

Manhattan Area Technical College
Institutional Policy and Procedure Manual **Policy No. 5.9.3**

Title: Student Code of Conduct	
Originated by: Vice President of Student Services	
Reviewed on: 7/2011; 8/2021	Revised on: Aug 2021

Student Code of Conduct

Students of Manhattan Area Technical College are entitled to an environment that is conducive to learning and individual growth. To this end, students enrolled at Manhattan Tech assume a citizen's responsibility to abide by federal, state, and local laws. Violations of statutory laws or of Manhattan Area Technical College's regulations, policies and rules may lead to disciplinary actions by the College. These regulations do not deny any previously guaranteed rights and privileges but ensure a pleasant educational environment for all Manhattan Tech students.

Standard of Conduct

Technical College students assume an obligation to act in a manner compatible with the fulfillment of the College mission. The Technical College community recognizes its responsibility to provide an atmosphere conducive to growth. With these principles in mind, Manhattan Area Technical College establishes this Student Code of Conduct.

The administration strives to maintain a safe and orderly educational environment for students and staff. Therefore, when a student's conduct disrupts or threatens to disrupt the college community, appropriate disciplinary action will be taken to restore and protect the atmosphere of collegiality and mutual respect on campus. This procedure is intended to provide an orderly protocol for handling disciplinary cases in accordance with the principles of due process and justice.

Proscribed Conduct

Any student found to have committed the following misconduct is subject to disciplinary sanctions:

1. Acts of dishonesty, including, but not limited to, the following:
 - a. Cheating, plagiarism, or other forms of academic dishonesty.
2. Furnishing false information to any Technical College official, faculty member or office.
3. Forgery, alteration, or misuse of any Technical College document, record, or instrument of identification.
4. Disruption or obstruction of teaching, administration, disciplinary proceedings, other Technical College activities, including its public-service functions on or off campus, or other authorized non-Technical College activities, when the act occurs on Technical College premises.
5. Physical abuse, verbal abuse, threats, intimidation, harassment, coercion and/or other conduct which threatens or endangers the health or safety of any person.
6. Attempted or actual theft of and/or damage to property of the Technical College or property of a member of the Technical College community or other personal or public property.

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7. Hazing, defined as an act that endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization.
8. Failure to comply with directions of Technical College officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
9. Unauthorized possession, duplication or use of keys to any Technical College premises or unauthorized entry to or use of Technical College premises.
10. Violation of published Department or Technical College policies, rules or regulations including, but not limited to, rules imposed upon students who enroll in a particular class or program.
11. Violation of federal, state or local law on Technical College premises or at Technical College sponsored or supervised activities.
12. Use, possession or distribution of narcotic or other controlled substances except as expressly permitted by law.
13. Use of tobacco products in campus buildings except in marked designated smoking areas.
14. Use, possession or distribution of alcoholic beverages or public intoxication on Technical College premises or at off-campus activities sponsored by the Technical College.
15. Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on Technical College premises that violate college policy 5.10.3 or any applicable federal or state law.
16. Participation in a campus demonstration that disrupts the normal operations of the Technical College and infringes on the rights of other members of the Technical College community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area; intentional obstruction that unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus.
17. Obstruction of the free flow of pedestrian or vehicular traffic on Technical College premises or at Technical College sponsored or supervised functions.
18. Conduct that is unbecoming to a student, including, but not limited to, conduct that is disorderly, lewd, or indecent; a breach of peace; or aiding, abetting, or procuring another person to breach the peace on Technical College premises or at other locations where classes, activities, or functions sponsored or participated by the Technical College may be held.
19. Theft or other abuse of computer time, including but not limited to:
 - a. Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
 - b. Unauthorized transfer of a file.
 - c. Unauthorized use of another individual's identification and password.
 - d. Use of computing facilities to interfere with the work of another student, faculty member or Technical College Official.
 - e. Use of computer facilities to send obscene or abusive messages or view obscene electronic information.
 - f. Use of computing facilities to interfere with normal operation of the Technical College computing system.
 - g. Violation of the College's Computer Usage policy.
 - h. Theft of printing services, to include unauthorized use of another individual's account.
20. Abuse of the disciplinary process, including but not limited to:
 - a. Failure to comply with the sanction(s) imposed under the Student Code.
 - b. Influencing or attempting to influence another person to commit an abuse of the disciplinary system.

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Jurisdiction of the College

College jurisdiction and discipline shall be limited to conduct which occurs on Technical College premises, off-campus classes, activities or functions sponsored by the Technical College, or which adversely affects, or creates a danger to the Technical College Community and/or the pursuit of its objectives.

Student Code of Conduct Complaints: Investigation and Decision

Within five business days after a complaint is filed, the Deans or his/her designee shall complete a preliminary investigation of the incident and schedule a meeting with the student against whom the complaint was filed in order to discuss the incident and the allegations. In the event that additional time is necessary, the student will be notified. After discussing the complaint with the student, the Deans or his/her designee shall determine whether the student committed the alleged conduct, and whether the alleged conduct constitutes a violation of the Student Code of Conduct.

The student shall have five business days from the date contacted by the Deans to schedule the meeting. This initial meeting may only be rescheduled one time. If the Student fails to respond to the Deans within 5 business days to schedule the meeting, reschedules the meeting more than once, or fails to appear at the meeting, the Deans will consider the available evidence without student input and make a determination.

In the event that a complaint alleges violations of the Student Code of Conduct by more than one student, each student's disciplinary proceeding, as well as any appeals relating to that proceeding, shall be conducted individually.

If the Deans determines that the alleged conduct did not occur, or that the conduct was not a violation of the Student Code of Conduct, he/she shall not impose any disciplinary sanctions on the student and the investigation shall be closed. If the Deans determine that the student has violated the Student Code of Conduct, he/she shall impose one or more of the following disciplinary sanctions.

Based on the severity of the incident, the Deans may take one of two actions:

1. After a determination that a student has violated the Student Code of Conduct, the Deans may impose, without referral to the Vice President of Student Success, one or more of the following sanctions. Notification shall be sent to the student and the person(s) who initially filed the complaint.
 - a. **Restitution:** A student who has committed an offense against property may be required to reimburse the College or other owner for damage to or misappropriation of such property. Any such payment in restitution shall be limited to the actual cost of repair or replacement.
 - b. **Reprimand:** A written reprimand may be given any student. Such a reprimand does not restrict the student in any way, but it signifies to the student that he/she is, in effect, being given another chance to conduct himself/herself as a proper member of the College community, and that any further violation may result in more serious sanctions.
 - c. **Restriction:** A restriction upon a student's privileges for a period of time may be imposed. This restriction may include, but is not limited to, denial of the right to represent the College in any way, denial of use of facilities, alteration or revocation of parking privileges, or restrictions from participating in extracurricular activities.

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- d. **Disciplinary Probation:** Continued enrollment of a student on disciplinary probation may be conditioned upon adherence to specified terms. Any student placed on disciplinary probation will be notified of the terms and length of probation in writing. Any conduct determined after due process to be in violation of these terms while on disciplinary probation may result in the imposition of more serious disciplinary sanctions, as specified by the terms of probation.
 - e. **Failing or lowered grade:** In cases of academic misconduct, the Dean or his/her designee will make a recommendation to the Vice President of Student Success or his/her designee who may authorize the instructor to award a failing or lowered grade in the course, a loss of credit on the assignment or examination, and may impose other additional sanctions including suspension or dismissal from the College.
2. After a determination that a student has violated the Student Code of conduct, the Deans may recommend the imposition of one of the following sanctions if appropriate. The Deans recommendation will be forwarded to the Vice President of Student Success, which may impose one or more of the following sanctions, as well as those described in section 1. above, following a meeting. A copy of the written recommendation shall be provided to the student and the person filing the complaint.
- a. **Disciplinary Suspension:** If a student is suspended, he/she is separated from the Technical College for a stated period of time. Conditions of reinstatement, if any, must be stated in the notice of disciplinary suspension.
 - b. **Disciplinary Expulsion:** Expulsion is a removal and exclusion from the College, College controlled facilities, programs, events, and activities. A record of the reason for the student's dismissal is maintained in the student information system. Students who have been dismissed from the College for any reason may apply in writing to the Vice President for Student Success for reinstatement twelve (12) months following the expulsion. If approval for reinstatement is granted, the student will be placed on disciplinary probation for a specified term. The probationary status may be removed at the end of the specified term at the discretion of the Dean or his/her designee.

Additional Information on Disciplinary Actions

Interim Disciplinary Suspension

As a general rule, the status of a student accused of violations of the Student Code of Conduct should not be altered until a final determination is made regarding the charges against him/her. However, interim suspension may be imposed upon a finding by the Deans or his/her designee that the continued presence of the accused student on campus constitutes a potential or immediate threat to the safety and well-being of the accused student or any other member of the College community or its guests, or that the continued presence of the student on campus creates a risk of substantial disruption of classroom or other College-related activities. If an interim disciplinary suspension is imposed, a meeting should take place as soon as possible. The student need not request an appeal.

Conditions of Disciplinary Suspension and Expulsion

A student who has been suspended or expelled from the College shall be denied all privileges afforded a student and shall be required to vacate College premises at a time determined by Deans or his/her designee.

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In addition, after vacating the College Premises, a suspended or expelled student may not enter upon the College premises at any time, for any purpose, in the absence of written permission from the Deans or his/her designee. A suspended or expelled student must contact the Deans or his/her designee for permission to enter the College premises for a limited, specified purpose.

If the student seeks to submit a signed Disciplinary Sanction Appeal Form, the student may do so online.

Administrative Withdrawal of Students

A student may be administratively withdrawn from the institution when, in the judgment of the Vice President for Student Success, and the personal physician (if any), it is determined that the student suffers from a physical, mental, emotional, or psychological health condition which: (1) poses a significant danger or threat of physical harm to the student or to the person or property of others, (2) causes the student to interfere with the rights of other members of the school or with the exercise of any proper activities or functions of the school or its personnel, or (3) causes the student to be unable to meet institutional requirements for admission and continued enrollment.

Students who are administratively withdrawn will be subject to the standard refund period as established by Manhattan Area Technical College.

Violation of Federal, State, or Local Law

If a student is convicted or pleads Nolo Contendere to an off-campus violation of federal, state, or local law, but not with any other violation of the Student Code of Conduct, disciplinary action may be taken and sanctions imposed for misconduct that is detrimental to the Technical College's vital interests and stated mission and purpose.

Disciplinary proceedings may be instituted against a student charged with violation of a law that is also a violation of the Student Code of Conduct if both violations result from the same factual situation, without regard to criminal arrest and/or prosecution. Proceedings under this Student Code of Conduct may be carried out prior to, simultaneously with, or following criminal proceedings.

When a student is charged by federal, state, or local authorities with a violation of law, the Technical College will not request or agree to special consideration for that individual because of his/her status as a student. The Technical College will cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators. Individual students, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

Appeal Procedure

A student who wishes to appeal a disciplinary decision by the Deans regarding an assigned sanction of restitution, reprimand, restriction, disciplinary probation, or failing or lowered grade must file a written Formal Grievance as per the Student and Community Complaint Procedure to be reviewed by the Vice President of Student Success.

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If the Deans recommended a sanction of disciplinary suspension, disciplinary expulsion, or interim disciplinary suspension, which was approved by the Vice President of Student success then student will need to file a written appeal as per the Student and Community Complaint Procedure to be reviewed by the President's office.