the Financial Aid Office at Highland Community College, 606 W Main, Highland, KS 66035.

# HCC OFFICE PHONE DIRECTORY

HCC Highland Campus Resource Guide	Phone Number	Location
Campus Main Line	785-442-6000	Highland, KS
<b><i>To dial an extension, dial 785-442- (add the 4-digit extension number listed below)</i></b>		
Academic Advisor Information	6159	Library
Academic Assistance	6058	Library, Student Resource Center
Activities & Clubs	6188	Irvin Hall, Lower Level
Alumni Activities	6018	Administration Building, 2nd floor
Athletics (Intercollegiate)	6039	Allen Field House, Room 207
Athletic Trainer	6049	Allen Field House, Training Room
Billing	6001	Administration Building, Business Office
Bookstore	6009	Irvin Hall, Lower Level
Cafeteria (Great Western)	6095	Cafeteria
CARE Team		care@highlandcc.edu
Counseling Services	6016	Yost Hall, Lower Level
Disabilities Services	6159	Library
Doctor- see Highland Community Clinic		
<b>EMERGENCY - AMBULANCE - FIRE</b>	<b>911</b>	
Highland Police/City Hall	785-442-3212	220 W. Main, Highland, KS
Highland Community Clinic	785-442-3213	415 W. Main, Highland, KS 66035
Employment (Student)	6135	Administration Building, Student Services Office
Financial Aid	6135	Administration Building, Student Services Office
Foundation	6019	Administration Building, 2nd floor
Grades - see Student Records	6025	Administration Building, Student Services Office
Housing	6028	Library and Student Union (LSU), Lower Level
ID Cards	6140	Wellness Center
Information Technology Help Desk	6060	helpdesk@highlandcc.edu
Library	6054	Library
Lost and Found	6009	Bookstore/Mailroom
Mail Services	6009	Bookstore/Mailroom
Parking Permits	6140	Wellness Center Front Desk 8 am-5 pm
Resident Assistant	785-850-1377	Irvin Hall, Lower Level
Security	785-741-2206	Heritage Hall, Lower Level
Student Records	6025	Administration Building, Student Services Office
Textbooks - see Bookstore		
Title IX Coordinator-Student concerns	6021	VP Student Services-Administration Building, 1 <sup>st</sup> floor Student Services Office <a href="mailto:vpstudentservices@highlandcc.edu">vpstudentservices@highlandcc.edu</a>

Title IX Coordinator-Employee concerns	6010	Human Resources Manager-Administration Building, 2 <sup>nd</sup> floor
Transcripts - see Student Records		
Tutoring - see Academic Assistance		
Withdrawal from College	6020	Administration Building, Student Services Office
Work-Study - see Employment (student)		
<b>Tech Center Resource Guide</b>	<b>Phone Number</b>	<b>Email Address</b>
Technical Center Main Line	785-442-6180	<a href="mailto:hcctc@highlandcc.edu">hcctc@highlandcc.edu</a>
Academic Services		<a href="mailto:hcctc@highlandcc.edu">hcctc@highlandcc.edu</a>
Care Team		<a href="mailto:care@highlandcc.edu">care@highlandcc.edu</a>
Student Services	785-442-6252	<a href="mailto:hcctc@highlandcc.edu">hcctc@highlandcc.edu</a>
<b>Regional Site Resource Guide</b>	<b>Phone Number</b>	<b>Email Address</b>
Atchison Center	785-442-6180	<a href="mailto:atchison@highlandcc.edu">atchison@highlandcc.edu</a>
Perry Center	785-442-6400	<a href="mailto:perry@highlandcc.edu">perry@highlandcc.edu</a>
Concurrent Classes	785-442-6141	<a href="mailto:concurrent@highlandcc.edu">concurrent@highlandcc.edu</a>
Wamego Center	785-442-6280	<a href="mailto:wamego@highlandcc.edu">wamego@highlandcc.edu</a>
Western Center	785-442-6240	<a href="mailto:western@highlandcc.edu">western@highlandcc.edu</a>
Regional Disabilities Coordinator	785-442-6280	<a href="mailto:disabilities@highlandcc.edu">disabilities@highlandcc.edu</a>
Care Team		<a href="mailto:care@highlandcc.edu">care@highlandcc.edu</a>
<b>Online Classes Resource Guide</b>	<b>Phone Number</b>	<b>Email Address</b>
Director	785-442-6170	<a href="mailto:hcconline@highlandcc.edu">hcconline@highlandcc.edu</a>
Enrollment	785-442-6171	<a href="mailto:hcconline@highlandcc.edu">hcconline@highlandcc.edu</a>
Concurrent (High School) Enrollment	785-442-6141	<a href="mailto:concurrent@highlandcc.edu">concurrent@highlandcc.edu</a>
Online Disabilities Coordinator	785-442-6280	<a href="mailto:disabilities@highlandcc.edu">disabilities@highlandcc.edu</a>

# SEE SOMETHING. DO SOMETHING. THERE ARE MULTIPLE WAYS TO REPORT YOUR CONCERNS.

## REPORTING CONCERNS

### How to Report a Concern

HCC encourages members of its community (i.e., students, faculty, staff, guests, neighbors, etc.) to report their concerns about the health and/or safety (mental or physical) of a student as well as possible violations of HCC policy to the appropriate HCC employees. Certain employees are required to report specific crimes per federal and state laws (see Campus Security Authorities). At the same time, all employees are expected to report crimes and major violations of policy. However, equally important to HCC is informing the HCC CARE Team, comprised of faculty, staff, and senior administrators (see CARE Team below) when they can assist students in distress.

Community members should feel free to report incidents, complaints, concerning behavior, or students who are experiencing some sort of hardship. Anything that creates concern can be submitted via the appropriate forms below. Additionally, HCC community members can report without fear of retaliation because the College will aggressively pursue allegations of retaliation against those who report information to HCC staff members (see Notice Regarding Retaliation below).

The following methods of reporting are available to all students, faculty, staff, and others: In-person/Email/Phone.

### **IMPORTANT: In an emergency always call 911**

**Students** may report potential policy violations to any HCC staff member. Staff members are expected to treat a report and the sensitive information that may be shared with them with professionalism. They will only share the information with those needed to resolve the matter. Please note that most staff members are designated as Campus Safety Authorities and are required to report incidents. If you are unsure of their mandatory reporting status, please ask before sharing sensitive information.

**Faculty and staff** may report to their direct supervisor, some specific positions on campus, as well as the Director of Human Resources.

## Online Reporting Forms

HCC makes online reporting forms available through its website.

### Silent Witness Form

This form allows anyone to anonymously report incidents/violations that are in progress, allowing the reporter to bring the issue to the immediate attention of HCC staff members. Please use the other forms for any concerns that are not in progress.

(IMPORTANT: in the event of an emergency always call 911 first!) <https://highlandcc.edu/pages/silent-witness>

### General (Incident) Report Form

This is the primary form used to report incidents. This form is for incidents that have already transpired. This form can be submitted as an FYI (for your information) to provide documentation of incidents that have already been resolved; for reporting concerns about a student or students health and safety (for the CARE Team); for instances of bias-motivated sexual misconduct (also see below); for academic misconduct; and all general misconduct or conduct when the reporter is not sure if it is a violation or not. This form can also be used to submit concerns regarding Campus Security Officers. [https://cm.maxient.com/reportingform.php?HighlandCCKS&layout\\_id=7](https://cm.maxient.com/reportingform.php?HighlandCCKS&layout_id=7)

### Discrimination, Harassment, Gender-Based Misconduct Reporting Form

While a reporter may use any of the forms above to report instances of violations or misbehavior motivated by sex, race, religion, etc., this form is specifically designated for these types of allegations (Please see the Equity Grievance Policy at <https://highlandcc.edu/pages/title-ix-resources>) [https://cm.maxient.com/reportingform.php?HighlandCCKS&layout\\_id=1](https://cm.maxient.com/reportingform.php?HighlandCCKS&layout_id=1)

## Campus Safety Authorities

As noted above certain HCC employees are designated as Campus Safety Authorities (CSA). A CSA at HCC is defined as:

- Campus Security Officers
- Employees who have responsibilities for security including Housing staff (RAs), building administrators/directors
- Employees with significant responsibilities for student and campus activities

CSAs are required to report certain crimes such as murder, rape, robbery, arson, alcohol/drug violations, dating violence, etc.

## **CARE Team**

The CARE Team (Campus Assessment Recommendation and Evaluation Team) is comprised of members of the campus community (i.e., faculty, student support staff, administrators) who provide caring, supportive, and early interventions to individuals whose behavior is disruptive or concerning. The CARE Team works with campus partners to identify and support individuals in distress to reduce the individual's risk, increase safety, and prevent violence.

When another member of the HCC community notices a student is struggling or showing signs of mental or physical distress, or if they notice a student varying from their normal routines that student may be referred to the CARE Team. The CARE Team will evaluate the information provided and determine how best to support the student of concern.

The CARE Team is NOT a sanctioning body and is not part of the Student Conduct Process. However, a student who is working with the CARE Team may also simultaneously be involved in the Student Conduct Process (see below). However, after evaluating the information and determining the appropriate risk level, the CARE Team may mandate an assessment. Failure to comply with this mandate will be submitted to Student Conduct under an allegation of non-compliance.

# ACADEMIC CONDUCT

HCC wants students to succeed and encourages students to make responsible academic choices. A student's course load will be appropriately limited as defined in the course load policy (found in the College Regulations section of the HCC catalog). Students must maintain at least a 2.00 Cumulative Grade Point Average (CGPA) to remain in good academic standing.

## Academic Grade Change Appeals

Students are responsible for meeting the academic performance standards for each course in which they are enrolled. The course instructor is responsible for the establishment of the criteria for grades and the consistent evaluation of student academic performance. However, where there are no related allegations of academic misconduct against the student, a student has the right to appeal grades for a particular assignment/exam/course. These appeals are submitted, in writing, to the Dean of Instruction located in the Office of the Vice President of Academic Affairs, located in the lower LSU building. For additional information, a student can call (785) 442-6050.

The grade appeal procedure is NOT a review of the faculty's grading method. The grade appeal procedure is available only for the review of allegedly capricious grading. Capricious grading, as the term is used here, consists of any of the following:

1. The assignment of a grade to a particular student on some basis other than documented performance in the course.
2. Applying more stringent or demanding standards than were applied to other students in the course.
3. A substantial departure from the instructor's previously stated (written) standards.

If a student believes an academic decision was illegal, discriminatory, or biased please refer to the Grievance Process, which can be found here:

[https://cm.maxient.com/reportingform.php?HighlandCCKS&layout\\_id=1](https://cm.maxient.com/reportingform.php?HighlandCCKS&layout_id=1) or in the Student Services Office located on the first floor of the David Reist Administration Building.

## Academic Standings, Academic Probation, and Academic Suspension:

**Initial Standing:** The student has attempted fewer than 9 cumulative credit hours with a CGPA => 2.00 for all classes attempted.

**Good Standing:** The student has attempted at least 9 cumulative credit hours and has a CGPA => 2.00 for all classes attempted.

***If a student's CGPA drops below 2.00, they will be placed in one of the following categories to promote academic improvement:***

- **Academic Alert:** A CGPA lower than 2.00 after attempting 9 credit hours or fewer. The student may continue to enroll in classes after they meet with their academic advisor to discuss a plan for academic improvement.
- **Academic Probation:** A CGPA lower than 2.00 after completing 9 or more credits at HCC. The student may continue to enroll in classes after they meet with their academic advisor to discuss a plan for academic improvement and they earn higher than a 2.00 Term GPA (TGPA) in the next full semester.
- **Continuing Academic Probation:** A CGPA lower than 2.00 for all courses completed in residence and the last term GPA is 2.00 or higher.
- **Academic Suspension:** If a student on academic probation earns a TGPA of less than 2.00 for all classes attempted, the student will be suspended and will not be allowed to enroll for the next term, excluding summer term (see suspension rules for information about the summer term). A student that earns a **TGPA of 0.00 for all classes attempted** will be suspended and will not be allowed to enroll for the next term.

## Academic Suspension Rules

- Summer term may not be used as a suspension term.
- Summer term may be used to improve the GPA. If a student wishes to enroll for the summer term after being academically suspended, the student will need to apply for an exception to enroll.
- The duration of an **initial academic suspension** is for one term, excluding the summer term.
- The duration of a **second academic suspension** is for two terms, excluding the summer term.
- If a student has served an initial academic suspension or second academic suspension wishes to return, they will only be allowed to re-enroll after meeting with an academic advisor. The student will begin the term on academic probation.
- The duration of a **third academic suspension** is four academic terms, excluding summers.
- If a student who has served a **third academic suspension** wishes to return, the student must meet with an advisor to get the academic suspension hold removed.

Note: Academic probation/suspension is different from financial aid warning/probation/ineligibility (see Financial Aid SAP policy) and disciplinary probation (see Student Code of Conduct located in the student handbook).

## Attendance Requirements

Highland Community College expects each student to actively participate in their coursework. Regular class attendance is considered a key element of participation and an essential part of the educational experience. The First Day Handout is provided with the instructor's expectations for the course and includes specific attendance and participation requirements. Students should note that the First Day Handout may differ for each instructor and course.

## **Attendance Requirements for Students Enrolled in Technical Programs**

Students who do not attend by the end of the second week will automatically be removed from the program in which they are enrolled. In order to develop the discipline and workplace habits required of successful workers, students are expected to attend class. When an absence is necessary, students are required to provide instructors with advance notice (when possible) and are responsible for making up missed coursework.

**Full Time Student Attendance Policy:** Students attending a technical program full time are in session 6.24 hours per day. Full-time students missing 62 hours in one semester will be removed from the program. Students who have been “dropped” from courses before the last day to withdraw from classes will receive a “W” on their transcript. Students dropped from courses after the last day to withdraw from classes will receive an “F” on their transcript.

**Part Time Student Attendance Policy:** Students attending a technical program part time are in session 3.12 hours per day. Part-time students missing 31 hours in one semester will be dropped from the program. Students dropped before the last day to withdraw from classes will receive a “W” on their transcript. Students dropped after the last day to withdraw from classes will receive an “F” on their transcript.

Students will be informed about poor attendance at three intervals during the semester. These intervals are:

- After 24 hours of absence for full-time and 12 hours of absence for part-time students the instructor/and or student services personnel will meet with the student to provide verbal warning.
- After 48 hours of absence full-time and 24 hours of absence for part-time, student services personnel will meet with the student to provide written notification.
- After 62 hours of absence for full-time and 31 hours of absence for part-time, student services personnel will meet with the student to complete withdrawal forms.

Any student, attending full or part time courses who is absent for five (5) consecutive days<sup>1</sup> may be dropped from the program after an evaluation by the center Director within 10 days of the fifth absence.

High school students are not allowed to leave class without notification to the Atchison Technical Center at (785) 442-6180 or the Western Center at (785) 442-6240 depending on attendance location. The high school and/or parent/guardian may be notified of absences, late arrivals, or early dismissal.

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<sup>1</sup>Days when referred to in this document, always refer to University business days.

## **Academic Integrity Policy**

Highland Community College faculty and students have the responsibility to maintain high academic standards. Academic misconduct by students, which includes but is not limited to cheating, fabrication, plagiarism, or helping others cheat, is a reason for disciplinary action. Students should submit their own academic work based on their instructor's written directions (see First-day Handouts). All faculty are expected to respond to and document any known cases of academic misconduct, including referral to the Student Conduct Process (see Student Conduct Process). Academic misconduct is defined in the Student Code of Conduct [here](#).

Cheating and other forms of academic misconduct affect more than the student who engages in cheating, plagiarism, etc. It frustrates the honest efforts of other students, degrades the learning environment, and reflects poorly on any institution that tolerates it. Ultimately tolerance of academic misconduct degrades the value of the education, degree, and credits a student receives from Highland Community College. Examples of Academic Misconduct can be found in the Prohibited Conduct section of this document.

Academic misconduct violations are part of a student's record. Multiple violations of the Academic Integrity policy may result in more serious penalties, including possible suspension or expulsion from HCC.

## **Electronic/Online Testing**

HCC makes use of electronic/online testing platforms/programs (e.g., Assessment Technologies Institute® [ATI] & Canvas®). Unless otherwise specified, in writing by the instructor, HCC expects students who participate in electronic/online examinations to only use and interact with the testing platform during their exam. This means HCC faculty/staff will consider exiting the testing screen, splitting a computer/tablet/other device display with the testing screen and other programs, and or accessing resources (e.g., phones, books, persons, etc.) not explicitly allowed by the instructor as a form of academic dishonesty.

## **Classroom Disruption**

Students are expected to engage and participate in their classes in a manner that aligns with the Student Code of Conduct and the syllabus. Faculty will refer any conduct issues that occur in the classroom to Student Conduct.

## **Faculty Support**

Instructors should provide students with opportunities to engage individually, outside of regular class periods. To arrange a meeting with an instructor students should send them an email using their official HCC student email. If a student believes their faculty has not responded to a meeting request or other

concerns, the student may contact the Office of the Vice President of Academic Affairs, located in the lower LSU building or by phone at (785) 442 6050 for assistance.

## **Highland Campus Final Examination Schedule**

Final exams will take place in their course's regularly scheduled classrooms. The time each exam begins is available from each instructor or from the Academic Affairs office on the Highland Campus. All exams are scheduled for two hours except activity-based courses. Final exams for all other scheduled instruction will be given during the last regular class period. Requests for exceptions to the final examination schedule should be directed to the Office of the Vice President of Academic Affairs, located in the lower LSU building or by phone at (785) 442-6050. Only with appropriate documentation and approval from the Vice President of Academic Affairs will a student be permitted to deviate from the announced final examination schedule. Finals for regional courses will be administered during the last scheduled class period. Finals for online and independent study courses will be scheduled by the course instructor during the last week of the course.

## **Changes and Class Cancellations**

Highland Community College reserves the right to cancel, combine, or change the time, day, or location of classes, and to change the instructor and/or instructional method. Tuition and fees may also be changed by the Board of Trustees without notice or obligation.

## **Institutional Awards/Scholarships**

Students receiving institutional awards from Highland Community College are expected to pass at least 12 credit hours per semester and maintain the minimum grade point average listed on the award agreement. Each award has different guidelines which students will receive when they sign their award agreement. Students who do not meet the guidelines will not have their awards renewed for the succeeding semester. There is no appeal procedure or probationary period for HCC institutional awards. Please consult the website ([www.highlandcc.edu](http://www.highlandcc.edu)) for specific institutional award guidelines.

Student-athletes must also meet NJCAA eligibility guidelines to participate in their sport.

## **Satisfactory Academic Progress Policy**

At the end of each semester, all students will be evaluated to determine whether they are making satisfactory academic progress according to the Satisfactory Academic Progress (SAP) Policy. This policy may be found in the HCC Catalog and online at

[https://highlandcc.edu/caffeine/uploads/files/SAP%20Policy%20Changes%20effective%20Fall%202016\(1\).pdf](https://highlandcc.edu/caffeine/uploads/files/SAP%20Policy%20Changes%20effective%20Fall%202016(1).pdf).

## **Refunds and Withdrawals**

If HCC cancels a course, the student will receive a full refund of tuition paid.

A student may withdraw from a course by the designated date each semester. A student-initiated withdrawal must be requested on the College's official add/drop form, which may be obtained from the student's Academic Advisor/Regional Center Director. A "W" appears on the student's permanent academic record but is not used to calculate the cumulative grade point average.

To begin the withdrawal process:

- students attending the main HCC campus contact their Academic Advisor
- regional students must contact the Regional Center Director
- online students must send an email to [hconline@highlandcc.edu](mailto:hconline@highlandcc.edu)

Full (100%) refunds are also given on student-initiated withdrawals within the first week of classes. The first week is defined as three hours of class time in a three-credit hour class; five hours of class time in a five-credit hour class; and one hour of class time in a one-credit hour class.

50% refunds are given on student-initiated withdrawals within two weeks of the class beginning. Two weeks is defined as six hours of class time in a three-credit hour class; 10 hours of class time in a five-credit hour class; and two hours of class time in a one-credit hour class. 40% refunds are given at the beginning of the third week of classes. Three weeks is defined as attending seven hours in a three-credit hour class; 11 hours in a five-credit hour class; and three hours in a one-credit hour class.

Students who receive financial aid will be refunded according to Federal Financial Aid regulations. Highland Community College will use the institutional policy or the 'Return of Title IV Funds' formula issued by the U.S. Department of Education.

### **Administrative Withdrawal**

The College reserves the right to withdraw students from classes at any time during the semester. Generally, these withdrawals are initiated due to disciplinary issues.

# GENERAL INFORMATION

## Student Right to Know

<https://highlandcc.edu/pages/student-right-to-know>

## MyHCC

All HCC students are required to log in to their MyHCC account to view schedules, billing statements, transcripts, class assignments, and a variety of supplementary information. In addition, students are required to log into their Highland.edu student email account to receive official HCC messages and communications.

All students can easily access both of these accounts by going to the Highland website ([www.highlandcc.edu](http://www.highlandcc.edu)) and entering their username and password in the box titled “MyHCC Login.” Student usernames will always be lastname.firstname@highlandcc.edu (ex. Smith.john@highlandcc.edu). New students who do not have their password will automatically receive this information by means of email correspondence sent from the Highland IT department directly to the student’s email account given during the application process and/or during enrollment.

## Bookstore

The HCC Bookstore is located in the lower level of Irvin Hall on the Highland campus and is open weekdays from 8:00 a.m. – 4:30 p.m. Rental books and school supplies can be obtained through the Bookstore. College apparel, college souvenirs, and miscellaneous merchandise are also available.

**Book Rental for non-technical school and online students** – The mandatory book rental program saves money for HCC students. Book rental fees are published at [www.highlandcc.edu](http://www.highlandcc.edu). The fee does not include workbooks or supplements required by instructors. Books are distributed by the HCC Bookstore and must be returned at the end of the semester or upon dropping a course. Students who fail to return books by posted deadlines will be assessed the current replacement cost of the book. Academic transcripts will be held until payment is received.

**Technical Students** – Students are responsible for purchasing necessary textbooks, tools, and/or other items required for each program.

**Mail Room** – The mailroom is located in the Bookstore on the Highland campus. Students living on the Highland campus have mailboxes located in the hallway outside the Bookstore. Students are required to present their student ID when picking up packages. Packages should be secured with tape and properly labeled using a street address.

**Lost and Found** – Lost and Found is located in the HCC Bookstore on the Highland campus. Students attending other campuses should check in the main office of the attendance center.

## **Calendar**

The online calendar is located at [https://highlandcc.edu/pages/calendar\\_0](https://highlandcc.edu/pages/calendar_0) for all important dates.

## **Directory Information**

Highland Community College designates the following student information as public or “Directory Information.”

- Name
- Address (local & permanent)
- Date of birth
- Major field of study
- Full or part-time enrollment status
- E-mail address
- Photographs
- Classification (freshman, sophomore)
- Dates of attendance
- Degrees
- Awards received
- Previous institutions attended
- Sports – height, weight, and picture
- Participation in recognized activities

Currently, enrolled students may opt to withhold disclosure of their directory information. To withhold disclosure, written notification must be received in the Office of the Registrar by the end of the first week of each semester. If a student opts to withhold disclosure of their directory information HCC will not include said information in the Campus Directory which is published each semester and which is available to anyone on request. However, directory information may be shared with applicable HCC staff members using said information in relation to their assigned duties.

All other information (e.g., grades, social security numbers, student schedules, etc.) may not be released without the written consent of the student, except to applicable HCC staff members using said information in relation to their assigned duties. HCC staff members should NEVER release (non-directory) student information over the phone. Any questions concerning FERPA may be referred to the Office of the Registrar.

## **Emergency Procedures**

HCC Emergency Procedures may be found online at <https://highlandcc.edu/pages/emergency-info>.

## **Housing Payment Information**

Student housing at Highland Community College is owned and operated by the College on a self-supporting basis. The College reserves the right to increase rates before or during the school year due to increased cost of services. For instance, local utilities often increase their rates without warning making it necessary for HCC to adjust their housing rates.

## **Inclement Weather Closing Alerts**

It is sometimes necessary for various campuses to close due to inclement weather. All students may sign up to receive RAVE Alerts, a free messaging service that alerts students in various campus locations to announcements about campus closings, emergencies, or other announcements.

Notifications of campus closings may also be sent to the following social media platforms for broadcast:

- HCC's main website ([highlandcc.edu](http://highlandcc.edu))
- X (formerly Twitter): @highlandcc
- Facebook: @highlandscotties

## **Missing Student Notification (In compliance with the Higher Education Opportunity Act of 2008)**

This policy outlines the procedures for reporting, investigating, and making emergency notifications regarding any currently enrolled student who is believed to be missing.

A student will be presumed to be missing when their absence, of 24 hours or more, is inconsistent with their established patterns of behavior and the deviation cannot be readily explained.

### **Reporting a Possible Missing Student:**

Any member of the college community (students, staff, faculty, community) who is concerned a currently enrolled student may be missing should immediately contact the Dean of Students at (785) 442-6020. Additionally, any college employee who receives a report of a possible missing student must immediately contact the Dean of Students or designee. The Dean of Students or designee investigates all reports and determine whether a student is missing. If the Dean of Students or designee determines that a student is missing, they shall notify the President and the Doniphan County Sheriff's Department, and/or other appropriate law enforcement agencies, as necessary.

### **Emergency Contact, (Missing Person):**

Students designate an Emergency Contact on their admissions application. This individual may or may not be the student's parent or guardian (see next section). If a student is determined to be missing, the

Dean of Students or designee will notify the designated Emergency Contact within 24 hours. This contact information is considered confidential and will only be accessible to authorized college or law enforcement personnel.

#### Parent/Guardian Notification for Students under 18 years of age:

If a student is under 18 years of age (and not emancipated) and is determined to be missing, the Dean of Students or designee will notify a custodial parent or guardian within 24 hours.

#### Law Enforcement Notification:

If a student is determined to be missing, the Dean of Students or designee will notify the Doniphan County Sheriff's Department, or other appropriate law enforcement agency, within 24 hours.

### **Liability for Damage**

HCC is NOT liable for damage, theft, or loss of a student's property. Students are responsible for the care and security of their belongings at all times.

### **Parking**

Students, staff, and faculty are required to register their vehicles and display parking permits when parked in campus parking lots. Students living in campus housing will be assigned parking based on their housing assignment.

Students are not allowed to park in areas designated for employee parking. Alleged parking violations will be addressed in accordance with the Student Conduct Process (See Conduct Violations at XXXXX). <https://highlandcc.edu/pages/parking-registration>.

### **Student Insurance**

HCC provides a secondary injury insurance policy for students enrolled in and attending industrial classes, health classes, and/or student-athletes. This service is provided by the institution as providers can change. Students do not file claims with the provider, but rather through the institution. to be accessed. students do not file claims directly with the insurance carrier.

### **Tuition and Fees Payment Information**

HCC tuition and fees payments are due on registration day each semester. Payment plans are available, but all plans must be scheduled before payments are due. Please see <https://highlandcc.edu/pages/payment-plans> for more information.

# STUDENT CODE OF CONDUCT

Highland Community College is committed to fostering a campus environment conducive to academic inquiry, a productive campus life, and thoughtful study and discourse. The Highland Community College Student Code of Conduct (hereinafter referred to as “the Code of Conduct” or “the code”) student conduct program within the Office of Student Conduct is committed to an educational and developmental process that balances the interests of individual students with the interests of the HCC community.

A community exists on shared values and principles. At HCC, student members of the community are expected to uphold and abide by certain standards of conduct that form the basis of the *Code of Conduct*. These standards are embodied within a collection of policies built upon Shared Performance Expectations.

Each member of the HCC community bears responsibility for their conduct and assumes reasonable responsibility for the behavior of others. When members of the community fail to exemplify these expectations by violation of the following rules, Student Conduct proceedings are used to assert and uphold the *Code of Conduct*.

The HCC student conduct process is not intended to punish students; rather, it exists to protect the interests of the community and to challenge those whose behavior is not in accordance with our policies. Sanctions are intended to challenge students’ moral and ethical decision-making and to help them bring their behavior into accord with our community expectations. When a student is unable to conform their behavior to community expectations, the student conduct process may determine that the student should no longer share in the privilege of participating in this community, however, taking away this privilege is never done lightly.

Students should be aware that the student conduct process is quite different from criminal and civil court proceedings. Procedures and rights in student conduct procedures are conducted with fairness to all, but do not include the same protections of due process afforded by the courts. Due process, as defined within these procedures, assures written notice and a hearing before an objective decision-maker. No student will be found in violation of HCC policy without information showing that it is more likely than not that a policy violation occurred, and any sanctions will be proportionate to the severity of the violation and to the cumulative conduct history of the student. A student’s assigned official Highland Community College email is HCC’s primary means of communication with students. Students are responsible for all communication delivered to their HCC email address.

All HCC students are provided with a copy of the Student Code of Conduct annually in the form of a link on the College’s website at <https://highlandcc.edu/pages/handbook>. Hard copies are available upon

request from the Dean of Student's Office located on the first floor of the David Reist Administration Building.

# JURISDICTION

The Student Code of Conduct and the student conduct process apply to the conduct of individual students, HCC affiliated-student groups, and HCC affiliated-student organizations. For the purposes of student conduct, the College considers an individual to be a student when an offer of admission has been extended and thereafter if the student has a continuing educational interest in the College.

The College retains conduct jurisdiction over students who choose to take a leave of absence, withdraw, or have graduated for any misconduct that occurred prior to the leave.

If sanctioned, a hold may be placed on the student's ability to re-enroll and all sanctions must be satisfied prior to re-enrollment eligibility. In the event of serious misconduct committed while a student is still enrolled but reported after the accused student has graduated, the College may invoke these procedures and should the former student be found responsible, the College may revoke that student's degree.

The Student Code of Conduct applies to behaviors that takes place on the campus, at HCC sponsored events and may also apply off-campus when the Dean of Students or designee determines the off-campus conduct affects a substantial HCC interest.<sup>2</sup> A substantial College interest is defined to include:

- Any situation where it appears that the student's conduct may present a danger or threat to the health or safety of themselves or others; and/or
- Any situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or
- Any situation that is detrimental to the educational mission and/or interests of Highland Community College;

The code applies to online misconduct, via email, social media, or through other electronic means. Students should be aware that online postings are not always private and can be subject to allegations of conduct violations if evidence of policy violations is posted online. The College does not regularly search for this information but may act if and/or when such information is brought to the attention of HCC officials.

While most online speech by students not involving College networks or technology is protected as free expression and not subject to this Policy, two narrow exceptions exist when the conduct:

1. constitutes a true threat<sup>3</sup>, or

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<sup>2</sup> Adapted, with gratitude, from Penn State University.

<sup>3</sup> For purposes of this Policy, "true threat" is defined as a threat a reasonable person would interpret as a serious expression of intent to inflict bodily harm upon specific individuals.

2. is speech posted online about the College or its community members that causes a significant on-campus disruption to the mission or operations of the College.

Members of the HCC community are responsible for the behavior of their guests. If a guest's behavior violates the code and/or other college policies, the community member will be held accountable. Visitors and guests of the College may seek resolution of violations of the Student Code of Conduct committed against them by members of the College community provided the behavior is within the jurisdiction of the College.

There is no time-limit on reporting violations of the HCC Student Code of Conduct; however, the longer someone waits to report an offense, the harder it becomes for HCC officials to obtain information and witness statements and to make determinations regarding alleged violations.

Anonymous complaints are permitted but they limit HCC's ability to investigate and respond to a complaint. Those who are aware of misconduct are encouraged to report it as quickly as possible to via the Silent Witness system at <https://highlandcc.edu/pages/silent-witness> or by calling Student Conduct at (785) 442-6093 and/or Campus Security at (785) 741-2206 or email [security@highlandcc.edu](mailto:security@highlandcc.edu).

## ARRESTS AND VIOLATIONS OF THE LAW

Alleged violations of federal, state, and local laws may be investigated and addressed under the *Code of Conduct*. When an offense occurs over which the College has jurisdiction, the College conduct process will generally go forward notwithstanding any criminal complaint that may arise from the same incident.

HCC reserves the right to exercise its authority of interim suspension upon notification that a student is facing criminal investigation and/or complaint and objectively determines the action is necessary to prevent or remedy an ongoing or imminent significant danger of harm to the health, education, or safety of members of the campus community. This responsibility is taken seriously and with careful consideration of the impact on the student and the community. (additional grounds for interim suspension are outlined below).

Interim suspensions are imposed until a hearing can be held, typically within two weeks. Within that time, the suspended student may request an immediate hearing from the Student Conduct and Compliance Officer to show cause why the interim suspension should be lifted. This hearing may resolve the allegation or may be held to determine if the interim suspension should be continued. The interim suspension may be continued if a danger to the community is posed, and the College may be delayed or prevented from conducting its own investigation and resolving the allegation by the pendency of the criminal process. In such cases, the College will only delay its hearing until such time as it can conduct an internal investigation or obtain sufficient information independently or from law enforcement upon which to proceed. This delay will be no longer than two weeks from notice of the incident unless a longer delay is requested in writing by the complaining victim to allow the criminal investigation to proceed before the College process.

Students accused of crimes may request to take a leave from the College until the criminal charges are resolved. In such situations, the College procedure for voluntary leaves of absence is subject to the following conditions:

- The responding student must comply with all campus investigative efforts that will not prejudice their defense in the criminal trial; and
- The responding student must comply with all interim actions and/or restrictions imposed during the leave of absence; and
- The responding student must agree that to be reinstated to active student status, they must first be subject to, and fully cooperate with, the campus conduct process and must comply with all sanctions that are imposed.

## **Working With Law Enforcement**

HCC does not have a formal agreement with any law enforcement agencies. However, the College works with law enforcement agents as needed (or required by law), as determined by the appropriate HCC staff members, and in consideration of the totality of facts for a given situation. HCC staff may contact law enforcement agents for assistance with conduct issues but does not do so with the express purpose of acting as agents of the police, nor for the purpose of bringing criminal charges against any individual, though criminal charges may arise.

HCC will cooperate with law enforcement agents, including cooperation with the investigation and/or prosecution of criminal activities, but will do so within the confines of legal and ethical boundaries respective to individual rights and protections under both the U.S. and Kansas State Constitutions. In all cases, HCC will maintain its autonomy, acting as its own agent in the interest of the institution's mission/purpose and with respect for the needs and rights of its students.

## GLOSSARY OF TERMS

**Advisor** means a person chosen by a party or appointed by the institution to accompany the party to meetings related to the conduct process, to advise the party on that process, and to accompany the party to the hearing, if any.

**Day** means any weekday (Monday – Friday) when the College is open.

**Complainant** means an individual who has alleged to have been impacted by conduct that could constitute a violation of this Policy.

**Finding** is a conclusion by the standard of proof that the conduct did or did not occur as alleged. A finding confirms that it took place.

**Investigator** means the person authorized by HCC to gather facts about an alleged violation of this Policy, assess relevance and credibility, synthesize the evidence, recommend findings, and compile this information into an investigation report.

**Parties** means the Complainant(s) and Respondent(s), collectively.

**Preponderance of the Evidence Standard** means whether the evidence supports that it is more likely than not that the Respondent violated the Policy as alleged.

**Respondent** means a student who has been reported to have engaged in conduct that could constitute a violation of this Policy.

**Sanction** means a consequence imposed on a Respondent who is found to have violated a policy.

**Student** means any individual who has accepted an offer of admission, or who is registered or enrolled for credit or non-credit bearing coursework, and who maintains an ongoing relationship with the College.

# PROHIBITED CONDUCT

Highland Community College considers the behavior described in the following sub-sections as inappropriate for the HCC community and in opposition to the Shared Performance Expectations set forth in this document. These policies, expectations, and rules apply to all students, and the College encourages community members to report all incidents that involve the following actions to HCC officials. Failure to comply with any of the rules/regulations governing the following areas may place a student in violation of the Student Code of Conduct, and subject them to disciplinary action.

Prohibited Conduct includes:

## 1. Academic Misconduct

- 1.1. Cheating: working with or consulting another individual(s) during an assigned academic activity without the express permission of the instructor; or the use or possession of material(s) or resources during an assigned academic activity without the express permission of the instructor.
  - Includes but is not limited to looking at another individual's current or previous academic work, using an electronic device, accessing artificial intelligence, accessing course materials, or using other printed resources;
- 1.2. Fabrication: the creation of false information or documentation for the completion of an assigned academic activity
- 1.3. Plagiarism: the use or submission of someone else's work as your own and/or without appropriate citation
- 1.4. Facilitation: assisting a student(s) to attempt or commit academic misconduct

## 2. Alcohol, Drugs, and Other Substances

HCC prohibits the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance or abuse of alcohol by a student or employee on College property or at any College event or activity. No alcohol is allowed on College property or property controlled by the College without the prior written approval by the President or Board of Trustees. The following are examples of violations of the Alcohol, Drugs, and Other Substances policy:

- 2.1. The possession of alcoholic beverages (e.g., liquors, spirits, wines, malts, beers, etc.), including empty containers on College property or property controlled by the College without the prior written approval by the President or Board of Trustees.
- 2.2. Being present in an HCC-owned or controlled property where they know alcoholic beverages and/or empty containers are present.
- 2.3. The sale or distribution of alcoholic beverages.
- 2.4. Allowing an individual or group to unlawfully consume alcohol or possess/use drugs and/or other substances in any HCC-owned or controlled facility/property.

- 2.5. Providing others with direct or indirect access to or facilitating/hosting others engaged in the distribution/sales of, illegal drugs whether or not a transaction of money, goods/services, or other mediums of exchange were involved on or in any HCC owned or controlled facility/property.
- 2.6. The illegal distribution of medically prescribed pharmaceuticals.
- 2.7. The possession of prescription drugs when not found in the prescribed container and/or not in the possession of the person for whom the drug was prescribed.
- 2.8. The possession of any form of marijuana or part of the marijuana plant as defined by Federal Kansas Statute (see <https://www.dea.gov/drug-information/drug-scheduling>, <http://www.kslegislature.org>) on or in any property owned or controlled by HCC.
  - 2.8.1. This prohibition also includes hotels and/or other spaces controlled by HCC that fall in a jurisdiction where marijuana (medical or recreational) is legal.
  - 2.8.2. The odor of marijuana alone may not be sufficient evidence to hold a student responsible for a policy violation, however, the odor of marijuana may be used as probable cause to search a student's (HCC-owned) residence.
    - 2.8.2.1.1. The odor of marijuana may also be considered evidence if considered with other supporting evidence such as the presence of paraphernalia and/or photo or video evidence of consumption.
- 2.9 The possession or use of paraphernalia which is described as any equipment, product, or material of any kind that is modified for making, using, or concealing an illegal controlled substance into the body.
  - Examples include but are not limited to: Glass/metal pipes, bongs and water pipes, roach clips, objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand; scales.

### **3. Bullying and Cyberbullying**

Repeated and/or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally and are not protected by freedom of expression.

### **4. Damage and Destruction**

Intentional, reckless and/or unauthorized damage to or destruction of College property or the personal property of another.

### **5. Dating Violence**

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

## **6. Disrupting the Educational Environment**

Substantial disruption of College operations, including teaching, research, administration, other College activities, and/or other authorized non-College activities which occur on campus

Examples include, but are not limited to:

- 6.1. Threats of Violence to the HCC Community
  - 6.1.1. Legitimate threats of violence to the HCC campus/community, and/or
  - 6.1.2. Statements, whether a hoax or not, intended to induce fear, and/or disrupt the normal college business, and/or
  - 6.1.3. Statements that may be reasonably understood as threats of violence against persons or property.

## **7. Endangerment**

Intentionally or recklessly causing physical harm or endangering the health or safety of any person.

- 7.1. Abusing/Misusing, tampering with, disabling, impeding, blocking, covering, destroying, removing, etc., any HCC safety and or security device, mechanism, and or system (e.g., doors, locks, cameras, fire extinguishers, smoke detectors, etc.).

## **8. Failure to Comply**

- 8.1. Failure to complete an assigned sanction.
- 8.2. Failure to comply with an access restriction or a removal from HCC owned or controlled facilities.
- 8.3. Failure to pay fines associated with a sanction.
- 8.4. Failure to comply with a reasonable directive a college official during the performance of their duties and/or failure to identify oneself when requested to do so.
- 8.5. Failure to follow the directions of HCC signage posted by College officials, official college organizations, and/or entities contracted by the college to provide goods or services (e.g. Great Western Dining, cafeteria policies).

## **9. Fire Safety**

Violation of local, state, federal or campus fire policies including, but not limited to:

Intentionally or recklessly causing a fire which damages College or personal property or which causes injury.

- 9.1. Failure to evacuate a College-controlled building during a fire alarm;
- 9.2. Improper use of College fire safety equipment; or
- 9.3. Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on College property. Such action may result in a local fine in addition to College sanctions.

## 10. Gambling

Gambling as prohibited by the laws of the State of Kansas.

- 10.1. Gambling may include raffles, lotteries, sports pools and online betting activities.

## 11. Guns and Firearms

In accordance with the Kansas Personal and Family Protection Act, K.S.A. 75-7c01, et seq, and other applicable federal/state laws, it is permissible and will not be a violation of this policy for the:

- 11.1. carrying of a concealed handgun on campus by legally qualified individuals, pursuant to Kansas law, and also in accordance with the concealed carry restrictions set forth below,
- 11.2. lawful carrying of a concealed handgun by an employee performing College duties at an off-campus activity, when in accordance with applicable laws/policies for such location,
- 11.3. lawful possession of a handgun within a personal/non-College vehicle,
- 11.4. lawful possession of weapons:
- 11.5. Each individual who lawfully possesses a handgun on campus will be wholly and solely responsible for carrying, storing, and using that handgun in a safe manner and in accordance with the law and the HCC Weapons Policy (Appendix A). Individuals who carry a handgun on campus must carry it concealed on or about their person at all times.
  - 11.5.1. "Concealed" means completely hidden from view in a way that does not reveal the handgun in any way.
  - 11.5.2. "About" the person means that an individual may carry a handgun if it can be carried securely in a suitable carrier, such as a backpack, purse, handbag, or other personal carrier designed and intended for the carrying of an individual's personal items at all times.
- 11.6. Moreover, the carrier must remain within the exclusive and uninterrupted control of the individual.
- 11.7. This includes wearing the carrier with one or more straps consistent with the carrier's design, carrying or holding the carrier or setting the carrier next to or within the immediate reach/control of the individual.
- 11.8. It is a violation of this Policy to openly display any lawfully possessed handgun while on campus, except as permitted by law.
- 11.9. For additional information, please refer to the HCC Weapons Policy (Appendix A), accessible at: [https://www.HCCks.edu/about\\_HCC/policies/weapons\\_policy.pdf](https://www.HCCks.edu/about_HCC/policies/weapons_policy.pdf).

## 12. Hazing

An act that endangers the mental or physical health or safety of a student, or that destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. Participation or cooperation by the person(s) being hazed does not excuse the violation. Failing to intervene to prevent and/or failing to discourage and/or failing to report those acts may also violate this policy.

### **13. Inciting Harm**

Any action, expression, gesture, or words that a reasonable person in like circumstances would understand to be encouraging, inciting, perpetuating, supporting, and/or welcoming a physical altercation (fight) between two or more people.

### **14. Intimidation**

Individual or group behavior which intentionally and substantially impinges upon or invades the rights of others. Such conduct includes, but is not limited to, implied threats or acts that cause the Complainant reasonable fear of harm.

### **15. Physical Violence**

The act of hitting with a fist or object, slapping, pushing, grabbing, kicking, etc., of another individual.

### **16. Providing False Information**

Knowingly furnishing or possessing false information, including falsified or forged materials, documents, accounts, records, identification or financial instruments.

### **17. Sexual Misconduct**

Conduct on the basis of sex, or that is sexual in nature, that satisfies one or more of the following:

**1) Quid Pro Quo:**

- a. an employee of the College,
- b. conditions<sup>4</sup> the provision of an aid, benefit, or service of the College,
- c. on an individual's participation in unwelcome sexual conduct.

**2) Sexual Harassment (Hostile Environment):**

- a. unwelcome conduct,
- b. determined by a reasonable person,
- c. to be so severe, and
- d. pervasive, and,
- e. objectively offensive,

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<sup>4</sup> Implicitly or explicitly.

- f. that it effectively denies a Complainant equal access to the College's education program or activity.<sup>5</sup>

**3) Sexual Assault,<sup>6</sup> defined as:**

**a. Rape:**

- Penetration, no matter how slight,
- of the vagina or anus,
- with any body part or object, or
- oral penetration by a sex organ of another person,
- without the consent of the Complainant.

**b. Fondling:**

- The touching of the private body parts of the Complainant (buttocks, groin, breasts),
- for the purpose of sexual gratification,
- without the consent of the Complainant,
- including instances where the Complainant is incapable of giving consent because of their age or because of a temporary or permanent mental incapacity.

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<sup>5</sup> Unwelcomeness is subjective and determined by the Complainant (except when the Complainant is younger than the age of consent). Severity, pervasiveness, and objective offensiveness are evaluated based on the totality of the circumstances from the perspective of a reasonable person in the same or similar circumstances ("in the shoes of the Complainant"), including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced. This definition is broad enough to potentially encompass forms of sex-based disparate treatment, even if not harassing in nature.

<sup>6</sup> This would include having another person touch you sexually, forcibly, and/or without their consent.

**c. Incest:**

- Sexual intercourse,
- between persons who are related to each other,
- within the degrees wherein marriage is prohibited by Kansas law.

**d. Statutory Rape:**

- Sexual intercourse,
- with a person who is under the statutory age of consent of 16 years of age.

**4) Dating Violence, defined as:**

- a. violence,
- b. on the basis of sex,
- c. committed by a person,
- d. who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.
  - i. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—
    - a) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
    - b) Dating violence does not include acts covered under the definition of domestic violence.

**5) Domestic Violence,<sup>7</sup> defined as:**

- a. violence,
- b. on the basis of sex,
- c. committed by a current or former spouse or intimate partner of the Complainant,
- d. by a person with whom the Complainant shares a child in common, or
- e. by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or
- f. by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Kansas, or
- g. by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Kansas.

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<sup>7</sup> To categorize an incident as Domestic Violence under this Policy, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

## **18. Smoking, Tobacco Use, and Vaping**

All buildings owned and controlled by HCC are tobacco-free. The use of tobacco and/or tobacco products including e-cigarettes is prohibited across campus, including all outdoor spaces.

18.1. Use of tobacco inside a vehicle legally parked in campus parking lots is allowed.

18.2. Unlit cigarettes and cigars, or other unopen tobacco products, unless stored in a personal vehicle legally parked may be confiscated and destroyed.

## **19. Stalking**

Stalking is a course of conduct directed at a specific person that is unwelcome and would cause a reasonable person to feel fear.

## **20. Theft, Burglary, and Robbery**

20.1. Theft: The intent of permanently depriving the owner of possession, use of, and or benefit of their property or services

20.1.1. Accessing dining facilities or services at HCC without payment and/or without following the established protocol for demonstrating payment of said services may constitute a violation of the Theft, Burglary, and Robbery policy.

20.1.2. Residing in HCC Housing facilities without payment or after being removed may constitute a violation of the Theft, Burglary, and Robbery policy.

20.2. Burglary: The unlawful entry of a structure to commit a felony or theft

20.2.1. Theft and burglary may occur with or without the knowledge of the person affected, including by deception.

20.3. Robbery: the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and or by putting the victim in fear.

## **21. Unauthorized Access**

21.1. Unauthorized access to any College building (i.e. keys, cards, etc.) or unauthorized possession, duplication or use of means of access to any college building or failing to timely report a lost College identification card or key;

21.2. Misuse of access privileges to College premises or unauthorized entry to or use of buildings, including trespassing, propping or unauthorized use of alarmed doors for entry into or exit from a College building.

## **22. Traffic Laws and Regulations**

All local and state regulations are in effect on campus 24 hours a day. City, county, and state law enforcement agencies have jurisdiction on campus. All laws and regulations are strictly enforced to ensure safety.

## **23. Violation of College Policy**

Conduct that constitutes a violation of any College policy, rule, or regulation (e.g., the *Residential Life Handbook* or *Academic Catalog*).

## **24. Weapons and Other Dangerous Items**

In addition to the weapons as defined in the HCC policy below (see appendix A), HCC reserves the right to prohibit and even confiscate (as allowable by law) any items (not already identified in this Handbook) that a reasonable person in like circumstances would consider a dangerous item, which has no legitimate or legal use on the HCC campus. As items of this nature can be improvised and or made from normally harmless items, HCC does not intend to create an exhaustive list of items that may be deemed dangerous; however, for example, HCC prohibits items such as (but not limited to)

- air-powered BB/pellet guns
- “airsoft” items
- water bead (splat guns) or gel ball shooting items
- water guns

# OVERVIEW OF STUDENT CONDUCT PROCESS

## Student Conduct Authority

The Dean of Students is vested with the authority over student conduct by the President of Highland Community College. The Dean of Students appoints a Student Conduct and Compliance Officer to oversee and manage the student conduct process. The Dean of Students and Student Conduct and Compliance Officer may appoint administrative hearing and appeals officers as deemed necessary to supervise the student conduct process efficiently and effectively. It may be necessary at times to appoint an appropriate designee to facilitate processes.

The Student Conduct and Compliance Officer will assume responsibility for the investigation of an allegation of misconduct to determine if the complaint has merit.

## Gatekeeping

No complaint will be forwarded for a hearing unless there is reasonable cause to believe a policy has been violated. Reasonable cause is defined as some credible information to support each element of the offense, even if that information is merely a credible witness or a victim's statement. A complaint wholly unsupported by any credible information will not be forwarded for a hearing. Most charges are assessed based on a preliminary review of reports from credible witnesses or a victim's statement.

## Process

Highland Community College administrators, faculty, and staff respect and protect the rights of everyone at the College. To ensure the fair treatment of everyone, the College has established the following student conduct process. This process applies to alleged violations of the Code of Conduct with the possible exception of allegations of discrimination, harassment, retaliation, and/or sexual misconduct which may follow the resolution processes outlined in the Equity Grievance Policy, which can be found at <https://highlandcc.edu/pages/title-ix>.

HCC will provide students with at least five (5) days<sup>8</sup> of notice for a student conduct hearing, unless expedited resolution is necessary to address an ongoing or imminent significant danger or harm to the health, education, or safety of students, employees, and/or the campus community.

At the start of a hearing or meeting the student engaged in the student conduct process will be informed by an HCC employee if the meeting or hearing will be recorded. The student will also be informed that they have a right to record a session that involves their testimony. Additionally, the student will be made aware that any recording of that student made by an employee will be provided to the student, if requested by the student, up to 180 days after final resolution of the case (hearing and

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<sup>8</sup> Days are defined as calendar days. If a deadline occurs on a weekend or holiday, the due date will be the next business day.

appeal if applicable). If the student makes a timely request the recording will be provided within a reasonable time frame for students to reference the recording in their appeal. If a student requests a copy of the recording an HCC employee makes of the student's testimony during a disciplinary hearing, HCC will provide the recording in three (3) Days.

The following is an overview of the College's student conduct process, but it should be noted that not all situations are of the same severity or complexity. Thus, these procedures are flexible, and are not the same in every situation, though consistency in similar situations is a priority. The HCC student conduct process and all applicable timelines commence with notice to an administrator of a potential violation of HCC rules. This information is most commonly received through an incident report.

## **Notice**

Once notice is received from any source (complainant, RA, 3rd party, online, etc.), HCC may proceed with a preliminary inquiry or, if no preliminary inquiry is required, may schedule an initial informational meeting with the responding student to explain the conduct process and gather information.

The Student Conduct and Compliance Officer will assume responsibility for the investigation of an allegation of misconduct to determine if the complaint has merit.

## **Step 1: Preliminary Inquiry**

HCC conducts a preliminary inquiry into the nature of the incident, complaint or notice, the available evidence, and the parties involved. The preliminary inquiry is a neutral fact-finding process to determine whether there is sufficient information to warrant action by the College. The preliminary inquiry may lead to:

- A determination that there is insufficient evidence to pursue the investigation, because the behavior alleged, even if proven, would not violate the Code of Conduct, (e.g.: for reasons such as mistaken identity or allegations of behavior that falls outside the code);
- A more comprehensive investigation when it is clear more information must be gathered (see Formal Conduct Procedures, item E.)
- A formal complaint of a violation and an informational meeting with the responding student.

When an initial informational meeting is held, the possible outcomes include:

- A decision not to pursue the allegation based on a lack of or insufficient evidence. The matter should be closed and documented in the recordkeeping system.
- A decision to proceed with additional investigation or, if reasonable cause exists to believe a violation occurred, referral for a "formal resolution".
- A decision on the allegation, also known as an "informal resolution" to an uncontested allegation (see immediately below).

## Informal Resolution

- If a decision on the allegation is made and the finding is that the responding student is not responsible for violating the Code, the process will end, and the case will be documented as dismissed.
- If the College's finding is that the responding student is in violation, and the responding student accepts this finding within three (3) days, the College considers this the student accepting responsibility for the violation. The administrator conducting the informational meeting will then determine the sanction(s) for the misconduct, which the responding student may accept or reject. If accepted, the process ends<sup>9</sup>. This is called an informal resolution.
- If the student accepts the findings, but rejects the sanction, the College will conduct a sanction-only hearing, conducted by a panel or administrative hearing officer (the administrative hearing officer is not the same hearing officer that issued the sanction) which recommends a sanction to the Student Conduct and Compliance Officer. The sanction is then reviewed and finalized by the Student Conduct and Compliance Officer and is subject to appeal (see *Appeal Review Procedures* in Section O. Appeal Review Procedures) by any party to the misconduct. Once the appeal is decided, the process ends.
- Any sanction that includes temporarily or permanently removing a student from classes, campus, or housing, including housing removal, expulsion from campus, suspension, and expulsion must be reviewed and approved by the Dean of Students before the decision is finalized and issued to the student.

If the administrator conducting the informational meeting determines that it is more likely than not that the responding student is in violation, and the responding student rejects that finding in whole or in part, then the process moves to Step 2.

## **Step 2: Formal Hearing**

A formal hearing may be held when there is reasonable cause to believe that a policy or policies have been violated. HCC may first conduct an additional investigation to assess if reasonable cause exists. At least five (5) days before the scheduled hearing, HCC will issue to the student a Notice for the Hearing. The hearing will be held before an Administrative Hearing Officer (administrative hearing) or a Student Conduct Hearing Panel (panel hearing). The determination of the hearing is final unless there is an appeal (applicable appeals options are described in **section P. Grounds for Appeals Requests**). If the finding is that the responding student is not responsible, a letter confirming the finding will be sent to the student and the process ends.

## **Step 3: Review and Finalize Sanction(s)**

If the student is found in violation(s), sanction(s) will be recommended by a Student Conduct Hearing Panel or Administrative Hearing Officer to the Student Conduct and Compliance Officer. The Student

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<sup>9</sup> In cases of minor misconduct, both steps in this paragraph can be accomplished in one meeting.

Conduct and Compliance Officer will review and finalize the sanctions, subject to the College appeals process described in **section O Appeal Review Procedures**.

Any sanction that includes temporarily or permanently removing a student from classes, campus, or housing, including housing removal, expulsion from campus, suspension, and expulsion must be reviewed and approved by the Dean of Students before the decision is finalized and issued to the student.

### Conflict Resolution Options

The Student Conduct and Compliance Officer has the discretion to refer a complaint for mediation or other forms of appropriate conflict resolution. All parties must agree to conflict resolution and to be bound by the decision with no review/appeal. Any unsuccessful conflict resolution can be forwarded for formal processing and hearing; however, at no time will complaints of physical sexual misconduct or violence be mediated as the sole institutional response. The Student Conduct and Compliance Officer may also suggest that complaints that do not involve a violation of the *Code of Conduct* be referred for mediation or other appropriate conflict resolution.

### Composition of the Hearing Panel

The Student Conduct and Compliance Officer will be responsible for assembling the Hearing Panel according to the following guidelines:

- The membership of the panel is selected from a pool of at least six (6) faculty, and six (6) staff/administrative members appointed and trained for at least 12, hours<sup>10</sup> annually by the Student Conduct and Compliance Officer
- For each complaint, four (4) individuals will be chosen from the available pool.
- The Student Conduct and Compliance Officer appoints one individual to serve as a non-voting chair of the Hearing Panel. This person will make certain College procedures are followed throughout the hearing. The remaining three individuals will make up the decision-making panel.

### Administrative Hearing Officers

Administrative Hearing Officers (AHOs) are chosen from a pool of annually trained administrators or staff members selected by the Student Conduct and Compliance Officer.

### Panel Pool and the Appeals Panel

Three-member Appeals Panels are drawn from the panel pool, with the only requirement being that they did not serve in the initial hearing. Appeals Panels review appeal requests submitted by the Student Conduct and Compliance Officer (if the Student Conduct and Compliance Officer was involved in the resolution this will be referred to a designee). If an all administrative/staff panel is used to hear a sensitive issue, the Appeals Panel will also be comprised of only administrative/staff members.

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<sup>10</sup> Minimal competence requires 8 hours of training, and panel members ought to be more than minimally competent.

The Student Conduct and Compliance Officer will have final authority to approve all those serving on the panel. The non-voting advisor to the panel is the Student Conduct and Compliance Officer with responsibility for training the panel, conducting preliminary investigations, and ensuring a fair process for the party bringing the complaint and responding student. In the event of a resignation from the panel, the Student Conduct and Compliance Officer will solicit a replacement from the group from which the representative came. Decisions made, and sanctions imposed, by the panel or an AHO will be final and implemented, pending the normal appeal process. At the discretion of the Student Conduct and Compliance Officer, implementation of sanctions may be stayed pending review.

### Interpretation and Revision

The Student Conduct and Compliance Officer will develop procedural rules for the administration of hearings that are consistent with provisions of the *Code of Conduct*. Material deviation from these rules will, generally, only be made as necessary and will include reasonable advance notice to the parties involved, either by posting online and/or in the form of written communication. The Student Conduct and Compliance Officer may vary procedures with notice upon determining that changes to law or regulation require policy or procedural alterations not reflected in this *Code*. The Student Conduct and Compliance Officer may make minor modifications to procedure that do not materially jeopardize the fairness owed to any party. Any question of interpretation of the *Code of Conduct* will be referred to the Dean of Students, whose interpretation is final. The *Code of Conduct* will be updated annually under the direction of the Student Conduct and Compliance Officer with a comprehensive revision process being conducted every three (3) years.

## **FORMAL CONDUCT PROCEDURES**

### **A. Highland Community College as Convener**

Highland Community College is the convener of every action under this code. Within that action, there are several roles. The responding student is the person who is alleged to have violated the Code. The party bringing the complaint, who may be a student, employee, visitor, or guest, may choose to be present and participate in the process as fully as the responding student. There are witnesses who may offer information regarding the allegation. There is an investigator(s) whose role is to present the allegations and share the evidence that the College has obtained regarding the allegations.

## **B. Group Violations**

An HCC-affiliated student group or organization and its officers and membership may be held collectively and individually responsible when violations of this code by the organization or its member(s):

- Take place at organization-sponsored or co-sponsored events, whether sponsorship is formal or tacit;
- Have received the consent or encouragement of the organization or of the organization's leaders or officers; or
- Were known or should have been known to the membership or its officers.
- Hearings for student groups or organizations follow the same general student conduct procedures. In any such action, individual determinations as to responsibility will be made and sanctions may be assigned collectively and individually and will be proportionate to the involvement of each individual and the organization.

## **C. Amnesty**

- For Victims - The College provides amnesty to victims who may be hesitant to report to HCC officials because they fear that they themselves may be accused of minor policy violations, such as underage drinking, at the time of the incident. Educational options will be explored, but no conduct proceedings or conduct record will result<sup>11</sup>.
- For Those Who Help - To encourage students to offer help and assistance to others, Highland Community College pursues a policy of amnesty for minor violations when students offer help to others in need. At the discretion of the Student Conduct and Compliance Officer, amnesty may also be extended on a case-by-case basis to the person receiving assistance. Educational options will be explored, but no conduct proceedings or conduct record will result.
- Safe Harbor The College has a Safe Harbor rule for students. The College believes that students who have a drug and/or addiction problem deserve help. If any HCC student brings their own use, addiction, or dependency to the attention of college officials outside the threat of drug tests or conduct sanctions and seeks assistance, a conduct complaint will not be pursued. A written action plan may be used to track cooperation with the Safe Harbor program by the student. Failure to follow the action plan will nullify the Safe Harbor protection and campus conduct processes will be initiated.

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<sup>11</sup> Records regarding the provision of amnesty, however, should be maintained.

## Notice of Alleged Violation

Any member of the College community, visitor, or guest may allege a policy violation(s) by any student for misconduct under this *Code* by the following process.

- An individual may also choose to report through the HCC Silent Witness site at <https://highlandcc.edu/pages/silent-witness>.
- Notice may also be given to the Student Conduct and Compliance Officer, when appropriate. Additionally, administrators may act on notice of a potential violation whether a formal allegation is made or not. All allegations can be submitted by a complainant or a third party and should be submitted as soon as possible after the offending event occurs. The College has the right to pursue an allegation or notice of misconduct on its own behalf and to serve as convener of the subsequent campus conduct process.
- The Student Conduct and Compliance Officer will assume responsibility for the investigation of the alleged violation as described in the sub-section below.

## D. Investigation

Investigation is referenced in both steps 1 and 2 above, with detailed investigation procedures described in this sub-section. The Student Conduct and Compliance Officer will serve as the investigator for allegations under this *Code*<sup>12</sup>. If necessary, the Student Conduct and Compliance Officer may appoint an additional investigator. Additionally, an outside third party may be appointed as an investigator at the institution's discretion, by the VP for Student Services, Human Resources, or the President.

### D.1. Preliminary Inquiry

Preliminary inquiry usually takes between one (1) to seven (7) days to complete. The investigator(s) will take the following steps, if not already completed:

- D.1.1. Initiate any necessary remedial actions on behalf of the complainant;
- D.1.2. Determine the identity and contact information of the party bringing the complaint, whether that person is the initiator of the complaint, the complainant, or a College proxy or representative;
- D.1.3. Conduct an immediate preliminary investigation to identify an initial list of all policies that may have been violated, review the history of the parties, the context of the incident(s), any potential patterns and the nature of the complaint;
- D.1.4. If the complainant is reluctant to pursue the complaint, determine whether the complaint should still be pursued and whether sufficient independent evidence could support the complaint without the participation of the complainant;

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<sup>12</sup> For any complaint that falls under Title IX (e.g. sexual misconduct) or involves any other form of discrimination, the Student Conduct and Compliance Officer will refer the case to the appropriate Co-Title IX Coordinator.

D.1.5. Notify the complainant of whether the College intends to pursue the complaint regardless of their involvement, and inform the complainant of their rights in the process and option to become involved if they so choose;

## D.2. Investigation

D.2.1. If indicated by the preliminary inquiry and authorized by the Student Conduct and Compliance Officer, conduct a comprehensive investigation to determine if there is reasonable cause to believe that the responding student violated HCC policy, and to determine what specific policy violations should serve as the basis for the complaint;

D.2.2. If there is insufficient evidence through the investigation to support reasonable cause, the allegations will be closed with no further action;

D.2.3. A comprehensive investigation usually takes between one day and two weeks;

D.2.4. Commence a thorough, reliable and impartial investigation by developing a strategic investigation plan, including a witness list, evidence list, intended timeframe, and order of interviews for all witnesses and the responding student, who will be given notice of the interview at least one day prior to the time of the interview;

D.2.5. Prepare the notice of alleged policy violation(s) on the basis of the reasonable cause determination, which may be delivered prior to, during or after the responding student is interviewed, at the discretion of the investigator(s);

D.2.6. Interview all relevant witnesses, summarize the information they are able to share and have each witness sign the summary to verify its accuracy;

D.2.7. Obtain all documentary evidence and information that is available;

D.2.8. Obtain all physical evidence that is available;

D.2.9. Complete the investigation promptly by analyzing all available evidence without unreasonable deviation from the intended timeline;

D.2.10. Make a finding, based on a preponderance of the evidence (whether a policy violation is more likely than not);

D.2.11. Present the investigation report and findings to the responding student, who may:

- accept the findings,
- accept the findings in part and reject them in part, or
- may reject all findings;

D.2.12. Share the findings and update the party bringing the complaint on the status of the investigation and the outcome.

## E. Findings

The following options (1-3) describe how to proceed depending on whether the responding student is found responsible and whether the Responding Student accepts or rejects the findings and/or the sanctions either in whole or in part.

## E.1. The Responding Student is Found “Not Responsible”

E.1.1. Where the responding student is found not responsible for the alleged violation(s), the investigation will be closed.

E.1.2. The party bringing the complaint, if any, may request that the Student Conduct and Compliance Officer, as applicable, review the investigation file to possibly re-open the investigation or convene a hearing.

E.1.3. The decision to re-open an investigation or convene a hearing is at the discretion of the Student Conduct and Compliance Officer in these cases and is granted only on the basis of extraordinary cause.

## E.2. The Responding Student Accepts a Finding of “Responsible” ...

E.2.1. The Responding Student Accepts a Finding of “Responsible” and Accepts the Recommended Sanctions.

E.2.2. Should the responding student accept the finding that they violated HCC policy, the Investigator will recommend appropriate sanctions for the violation(s), having consulted with others, as appropriate. If the responding student accepts these recommended sanctions, the sanctions are implemented by the Student Conduct and Compliance Officer, and the process ends.

E.2.2.1. There will be a three-day period for review between the date of acceptance and when the resolution becomes final.

E.2.2.2. Should the responding student decide to reject the sanctions within that period, Option F.2.3. will apply.

E.2.3. The Responding Student Accepts a Finding of “Responsible” and Rejects the Sanctions Recommended.

E.2.3.1. If the responding student accepts the “responsible” findings, but rejects the recommended sanctions, there will be an administrative sanction only hearing.

## E.3. Responding Student Rejects the Findings Completely or In-part

E.3.1. Responding Student Rejects the Findings Completely

E.3.1.1. Where the responding student rejects the finding that they violated College policy, a formal hearing will be convened following notice.

E.3.1.2. At the hearing, the investigator(s) will present their report to the panel, the panel will hear from the parties, and any necessary witnesses. The investigation report will be considered by the panel, which renders an independent and objective finding. Full panel procedures are detailed below.

E.3.1.3. If the panel finds the responding student not responsible for all violations, the Student Conduct and Compliance Officer will inform the parties of this determination and the rationale for the decision in writing. This determination is subject to appeal by any party to the complaint. Appeal review procedures are outlined below.

E.3.1.4. If the panel finds a violation, it will recommend a sanction/responsive action to the Student Conduct and Compliance Officer, who will render a decision within three (3) days of the hearing and notify the appropriate parties in writing. An appeal of sanction(s) may be filed by any party to the complaint as detailed in Section O. Appeal Review Procedures

E.3.2. Responding Student Accepts the Findings in Part and Rejects in Part

E.3.2.1. Where the responding student rejects in part the finding that they violated College policy, there will be a panel hearing solely on the disputed allegations within seven (7) days, barring exigent circumstances.

E.3.2.2. For all findings holding a responding student responsible for a violation, the College will follow the sanctioning process detailed in sub-sections below.

E.3.2.3. If the Panel finds the responding student “Not Responsible” on any of the contested allegations, the process will move to the Sanctioning Phase on only the uncontested allegations, as detailed in sub-sections below.

## F. Notice of Hearing

F.1. Once a determination is made that reasonable cause exists for the Student Conduct and Compliance Officer to refer a complaint for a hearing, notice will be given to the responding student.

F.2. Notice will be in writing and may be delivered by one or more of the following methods:

F.2.1. in person by the Student Conduct and Compliance Officer;

F.2.2. emailed to the student’s College-issued email account.

F.2.3. mailed to the local or permanent address of the student as indicated in official Highland Community College records; or

F.2.4. Once mailed, emailed and/or received in-person, such notice will be presumptively delivered. The letter of notice will:

F.1.1.1. Include the alleged violation and notification of where to locate the *Code of Conduct* and College procedures for resolution of the complaint; and

F.1.1.2. Direct the responding student to contact the Student Conduct and Compliance Officer within a specified period to respond to the complaint. This period will generally be no less than two (2) days from the date of delivery.

F.2.2. A meeting with the Student Conduct and Compliance Officer may be arranged to explain the nature of the complaint and the conduct process. At this meeting, the responding student may indicate, either verbally or in writing, to the Student Conduct and Compliance Officer, whether they admit to or deny the allegations of the complaint.

## **G. Interim Action**

- G.1. Under the *Code of Conduct*, the Dean of Students may impose restrictions and/or separate a student from the community pending the scheduling of a campus hearing on alleged violation(s) of the *Code of Conduct* to prevent or remedy an ongoing or imminent significant danger of harm to the health, education, or safety of members of the campus community. This responsibility is taken seriously and with careful consideration of the impact on the student and the community.
- G.2. Interim actions can include separation from the institution or restrictions on participation in the community for no more than ten (10) days pending the scheduling of a campus hearing on alleged violation(s) of the *Code of Conduct*.
- G.3. A student who receives an interim suspension may request a meeting with the Dean of Students to demonstrate why an interim suspension is not merited.
- G.4. Regardless of the outcome of this meeting, the College may still proceed with the scheduling of a campus hearing.
- G.1. During an interim suspension, a student may be denied access to HCC campus housing and/or HCC campus/facilities/events as determined by the Dean of Students.
- G.2. This restriction may include classes and/or all other College activities or privileges for which the student might otherwise be eligible.
- G.3. At the discretion of Dean of Students and with the approval of, and in collaboration with the Dean of Instruction, alternative coursework options may be pursued to ensure as minimal an impact as possible on the responding student.

## **H. Hearing Options & Preparation**

The following sub-sections describe the College's conduct hearing processes. Except in a complaint involving failure to comply with the summons of the Student Conduct and Compliance Officer, no student may be found to have violated the *Code of Conduct* solely because of the student's failure to appear for a hearing. In all such instances, conduct hearings will proceed as scheduled and the information in support of the complaint will be presented to, and considered by, the Student Conduct and Compliance Officer, Administrative Hearing Officer, or panel presiding over the hearing.

- H.1. Where the responding student admits to violating the *Code of Conduct*, the Student Conduct and Compliance Officer may hold an administrative hearing to determine and administer appropriate sanctions without a formal hearing. (Sanctions-Only Hearing)
- H.2. Where the responding student denies violating the *Code of Conduct*, a formal hearing will be conducted. At the discretion of the Student Conduct and Compliance Officer, a request by one or more of the parties to the complaint for an administrative meeting may be considered.
- H.3. Students will be given a minimum of seven (7) days to prepare for a hearing unless all parties wish to proceed more quickly. Preparation for a formal hearing is summarized in the following guidelines:

- H.3.1. Notice of the time, date and location of the hearing will be in writing and may be delivered by one or more of the following methods:
- H.3.1.1. in person by the Student Conduct and Compliance Officer;
  - H.3.1.2. mailed to the local or permanent address of the student as indicated in official College records; or
  - H.3.1.3. emailed to the student's College-issued email account.
  - H.3.1.4. Once mailed, emailed and/or received in-person, such notice will be presumptively delivered.
- H.4. If there is a complainant in the incident in question, the complainant may serve as the party bringing the complaint or may elect to have the College administration serve as the party bringing the complaint forward.
- H.4.1. Where there is no complainant, the College administration will serve as the party bringing the complaint forward.
- H.5. If a responding student fails to respond to notice from the Student Conduct and Compliance Officer, the Student Conduct and Compliance Officer may initiate a complaint against the student for failing to comply with the directives of a College official and give notice of this offense.
- H.6. If the student does not respond to this notice within two (2) days, HCC may modify the panel hearing into an administrative hearing held on the scheduled date/time.
- H.7. At least three (3) days before any scheduled formal hearing, the following will occur:
- H.7.1. The responding student will deliver to the Student Conduct and Compliance Officer a written response to the complaint;
  - H.7.2. The responding student will deliver to the Student Conduct and Compliance Officer a written list of all witnesses for the College to call at the hearing;
  - H.7.3. The responding student will deliver to the Student Conduct and Compliance Officer all physical evidence the student intends to use or needs to have present at the hearing and will indicate who has possession or custody of such evidence, if known, so that the Student Conduct and Compliance Officer can arrange for its presence;
  - H.7.4. The party bringing the complaint will deliver to the Student Conduct and Compliance Officer a written list of all witnesses for the College to call at the hearing;
  - H.7.5. The party bringing the complaint will deliver to the Student Conduct and Compliance Officer all items of physical evidence needed at the hearing and will indicate who has possession or custody of such evidence, if known, so that the Student Conduct and Compliance Officer can arrange for its presence;
- H.8. The party bringing the complaint and the responding student will notify the Student Conduct and Compliance Officer of the names of any advisors who may be accompanying the parties at the hearing.

H.9. The Student Conduct and Compliance Officer will ensure that the hearing information and any other available written documentation is shared with the parties at least two (2) days before any scheduled hearing. In addition, the parties will be given a list of the names of all the panelists in advance. Should any party object to any panelist, that party must raise all objections, in writing, to the Student Conduct and Compliance Officer immediately. Hearing officers will only be unseated if the Student Conduct and Compliance Officer concludes that their bias precludes an impartial hearing of the complaint. Additionally, any panelist who feels they cannot make an objective determination must recuse themselves from the proceedings.

## **I. Panel Hearing Procedures**

- I.1. The Student Conduct and Compliance Officer will appoint one panelist as the Chair for the hearing.
- I.2. The parties have the right to be present at the hearing; however, they do not have the right to be present during deliberations.
- I.3. If a student cannot attend the hearing, it is that student's responsibility to notify the Student Conduct and Compliance Officer no less than three (3) days prior to the scheduled hearing to arrange for another date, time, and location.
- I.4. Except in cases of grave or unforeseen circumstances, if the responding student fails to give the requisite minimum three (3) day notice, or if the responding student fails to appear, the hearing will proceed as scheduled.
- I.5. If the party bringing the complaint fails to appear, the complaint may be dropped unless the College chooses to pursue the allegation on its own behalf, as determined by the Student Conduct and Compliance Officer.
- I.6. The Student Conduct and Compliance Officer, the Chair, and the Panel will conduct panel hearings according to the following guidelines:
  - I.6.1. Hearings will be closed to the public.
  - I.6.2. Admission to the hearing of persons other than the parties involved will be at the discretion of the panel chair and the Student Conduct and Compliance Officer.
  - I.6.3. In hearings involving more than one responding student, the standard procedure will be to hear the complaints jointly; however, the Student Conduct and Compliance Officer may permit the hearing pertinent to each responding student to be conducted separately.
    - I.6.3.1. In joint hearings, separate determinations of responsibility will be made for each responding student.
- I.7. The parties have the right to an advisor of their own choosing, including attorneys. Typically, advisors are members of the campus community, but the parties may select whomever they wish to serve as their advisor.
  - I.7.1. The advisor may not make a presentation or represent the party bringing the complaint or responding student during the hearing. They may confer quietly with their advisee,

- exchange notes, clarify procedural questions with the chair, and suggest questions to their advisee.
- I.8. The party bringing the complaint, the responding student, the panel, and the Student Conduct and Compliance Officer will have the privilege of questioning all present witnesses and questioning all present parties (directly or through the Chair, at the discretion of the Chair).
    - I.8.1. Unduly repetitive witnesses can be limited at the discretion of the panel Chair.
  - I.9. Pertinent records, exhibits, and written statements may be accepted as information for consideration by the panel and the Student Conduct and Compliance Officer.
    - I.9.1. Formal rules of evidence are not observed.
    - I.9.2. The panel Chair, and/or the Student Conduct and Compliance Officer may limit the number of character witnesses presented or may accept written affidavits of character instead.
  - I.10. All procedural questions are subject to the final decision of the panel Chair in collaboration with the Student Conduct and Compliance Officer.
  - I.11. After a panel hearing, the panel will deliberate and determine, by majority vote, whether it is more likely than not that the responding student has violated the *Code of Conduct*.
  - I.12. The Student Conduct and Compliance Officer will be present and available as a resource during all deliberations but does not vote on the outcome. The Student Conduct and Compliance Officer may not serve as a resource if they actively participated in the hearing.
  - I.13. Once a finding is determined, if the finding is that of a policy violation, the panel will determine an appropriate sanction(s). The Student Conduct and Compliance Officer is responsible for informing the panel of applicable precedent, mitigating or aggravating circumstances (e.g., mental health, previous conduct violations), or other relevant pattern information about the responding student. Where a student has previous conduct violations, the panel will carefully consider how pertinent a previous violation is to the current case, the severity of the previous violation, and the time between violations.
  - I.14. The panel Chair will prepare a written deliberation report and deliver it to the Student Conduct and Compliance Officer. The report will include:
    - I.14.1. the recommended finding
    - I.14.2. how each member voted
    - I.14.3. the information cited by the panel in support of its recommendation
    - I.14.4. information the panel excluded from its consideration and why.
    - I.14.5. recommended sanctions.
  - I.15. The report should not exceed two pages in length and must be submitted to the Student Conduct and Compliance Officer within two (2) days of the conclusion of deliberations.
  - I.16. The Student Conduct and Compliance Officer will consider the recommendations of the panel, may make appropriate modifications to the panel's report if necessary, render the decision, and inform the responding student and party bringing the complaint (if applicable by law or College policy) of the determination within five (5) days of the hearing.

- I.17. Notification will be made in writing and may be delivered by one or more of the following methods:
- I.17.1. in person by the Student Conduct and Compliance Officer;
  - I.17.2. mailed to the local or permanent address of the student as indicated in official College records; or
  - I.17.3. emailed to the student's College-issued email account.
- I.18. Once mailed, emailed and/or received in-person, such notice will be presumptively delivered.
- I.19. In cases of sexual misconduct and other crimes of violence, notice of the outcome will be delivered to all parties simultaneously, meaning without substantial delay between the notifications to each.
- I.20. There will be a single verbatim record, such as an audio recording, for all panel hearings. Respondents are allowed to request a review of the hearing or can receive a redacted transcript. Deliberations will not be recorded.
- I.21. The record will be the property of the College and maintained according to the College's record retention policy.

## J. Sanctions

One or more of following sanctions may be imposed upon any student for any single violation of the *Code of Conduct*:

### J.1. Academic Integrity Sanctions

- J.1.1. **Class Withdrawal.** When a student is withdrawn from a course and a W is applied to their transcript. A withdrawal may negatively affect a student's financial aid status, but a withdrawal does not affect a student's GPA. A student withdrawn from a course will no longer have access to the course materials or classroom (for the assigned course time).
- J.1.2. **Grade Change.** When a grade for a student's assignment/section/exam/course is changed/modified—typically to reflect a lower grade.
- J.1.3. **Instructor Sanction(s).** A sanction applied by a course instructor for a low-level, first-time violation of HCC academic or the respective course's policy (see First-Day Handout provided by instructors).
- J.1.4. **Loss of Points – Assignment/Exam/Quiz/Section.** When a student receives a zero or no score on work due to a violation(s) of HCC's or the course's academic policies. This sanction is DIFFERENT than a "Zero Credit" sanction (see below). A loss of points may be applied by the instructor for a low-level, first-time violation; or by the Student Conduct Officer through the Student Conduct Process.
- J.1.5. **Zero (Course) Credit.** When a student receives the Zero Credit sanction they will NOT receive any course credit for a specific course or courses. This will appear on a student's official HCC transcript as an F-grade. Receiving zero credit will affect both the student's financial aid status and their GPA. A student who receives this sanction before the end of

the course is not necessarily denied continued access to the course materials and or classroom; however, they may not receive any credit for continued participation.

**J.1.6.Loss of Scholarship** This sanction ONLY applies to HCC managed/offered scholarships. This sanction may include the complete or partial withdrawal of a scholarship, including if applicable, the repayment of scholarship monies (any repayment of monies will be treated as a bill on the student's account).

## **J.2. Conduct Sanctions**

**J.2.1.Warning** This written warning is provided to acknowledge that the Respondent's behavior violated College policy and does not align with Highland Community College's expectations for community members.

**J.2.2.College Housing Probation:** Official notice that, should further violations of Residence Life or College policies occur during a specified probationary period, the student may be removed from College housing in accordance with K.1.9.1. Regular probationary meetings may also be imposed.

J.2.2.1. Future violations of College policy while the Respondent is on probation may result in more severe disciplinary action.

**J.2.3.College Housing Transfer or Removal** The student will be placed in another room or residence hall or restricted from living on campus for a specified or indefinite period. If a student is restricted from living on campus, the student will be restricted from visiting or entering any College owned housing during the period of restriction. The student's Housing contract will be terminated and the student will be responsible for paying any remaining fees for the duration of the original contract period.

J.2.3.1. Resident students required to vacate College housing will be given a minimum of seven (7) calendar days to complete their move. The definitive timeline will be agreed upon by the Dean of Students, Student Housing Coordinator, and Student Conduct and Compliance Officer in conversation with the student.

**J.2.4.Campus and/or Building Ban** The student is prohibited from being on any campus property and/or entering specific College facilities.

J.2.4.1. Any student alleged to have violated a campus and/or building ban may be subject to additional disciplinary action.

**J.2.5.Confiscation of Prohibited Property** Items whose presence is in violation of College policy will be confiscated and will become the property of the College. Prohibited items may be returned to the owner at the discretion of the Student Conduct and Compliance Officer and/or Campus Security.

**J.2.6.Contemplative Activities** The student engages in actions/activities/experiences intended to provide the student with the opportunity to contemplate their choices and behavior and how their effect on them and others.

**J.2.7. Disciplinary Probation** The student is deemed not in good conduct standing with the College.

- J.2.7.1. The duration of any disciplinary probationary period will be determined by the sanctioning authority on a case-by-case basis.
- J.2.7.2. Any further violations of College policy while on disciplinary probation may result in more serious sanctions being imposed, which may include disciplinary suspension or disciplinary dismissal from the College.
- J.2.7.3. Restrictions that may be placed on the student during the disciplinary probationary period include, but are not limited to:
  - Parking on campus
  - participation in student activities
  - representation of the College on athletic teams or in other leadership positions,
  - eligibility to receive any College award or honorary recognition,
  - entrance into College residence halls or other areas of campus,
  - participation in a study abroad program, or
  - College computer and network usage.

**J.2.8. Disciplinary Suspension** The student is required to leave the College for a designated time and/or until conditions specified at the time of the disciplinary suspension are met.

- J.2.8.1. During the disciplinary suspension period, a student may not attend classes (either in person or online) nor participate in a student group or student organization activities, whether they occur on or off-campus.
- J.2.8.2. A currently enrolled student is withdrawn from their classes and is not eligible for a refund. A registration hold will be placed on the student's account until the conclusion of the disciplinary suspension period.
- J.2.8.3. If the student is an on-campus resident, the student's contract with Housing & Residence Life will be terminated and the student will be responsible for paying any remaining fees for the duration of the original contract period.
- J.2.8.4. The student will have a minimum of seven (7) days to vacate the space. The definitive timeline will be agreed upon by the Dean of Students and the Director of Residence Life in conversation with the student.
- J.2.8.5. The student must complete all assigned educational sanctions before the conclusion of the disciplinary suspension period. The disciplinary suspension will remain in effect until they are completed and any other conditions are met.

- J.2.8.6. Any further violations of College policy while on disciplinary suspension could result in more serious sanctions being imposed.
- J.2.9. **Disciplinary Dismissal** This action removes a student from their academic program and separates the student from the College for a period of two to seven (2-7) years.
- J.2.9.1. During the disciplinary dismissal, the student is not allowed on College premises unless authorized in writing in advance under conditions approved by the Dean of Students or designee.
- J.2.9.2. A currently enrolled student that is withdrawn from their classes and may not be eligible for a refund.
- J.2.10. **Disciplinary Expulsion** Permanent separation from the College. The student is banned from college property and the student's presence at any College-sponsored activity or event is prohibited. This may be enforced with a trespass action as necessary.
- J.2.11. **Educational Activities** The student engages in actions/activities/experiences intended to help the student gain knowledge in areas related to the policy violation(s). This may include, but is not limited to: workshops, research, engaging with professionals, etc.
- J.2.12. **Eligibility Restriction** The student is deemed "not in good standing" with the College for a specified period of time. Specific limitations or exceptions may be granted by the Student Conduct and Compliance Officer and terms of this conduct sanction may include, but are not limited to, the following:
- J.2.12.1. Ineligibility to hold any office in any student organization recognized by the College or hold an elected or appointed office at the College; or
- J.2.12.2. Ineligibility to represent the College to anyone outside the College community in any way including: participating in the study abroad program, attending conferences, or representing the College at an official function, event or intercollegiate competition as a player, manager or student coach, etc.
- J.2.13. **Fine(s)** An amount of money a student is required to pay to HCC. Typically, a fine is applied when there is an established cost associated with a student's violation(s) (e.g., theft of goods/services).
- J.2.13.1. The fine will be added to the student's financial balance. Fines are not typically eligible to be paid by financial aid.
- J.2.13.2. An unpaid fine may negatively affect a student's financial aid status, access to course registration, access to educational records (transcripts), and/or be sent to collections.
- J.2.14. **Mandatory Training** This training is provided to educate the Respondent that their conduct violated College Policy and does not align with HCC's expectations for community members.

- J.2.15. **No Trespass Order** The student is prohibited from being on any campus property and/or entering specific College facilities.
- J.2.15.1. Any student alleged to have violated a campus and/or building ban may be subject to arrest.
- J.2.16. **Restitution** Compensation for damage caused to the College or any person's property. This could also include situations such as failure to return a reserved space to proper condition – labor costs and expenses. This is not a fine but, rather, a repayment for labor costs and/or the value of property destroyed, damaged, consumed, or stolen.
- J.2.17. **Restorative Activities** The student engages in actions/activities/experiences intended to directly address the harm(s) caused by their actions and provide them the opportunity to give back to others or the larger community. This may include, but is not limited to: community restitution service, letters of apology, educational presentations, etc.
- J.2.18. **Restriction and/or Loss of College Privileges** This action restricts students from accessing specific College privileges including, but not limited to:
- parking on campus,
  - participation in student activities,
  - holding a student leadership position,
  - College recognition of student organizations,
  - attending athletic events or participating in athletics, and
  - College computer and network access.
- J.2.19. **Wellness Activities** The student engages in actions/activities/experiences intended to address their holistic health (social, emotional, financial, physical, academic, and environmental). This may include, but is not limited to: substance use assessments, counseling assessments, meeting with an academic advisor, meeting with a Student Involvement staff member, etc.
- J.2.20. The following sanctions may be imposed upon groups or organizations found to have violated the *Code of Student Conduct*:
- J.2.20.1. One or more of the sanctions listed above, and/or
- J.2.20.2. Deactivation, de-recognition, loss of all privileges (including status as a College registered group/organization), for a specified period of time.

Additional or alternate sanctions may be created and designed as deemed appropriate to the offense with the approval of the Student Conduct and Compliance Officer.

## K. Parental Notification

The College reserves the right to notify the parents/guardians of students regarding any conduct situation involving alcohol and other drug violations.

- K.1. The College may notify parents/guardians of students who are under the age of 21 of alcohol and/or other drug violations.
- K.2. Parental notification may also be utilized discretionarily by administrators when permitted by FERPA or consent of the student.

## **L. Notification of Outcomes**

The outcome of a campus hearing is part of the education record of the responding student and is protected from release under the Federal Education Rights and Privacy Act (FERPA), except under certain conditions.

- L.2. As allowed by FERPA, when a student is accused of a policy violation that would constitute a “crime of violence” or forcible or nonforcible sex offense, the College will inform the alleged victim/party bringing the complaint in writing of the final results of a hearing regardless of whether the College concludes that a violation was committed.
- L.3. Such release of information may only include the alleged student’s/responding student’s name, the violation committed, and the sanctions assigned (if applicable).
- L.4. In cases where the College determines through the student conduct process that a student violated a policy that would constitute a “crime of violence” or nonforcible sex offense, the College may also release the above information publicly and/or to any third party. FERPA defines “crimes of violence” to include:
  - Arson
  - Assault offenses (includes stalking)
  - Burglary
  - Criminal Homicide—manslaughter by negligence
  - Criminal Homicide—murder and nonnegligent manslaughter
  - Destruction/damage/vandalism of property
  - Kidnapping/abduction
  - Robbery
  - Forcible sex offences
  - Statutory Rape
  - Incest

## **M. Failure to Complete Conduct Sanctions**

All students, as members of the Highland Community College community, are expected to comply with conduct sanctions within the timeframe specified in their decision notification. Failure to follow through on conduct sanctions by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanctions from the College.

## **N. Appeal Review Procedures**

Any party may request an appeal of the decision of the Panel/Administrative Conference by filing a written request to the Dean of Students subject to the procedures outlined below. All sanctions imposed by the original hearing body remain in effect (with the exception of removal from housing or the institution), and all parties should be timely informed of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision.

## **O. Grounds for appeal requests**

O.2. Appeals requests are limited to the following grounds:

- A procedural or substantive error occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.);
- To consider new evidence, unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction.<sup>13</sup> A summary of this new evidence and its potential impact must be included;<sup>14</sup>
- The sanctions imposed are substantially outside the parameters or guidelines set by Highland Community College for this type of offense or the cumulative conduct record of the responding student.

O.3. Appeals must be filed in writing with the Dean of Students within five (5) days of the notice of the outcome to the hearing, barring exigent circumstances. Any exceptions are made at the discretion of the Dean of Students.

O.4. The Dean of Students will share the appeal by one party with the other party (parties) when appropriate under procedure or law (e.g., if the responding student appeals, the appeal is shared with the complainant, who may also wish to file a response, request an appeal on the same grounds or different grounds).

O.5. The Dean of Students will conduct an initial review to determine if the appeal request meets the limited grounds and is timely. They may consult with the Student Conduct and Compliance Officer on any procedural or substantive questions that arise.

O.6. If the appeal is not timely or substantively eligible, the original finding and sanction will stand, and the decision is final. If the appeal has standing, the Dean of Students determines whether to refer the appeal to the Appeals Panel or to remand it to the original decision maker(s), within five (5) days. If the original decision maker may be unduly biased by a

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<sup>13</sup> Failure to provide information during or participate in an investigation or a hearing, even resulting from concern over pending criminal or civil proceedings, does not make evidence “unavailable” at the time of the hearing.

<sup>14</sup> The Student Conduct and Compliance Officer or designee is expected to consult with the chair of the original panel to inquire as to whether the new evidence would, in the opinion of the Chair, have substantially impacted the original finding or sanction

procedural or substantive error, a new decision maker will be assigned to reconsider the matter, which can in turn be appealed, once. Efforts are made to use remand whenever possible. However, a student can request to have a full rehearing by the Appeals Panel.

- O.7. Where new evidence is presented or the sanction is challenged, the Dean of Students will determine if the matter should be returned to the original decision-maker for reconsideration or if it should be reviewed by the Appeals Panel with clear instructions for reconsideration only in light of the granted appeal grounds and any applicable legal guidelines.
- O.8. In review, the original finding and sanction are presumed to have been decided reasonably and appropriately, thus the burden is on the appealing party(ies) to show clear error. The Appeals Panel must limit its review to the challenges presented.
- O.9. On reconsideration, the Appeals Panel or original decision-maker may affirm or change the findings and/or sanctions of the original hearing body according to the permissible grounds. Procedural or substantive errors should be corrected, new evidence should be considered, and sanctions should be proportionate to the severity of the violation and the student's cumulative conduct record.
- O.10. All decisions of the Appeals Panel are to be made within five (5) days of submission to the Panel and are final, as are any decisions made by the original hearing body, Student Conduct and Compliance Officer as the result of reconsideration consistent with instructions from the Dean of Students.

## **P. The appeals panel**

- P.2. Three-member Appeals Panels are drawn from the hearing panel pool, with the following requirements to serve:
- they did not serve on the Panel for the initial hearing
  - they were not involved in the investigation in any way
  - they have been properly trained in appeals procedures
- P.3. The Dean of Students will have final authority to approve all those serving on the panel. The parties may challenge a panelist(s) based on potential bias, and any panelist who cannot render an impartial decision must recuse themselves. The Dean of Students will make the determination as to the validity of any challenge or need for recusal. In the event of a recusal from the panel, the Appeals Review Officer will solicit a replacement from the pool of panelists.
- P.4. The Student Conduct and Compliance Officer serves as the non-voting advisor to the panel, with responsibility for training the panel, conducting preliminary investigations, and ensuring a fair process for the complainant and responding student.
- P.5. At the discretion of the Dean of Students in consultation with the Student Conduct and Compliance Officer, and other potentially impacted staff, the implementation of sanctions may be stayed pending the outcome of an appeal.

## **Q. Other guidelines for appeals**

- Q.2. All parties will be timely informed within ten (10) days of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision;
- Q.3. Every opportunity to return the appeal to the original decision-maker for reconsideration (remand) should be pursued;
- Q.4. Appeals are not intended to be full re-hearings of the complaint.
- Q.5. Appeals are not an opportunity for appeals panelists to substitute their judgment for that of the original decision-maker merely because they disagree with the finding and/or sanctions. Appeals decisions are to be deferential to the original decision-maker, making changes to the finding only where there is clear error and to the sanction only if there is a compelling justification to do so.

## **R. Disciplinary Records**

All conduct records are maintained by the College for seven (7) years from the time of their creation except those that result in separation (disciplinary suspension or disciplinary expulsion, including from housing) which are maintained indefinitely.

# APPENDIX A

## HCC WEAPONS POLICY

### APPLICABILITY

This Policy applies to all Highland Community College (HCC or “College”) students, employees, and visitors: i) on the HCC main campus and within or upon locations owned, leased, or controlled by HCC that are not part of the HCC main campus (collectively, “Campus”), or ii) when attending/participating in or performing College duties at any off-Campus College sponsored or supervised classes, practices, activities, or other programs (collectively, “Off-Campus Activity”).

### WEAPONS STATEMENT

In order to promote a safe and secure community college and learning environment, HCC prohibits the possession or use of Weapons\* on Campus and at Off-Campus Activities, except as set forth below.

In accordance with the Kansas Personal and Family Protection Act, K.S.A. 75-7c01 et seq., as amended (the “Act”) and other applicable federal/state laws, it is permissible and will not be a violation of this Policy for the:

- I. Carrying of a concealed Handgun\*\* on Campus by legally qualified individuals, pursuant to Kansas law, and also in accordance with the Concealed Carry Restrictions set forth below,
- II. Lawful carrying of a concealed Handgun by an employee performing College duties at an off-Campus Activity, when in accordance with applicable laws/policies for such location,
- III. Lawful possession of a Handgun within a personal/non-College vehicle,
- IV. Lawful possession of Weapons as necessary for the conduct of College approved programs.

### CONCEALED CARRY RESTRICTIONS

**Concealed Carry:** Each individual who lawfully possesses a Handgun on Campus shall be wholly and solely responsible for carrying, storing, and using that Handgun in a safe manner and in accordance with the law and this Policy. Individuals who carry a Handgun on Campus must carry it concealed on or about their person at all times.

“Concealed” means completely hidden from view and does not reveal the Handgun in any way, shape, or form.

“About” the person means that an individual may carry a Handgun if it can be carried securely in a suitable carrier, such as a backpack, purse, handbag, or other personal carrier designed and intended for the carrying of an individual’s personal items.

Moreover, the carrier must at all times remain within the exclusive and uninterrupted control of the individual. This includes wearing the carrier with one or more straps consistent with the carrier's design, carrying or holding the carrier, or setting the carrier next to or within the immediate reach/control of the individual. It shall be a violation of this Policy to openly display any lawfully possessed Handgun while on Campus.

**Restrictions Pursuant to Kansas Law:** Kansas law states that the only type of firearm that an individual can carry while concealed is a Handgun as defined above. The following restrictions applicable to all firearms specifically apply to the concealed carrying of a Handgun under Kansas law and this Policy, and the violation of any of the following restrictions is a crime under Kansas law and a violation of this Policy:

- An individual in possession of a concealed firearm must be at least 21 years of age [K.S.A. 21-6302(a)(4)];
- A firearm cannot be carried by an individual:
  - Under the influence of alcohol or drugs, or both, to such a degree as to render the individual unable to safely operate the firearm [K.S.A. 21-6332],
  - Who is both addicted to and an unlawful user of a controlled substance [K.S.A. 21-6301(a)(10)],
  - Who is or has been a mentally ill person subject to involuntary commitment [K.S.A. 21-6301(a)(13)],
  - With an alcohol or substance abuse problem subject to involuntary commitment [K.S.A. 21-6301(a)(13)],
  - Who has been convicted of a felony crime [K.S.A. 21-6304],
- An automatic firearm cannot be carried [K.S.A. 21-6301(a)(5)],
- Suppressors and silencers cannot be used with a firearm [K.S.A. 21-6301(a)(4)]; and,
- Firearms cannot be fired in the corporate limits of a city or at a dwelling, or at a structure or vehicle in which people are present, except in self-defense [K.S.A. 21-6308, 6308a]

**Location Restrictions:** Certain Campus buildings and/or Public Areas\*\*\*within Campus Buildings can be permanently or temporarily designated to prohibit concealed Handguns. There are no Campus buildings or Public areas that have been permanently designated to prohibit concealed handguns with Adequate Security Measures (ASMs) in place. However, HCC may temporarily designate a specific location as prohibiting concealed Handguns and use temporary ASMs as defined and required by law. Appropriate notice will be given whenever this temporary designation is made.

Campus locations leased by HCC or used for Off-Campus Activity, and owned by an entity that may lawfully exclude or permit firearms at their premises (concealed or otherwise), may choose at their sole discretion to exclude or permit Handguns from their premises, notwithstanding a lease or use arrangement with HCC. If Handguns are excluded at such locations and would otherwise be permitted by this Policy, individuals are expected to comply with the rules imposed by the location.

**Safety Requirements:** To reduce the risk of accidental discharge on Campus, when carrying a concealed Handgun on Campus (whether on the person or in a carrier,) the concealed Handgun is to be secured in a holster that completely covers the trigger and the entire trigger guard area and that secures an external hammer in an un-cocked position through the use of a strap or by other means. Handguns with an external safety are to be carried with the safety in the “on” position.

**Storage:** Handgun storage is not provided by HCC. Individuals may store a Handgun in the individual’s vehicle when the vehicle is locked and the Handgun is secured in a location within the vehicle that is not visible from outside the vehicle.

Individuals who legally reside in HCC Campus Housing may store a Handgun in their own apartment bedroom in an opaque (non-transparent) storage device. Handgun storage by any other means is prohibited. Each individual who stores a handgun in an on-campus residence must provide their own approved storage device. An approved storage device has each of these characteristics:

1. It is of sufficient size to full enclose the handgun while secured in an approved holster;
2. It is constructed of sturdy materials that are non-flammable;
3. It has a combination, digital, or other secure locking device that can only be unlocked by the individual using the storage device. Devices secured exclusively with a key lock are prohibited; and
4. The device is constructed specifically for the storage of a handgun and/or ammunition. All ammunition stored in an on-campus residence must be stored in an approved storage device.

Employees who are assigned a private office on the HCC Campus or a regional site may store a Handgun in an opaque (non-transparent), locked storage box inside their assigned office when the office is locked and the Handgun is not visible from inside or outside the office. Handgun storage by any other means is prohibited.

Specifically, it is prohibited for any individual to store a Handgun: i) in a vehicle that is unlocked or when the Handgun is visible from outside the vehicle, ii) in an unattended backpack/carrier, iii) in any type of locker, iv) in a campus apartment that is not contractually assigned to the owner of the Handgun v) in a transparent, locked or unlocked storage container, vi) in an unlocked campus apartment, vii) in an unlocked storage container inside a campus apartment, or viii) in any other location and under any circumstances except as specifically permitted by this Policy and by state and federal law.

Even the lawful carrying of a concealed Handgun has its own risks. Any report of Weapons on an HCC Campus will be addressed by local law enforcement in coordination with HCC officials. The lawful carrying of a concealed Handgun should not create concerns on Campus; however, anything other than lawful

carrying of a concealed Handgun has the potential to create confusion and additional risk during police responses.

Enforcement: Any individual violating this Policy will be subject to appropriate disciplinary action for employees and minimum immediate removal from student housing and assigned disciplinary probation or possible expulsion from the College for students. Enforcement of this Policy will be administered by HCC Officials.

## REPORTING

Emergency reports concerning active threats or violence on campus to self or others:

- Call 911

Suspected violations of this Policy should be reported to HCC Security:

- Call HCC Security: 785-741-2206
- Walk-in: Dean of Students Office, Administration Building, Highland Campus
- Written Report: Incident Reporting Form:  
<https://cm.maxient.com/reportingform.php?HighlandCCKS>

\*"Weapon" means a weapon described in K.S.A. 21-6301, as further defined under K.S.A. 75-7c20; however, for purposes of this Policy includes knives more than 4 inches in length.

\*\*"Handgun" is defined as a "firearm", pursuant to K.S.A. 75-7c02 with cross-reference to K.S.A. 75-7b01. Specifically, under K.S.A. 75-7b01, it is: (1) a pistol or revolver which is designed to be fired by the use of a single hand and which is designed to fire or capable of firing fixed cartridge ammunition; or (2) any other weapon which will or is designed to expel a projectile by the action of an explosive and which is designed to be fired by the use of a single hand.

\*\*\*"Public Areas" is defined at K.S.A. 75-7c20.

# **APPENDIX B**

## **HIGHLAND COMMUNITY COLLEGE PEACEFUL ASSEMBLY & PROTEST**

Highland Community College is committed to the free exchange of ideas and expression of agreement with and expression of opposition to those ideas. The College community considers open expression to be vital to opening dialogue and helping in the development of understanding of each other's point of view.

The College recognizes that mutual respect and civility can be maintained in the open exchange of opinions and thoughts. The College also recognizes certain ideas may be offensive, discomforting or disagreeable to some members of the local community and college community. Highland Community College will make every effort to ensure that as long as the parameters of respect and non-violent exchanges are held, no attempts will be made to impede another's free expression. The College is committed to free and open inquiry into matters of social, political, and economic concern and encourages the presentation of all views on such issues.

HCC students are both citizens and members of the academic community. As members of the HCC community, students enjoy freedom of speech and peaceful assembly. As members of the academic community they are responsible to the obligations that come to them by virtue of this membership. When a peaceful assembly or protest occurs on Highland Community College property, please remember that our Student Code of Conduct will be the foundation of our expectations when applicable. Students will be expected to act in ways that fulfill the expectations outlined in the Code.

It is the responsibility of all members of the College community to maintain channels of communication which will foster a climate favorable to the freedom of expression. Therefore, the College has created guiding documents, procedures and protocols that will assist students and guests in the planning of peaceful assembly or protest on College property.

In planning a peaceful assembly or protest the organizers should keep in mind all College policies.

## A. DEFINITIONS:

- A.1. **Demonstration**- A large group of people, usually gathering for a social or political cause. It often includes a march, ending with a rally or a speaker. A demonstration is similar to a protest in that they both can use the same or similar methods to achieve goals. However, demonstrations tend to be more abrasive and spontaneous, whereas protests tend to be more organized.
- A.2. **March**-A walk by a group of people to a place in order to express an objection with to or support of any event, situation, or policy
- A.3. **Picket Line**-A line or group of people who are refusing to go to work until their employer agrees to certain demands
- A.4. **Protest**-A protest is a way to express objections to or support of any event, situation, or policy. These objections can be manifested either by actions or by words.
- A.5. **Sit-In**-any organized protest in which a group of people peacefully occupy and refuse to leave college premises.
- A.6. **Vigil**-In observance of a commemorative activity or event meant to demonstrate unity around a particular issue or concern, and/or to promote peace and prevent violence.
- A.7. **Facilities**- Use of facilities on the Highland Community College campus in Highland, Kansas may be reserved by the obtaining a facility reservation form from the President's office, second floor David Reist Administration Building. An application for peaceful-assembly should be submitted at least 48 hours in advance of the gathering.
  - A.7.1. Facilities for use- Green space between MS/CT Building and Yost Hall

## B. COMPLIANCE:

Groups assembling or gathering in peaceful protest should comply with the following

- B.1. Free passage of pedestrians and vehicle traffic around campus
- B.2. No persons or groups shall block the access or exit to any building
- B.3. Use of amplified sound will not disrupt the conduct of College business
- B.4. Activities that might disrupt the campus environment will not be allowed or encouraged, such as the disruption of the living environment in residence halls or campus events
- B.5. Respect of and adherence to College policies
- B.6. In the event that the demonstration will move outside of campus boundaries, the supporting organizations shall obtain the necessary permits from city officials
- B.7. Contact with media will be handled by the Director of Marketing
- B.8. Everyone is expected to comply with the directions of College officials who are acting in accordance with the performance of their duties. Failure to do so is a violation of Student Code of Conduct and is subject to sanctions as outlined in the Student Code of Conduct. If a demonstration or activity interferes with normal College activities and/or functions, participants

will be asked to disperse. Failure to comply will result in appropriate sanctions. Actions that can result in violations-

- B.8.1. Excessive noise, which interferes with classes, College offices, residence halls, community neighbors or other campus and community activities
- B.8.2. Unauthorized entry into or occupation of a private work area or any other secure area
- B.8.3. Conduct that restricts or prevents faculty or staff members or student employees from performing their duties, including interruptions of meetings, classes, or events
- B.8.4. Failure to maintain clear passage into or out of any College building or passageway, and/or work space
- B.8.5. Failure to disperse when a building, office, or campus space is closed
- B.8.6. Other conduct that disrupts the normal operations of the College
- B.8.7. Vandalism including graffiti or destruction of College property will not be tolerated

## **APPROVAL AND IMPLEMENTATION**

No rights or obligations on the College are created or intended by this Policy beyond those typically found within the background laws informing such codes, generally.

*This Policy and procedures are effective **[INSERT DATE of implementation]***