



Minnesota State Community and Technical College Institutional Policies

Policy Title: Student Conduct Code

Purpose:

To support the development and well-being of all members of the college community and to ensure due process and the orderly disposition of violations of the Student Conduct Code.

Definitions:

College means Minnesota State Community and Technical College (M State).

College Community means any currently enrolled student, employee or guest on a campus or college controlled space.

Expulsion means permanent denial of the privilege to enroll at the college.

Formal Process means a formal student conduct hearing that involves a Judicial Board and follows the Formal Process outlined in the Judicial Process section of the Student Conduct Code.

Informal Process means an informal hearing conducted by a dean or designee that involves meeting the involved parties and determining an appropriate sanction without utilizing the Formal Process as outlined in the Judicial Process section of the Student Conduct Code.

Policy means the written regulations of the College and Minnesota State Colleges and Universities (MnSCU) as found in, but not limited to, the Student Conduct Code, residence life policies and procedures, the College and Minnesota State Colleges and Universities websites MnSCU Web sites, Board Policy and System Procedure 5.18 and 5.18.1 on Alcoholic Beverages and Controlled Substances on Campus, Minnesota State Board Policy and System Procedures 5.22 and 5.22.1 on Acceptable Use of Computers and Information Technology Resources, and the College catalog.

Preponderance of Evidence means a standard of responsibility that it is more likely than not that the Student Conduct Code has been violated.

Student includes all persons who:

- a. Are enrolled in one or more courses, either credit or non-credit, with the college;
- b. Withdraw, transfer or graduate after an alleged violation of the student conduct code;
- c. Are not officially enrolled for a particular term but who have a continuing relationship with the college;
- d. Have been notified of their acceptance for admission or have initiated the process of application for admission or financial aid; and/or
- e. Are living in a college residence hall although not enrolled in the institution.

Student Conduct Board Chair means the Chief Student Affairs Officer or designee who shall preside over a formal conduct hearing.

Student Organization means any number of persons who have complied with the formal requirements for official college recognition and are in active or inactive status.

Summary Suspension means a suspension imposed without a formal hearing to ensure the safety and well-being of members of the college community.

Suspension means denial of the privilege of enrollment for a specified period of time after which the student is eligible to return. Conditions for re-enrollment may be specified.

Policy:

Student Conduct Introduction

The College strives to provide an environment that facilitates learning and views the student conduct process as a learning experience that promotes growth and personal understanding of one's responsibilities and privileges within the college community. Therefore, it is the responsibility of the student who has been accused of misconduct to participate conscientiously in the discipline process.

The college has an expectation that members of the college community maintain a level of civility that is appropriate for the academic environment. As members of the college community, we have the right to:

- Expect a campus free of incidents that create a hostile learning and/or living environment.
- Expect a healthy and responsible attitude to accompany college-sponsored events and activities.
- Expect individuals to take responsibility for their choices and actions.
- Expect the academic experience to extend beyond the classroom and into all campus facilities.

An action by a student that interferes with the education of any other student or interferes with the responsibilities and operations of the College may be considered a violation of the Student Conduct Code. Violations of the Student Conduct Code will be subject to disciplinary action pursuant to the process stated herein.

Allegations of discrimination, harassment, sexual violence (see Minnesota State Board 1.B.1 and 1.B.3 policy and procedures) and academic dishonesty shall be adjudicated under separate procedures in accordance with the aforementioned Minnesota State Board Policies and Minnesota State Community and Technical College (M State) policies and procedures.

M State standards of conduct are published here as the Student Conduct Code. In all conduct proceedings it is recognized that M State is an educational institution and not a court of law. The code does not replace or reduce the requirements of civil or criminal laws. All criminal activity may be referred to local law enforcement as well as investigated internally. Members of the college community also have responsibilities as citizens. Violations that constitute crimes and the Annual Security and Fire Safety report can be found at: (enter web address here).

- Being under the influence of alcohol and/or other drugs does not in any way excuse or mitigate responsibility for a student's behavior. The excessive, illegal, unprescribed or otherwise socially irresponsible use of alcohol or other drugs infringes upon one's ability to preserve personal integrity and civility.
- Disciplinary action is cumulative resulting in more serious consequences if the student engages in repeat violations or fails to follow through with sanctions from a previous hearing.

Faculty members retain the right to enforce violations of classroom rules and violation of the Disruption Free Classroom Policy (which can be found on the college's website at www.minnesota.edu/policies, under the Educational Policies section). For violations that do not fall under the Student Conduct code, students will be afforded due process under the grievance policy.

College Jurisdiction

The college is not a sanctuary from the general law. College community members violating civil or criminal law may be subject to College conduct procedures for the same conduct when the conduct occurs on campus or when it occurs off campus. The Dean of Student Success, or his/her designee, shall decide whether the Student Conduct Code shall be applied to conduct occurring off campus, on a case by case basis, in his/her sole discretion. Notwithstanding any provision herein, the college may suspend, expel, or trespass any student whose presence poses a threat to persons or property.

All students, regardless of their location of residence, are members of the college community. The college will address all violations that occur on campus or college controlled property and spaces. Students, faculty, staff, and individuals not associated with the college may submit complaints regarding alleged violations that may have occurred either on or off-campus for review and possible action by the college. Not all off campus behavior is subject to adjudication.

The college may initiate conduct proceedings for off campus incidents when:

- a. The violation occurs while participating in a College-sanctioned or sponsored activity, including online learning;
- b. The victim of the violation is a member of the College community;
- c. The violation constitutes a felony under state or federal law;
- d. The violation interferes with or adversely affects the educational, research or service functions of the College.
- e. Hazing is involved.

Student Conduct Code Violations

Any student found to have committed or to have attempted to commit the following misconduct is subject to disciplinary sanctions (outlined in the Sanctions section) Except for summary suspensions, students who are charged with violating the Student Conduct Code may continue to be present on campus and attend classes until the charges have been resolved.

The College defines the following behaviors as violations of the Student Conduct Code; these behaviors are subject to the disciplinary sanctions outlined in this policy.

Alcohol: Public intoxication or use, possession or distribution of alcoholic beverages except as expressly permitted by law and College regulations.

College Facilities and Service: Acting to obtain fraudulently (by deceit, unauthorized procedure, bad check or misrepresentation) goods, services or funds from College departments or student organizations or individuals acting on their behalf; misuse, alteration or damage of fire-safety equipment or other emergency equipment; interference with the performance of those specifically charged with carrying out emergency services; unauthorized presence in or use of College premises, facilities or property.

College Rules: Violating Minnesota State Board policy and published College policies, rules or regulations or violating other College department regulations that have been posted or publicized. Provisions contained in College documents shall be deemed “rules” under this code.

Computer Misuse: Any violation of the Acceptable Use of Computers and Acceptable Student Use of College Email Policies, any violation of Minnesota State Board Policy and Procedure 5.22 and 5.22.1 on Acceptable Use of Computers and Information Technology Resources. Below are some examples of violations (this list is not exhaustive):

- a. Unauthorized installation of software or 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 or password.
- d. Use of computing facilities to interfere with the work of another student or college employee.
- e. Use of computing facilities to send obscene or abusive messages.
- f. Use of computing facilities to interfere with normal operation of the College computing system.
- g. Use of campus technologies that would constitute a violation under Minnesota State Board Policies and College Acceptable Use of Information Technology Policies.

Controlled Substances: Use, possession or distribution of any controlled substance or drugs and/or drug paraphernalia.

Demonstrations and Riots: Participation in a campus demonstration that disrupts the normal operations of the College and infringes on the rights of other members of the College community; leading or inciting others to disrupt scheduled and/or normal activities of any campus building or area; obstruction which unreasonably interferes with freedom of movement, both pedestrian and vehicular, on campus.

Disorderly, Lewd, or Indecent Conduct: Conduct that is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on college property or at functions sponsored by, or participated in by, the college or members of the college community. Disorderly conduct includes, but is not limited to; any unauthorized use of electronic or other devices to make an audio or video record of any person while on college property without his/her prior knowledge, or without his/her effective consent when such a recording is likely to cause injury or distress. This includes but is not limited to, knowingly taking pictures of another person in a fitness center, gym, locker room, or restroom.

Failure to Comply: Failure to comply with directions and/or requests of College officials including, but not limited to, campus security, residence hall staff, employees or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested. Failure to complete a specified student conduct sanction or violating the terms of a disciplinary sanction.

Falsification: Willfully providing College offices or officials with false, misleading or incomplete information; intentionally making false reports of a bomb, fire, natural disaster or other

emergency to a College official or an emergency service agency; misusing, altering, forging, falsifying or transferring to another person a College-issued identification; forging or altering official College documents without appropriate authorization or conspiring with or inducing others to forge or alter College records or documents without proper authorization; violating copyright regulations; tampering with the election of any College-recognized student organization; falsely claiming to represent the College or a student organization of the College.

Fire Safety: Intentionally or recklessly activating a fire alarm without cause, damaging and/or tampering with fire safety equipment or initiating a false report, false warning or threat of fire, explosion or other emergency on College premises.

Gambling: Gambling for money or other items of value on campus or at College-sponsored activities is not allowed except as permitted by law.

Hazing: An act which endangers the mental or physical health or safety of a person, subjects a person to public humiliation or ridicule, 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 student group, organization, or athletic team.

Interfering with the College Judicial Process, including but not limited to:

- a. Failure to comply with the summons of the College Judicial Board, Chief Student Affairs Officer or designee.
- b. Falsification, distortion or misrepresentation of information before a College judicial body.
- c. Disruption or interference with the orderly conduct of a College judicial proceeding.
- d. Initiation of a judicial complaint intentionally without cause.
- e. Attempting to discourage an individual's proper participation in or use of the judicial system.
- f. Attempting to influence the impartiality of a member of the College judicial board prior to and/or during the course of the judicial proceeding.
- g. Harassment and/or intimidation of a member of a College judicial board prior to, during and/or after a judicial proceeding.
- h. Failure to comply with the sanction(s) imposed under the Student Conduct Code.
- i. Influencing or attempting to influence another person to commit an abuse of the judicial system.

Keys: Unauthorized possession, duplication or use of keys to any college premises or unauthorized entry to or use of college premises.

Physical Abuse/Threat/Intimidation: Intentionally, recklessly or negligently causing physical harm or placing any person under mental duress or causing any person to be in fear of physical danger through verbal abuse, defamation, harassment, hazing, intimidation, use of electronic communication devices such as video, computers and telephones, threats or other conduct which threatens or endangers that person's emotional, mental or physical well-being. Intimidation, threats to, physical abuse of, or harassment that threatens to or endangers the health, safety or welfare of a member of the College community; breach of the peace; physically assaulting another; fighting; obstructing or disrupting teaching, research, administration or

public service functions; obstructing or disrupting disciplinary procedures or authorized College activities; and vandalism

Sexual Misconduct and/or Violence: Conduct covered by Board of Trustees policy 1.B.3 (Sexual Violence Policy) will be subject to the resolution procedures provided in 1.B.1. (See Minnesota State Board 1B.1. and 1B.3 Policy and Procedures)

Sound Amplification: Using sound amplification or loudspeaker equipment except when authorized by a College official.

Theft and Property Damage: Theft or embezzlement of, destruction of, damage to, unauthorized possession of, or wrongful sale or gift of property belonging to the College or a member of the College community or a campus guest.

Tobacco Use: The College prohibits the use of smokeless tobacco, smoking and the use of nicotine delivery devices on College premises except in designated outdoor areas. Please see the Tobacco-free Environment policy (which can be found on the college's website under www.minnesota.edu/policies, under the College Organization and Administrative Policies section)

Violations of Law: Violation of local, state or federal law on college property or off college property when such a violation poses a threat to the safety or welfare of the College community or disrupts the operations of the College.

Weapons: Illegal or unauthorized use or possession of weapons on College property or at college sponsored events/activities unless expressly authorized by the College. A weapon is broadly defined to mean any object, device or instrument designed as a weapon or capable of threatening or producing bodily harm including but not limited to all firearms (including BB guns), dangerous knives, explosives, explosive fuels, dangerous chemicals, billy clubs and fireworks.

Violation of Law and College Discipline

1. College disciplinary proceedings may be instituted against a student charged with violation of a law that is also a violation of this Student Conduct Code. For example, College disciplinary proceedings may be instituted if both violations result from the same factual situation, without regard to pending civil litigation in court or criminal arrest and prosecution. Proceedings under the Student Conduct Code may be carried prior to, simultaneously with or following civil or criminal proceedings off-campus.
2. If the alleged offense is also the subject of a proceeding before the judicial board under the Student Conduct Code, the College may advise off-campus authorities of the existence of the Student Conduct Code and how such matters will be handled internally within the College community. The College will cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus as permitted by State and Federal privacy laws. Individual students, staff and faculty members, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.
3. When a student is found to have violated the Student Conduct Code and disciplinary actions

include sanctions which terminate enrollment status of the student, the College may hold the student responsible for payment of tuition, fees and other educational costs associated with attendance in the term of enrollment.

Residential Hall Prohibited Conduct

In addition to the Student Conduct Code, students are responsible for knowing and following residence hall rules and regulations.

Adjudication

Most violations of the Residence Hall Prohibited Conduct will be adjudicated by the campus Student Development Services Director or designee via the Informal process of the Student Conduct Code. The college reserves the right to determine if a violation's severity or impact on the community necessitates use of the Formal process.

Advertising/Solicitation

Any posting of advertising materials must be approved by the Director of Housing and Residential Life. All approved postings must be displayed/hung in designated areas. Apartment front doors are not an approved area.

Solicitation is not permitted in college buildings and/or grounds, excluding any approved college sponsored charity fundraiser programs. The Director of Housing and Residential Life has the authority to approve or deny solicitation based activities in the residential facilities.

Residential Life staff may post information relative to floor and hall activities (meetings, programs) or housing and residential life information (reminders, announcements) on bulletin boards, lobbies/entryways, or under apartment doors. No other postings are allowed in these areas.

Air Conditioners

Each apartment has air-conditioning. No additional window or floor air conditioning units can be installed in the apartments. The college reserves the right to confiscate any unauthorized air condition units at the owner's expense.

Alcohol and Other Drugs

In addition to the Drug-Free Environment Policy found on the college's website (www.minnesota.edu/policies) and in the Student Handbook. The following are specific to behaviors that occur in the residence halls:

- Knowingly being in the presence of any form of alcoholic beverage, non-alcoholic beer, drug or controlled substance is prohibited. A student is expected to remove him/herself from such situations.
- Distributing, serving, selling, hosting an event/gathering or providing access to any alcohol, other drug, or controlled substance is prohibited.
- Possession of drug paraphernalia or materials intended for drug use is prohibited.
- Odors that are evident of drug use are prohibited in the residence halls. This includes odors emanating from a student's apartment and/or bedroom, clothing, or property.
- Alcoholic beverages and other drug signs and posters are not allowed as decorations. To minimize confusion over the alcohol policy and help decrease unnecessary

confrontations.

- No empty alcohol containers of any kind may be used a decoration in the residence halls.

Animals and Pets

Pets are not permitted in the residence halls; except for fish. Aquariums/fish tanks may be no larger than 10-gallon total capacity per apartment. College staff will require the immediate removal of unauthorized animals and pets. For more information regarding the college's policy on animals on campus, please refer to the Animals on Campus policy, which can be found online at: www.minnesota.edu/policies. Service and assistance/companion may be permitted if determined a reasonable and appropriate accommodation by Disability Services.

Bathrooms

Bathrooms in the individual apartments are the resident's responsibility to keep clean. The college does not provide cleaning supplies, toiletries, toilet tissue, shower curtains, etc. If there is an issue with a plumbing fixture in your apartment bathroom, please submit a work request ticket. In case of emergency, please notify Housing and Residential Life by calling 218-736-1635.

College Furniture

Public area (lobby, study room, lounge) furniture is not permitted in student rooms/apartments. College furniture may not be removed from its designated location, including student rooms, except by college personnel.

Computer/Internet Misuse

Any violation of the college's Acceptable Use of Computers and/or Acceptable Student Use of College Email or Minnesota Board Policy and Procedure 5.22 and 5.22.1 on Acceptable Use of Computers and Information Technology Resources is prohibited. *Violations include, but are not limited to: transmission, distribution or storage of any material in violation of applicable law or regulation. This includes, without limitation, material protected by copyright, trademark, trade secret or other intellectual property right used without proper authorization, and material that is obscene, defamatory, constitutes an illegal threat, violates the college's Civility Policy, or violates export control laws.*

If residents elect to purchase high-speed internet through an outside vendor, please note that you are responsible for abiding by the policies and regulations of that vendor. Any violation of the provider's policies is between you and the provider.

For information about local internet providers, see the Residential Life Guidebook.

Disruption to Community

Disruptive behavior in and around the residence halls is prohibited. This includes conducting oneself in a manner to disturb, intimidate, or threaten other members of the college community, engaging in inappropriate behavior that necessitates additional response from college or city personnel (including local law enforcement or fire services), or individual or group activities that may result in damage or destruction to self, others, or property.

Fire Safety

When fire alarms are activated, including during scheduled fire drills, all occupants must evacuate the building in a safe manner. Residents must wait outside the building until a college employee or the Fire Department indicates they may return.

- Fire Safety equipment is provided to help ensure everyone's safety. Tampering with alarms, extinguishers, or smoke detectors is a violation of local, state and federal laws, as well as a violation of college policies.
- If a smoke detector is 'beeping' indicating a battery/battery bac- up needs replacement, please notify Housing and Residential Life. Do not tamper with/remove the battery yourself.
- Any activity that could potentially compromise fire safety in the residence halls is a violation of policy. This includes such behavior as falsely pulling a fire alarm, covering or removing a smoke detector, hanging items from sprinkler heads (??), obstructing egress routes or blocking a corridor in with floor mats, shoes, furniture or other items that impedes a firefighter's access to a fire.
- Withholding information/evidence concerning a fire is a serious offense.
- Prohibited items: anything that smolders, or with an open flame or open heating elements (other than the college provided stove/oven) are not allowed in the residence halls (e.g. candles, incense, scented oil burners, etc.) Except for microwaves, cooking appliances are only permitted in the apartment's kitchen area.

Gambling

Gambling for money or other items of value on campus or at college-sponsored activities is not allowed except as permitted by law.

Gathering

Residents are allowed to host gatherings in their apartments. All gatherings must abide by M State and Housing and Residential Life policies and regulations.

Hosts must register their gathering with Housing and Residential Life at least 24 hours prior to the event. No Gatherings are permitted during final exam week, breaks, and recesses (long weekends). Failure to abide by this regulation may result in the loss of privilege to host future gatherings.

Guests

Students must register any over-night guests 24 hours prior to the guests' arrival with Housing and Residential Life. Over-night guests are limited to three (3) consecutive nights and no more than four (4) times per semester (12 nights per semester). A guest who stays longer than 72 hours (or is present with unreasonable frequency) will be considered an illegal occupant, and the responsible host may face disciplinary action.

Students' guests must abide by the policies of M State and Housing & Residential Life. The hosting student is responsible for providing guests with policy information and is responsible for their guests' actions. If residents of a room/apartment are hosting guests and policy violations occur, additional sanctions may be incurred for creating an environment out of compliance with M State Housing & Residential Life standards.

Students and their guests must be sensitive to the needs and wishes of other members of their living unit and the community. ; overnight guests have been a point of irritation among students sharing a living unit; students are expected to discuss preferences and arrangements for inviting guests, including the possible disruption and discomfort that might arise. In cases where common ground is not established, the desire of a student not to have overnight guests in the living area will take precedence over the privilege of a student to host guests overnight.

Hosts are responsible for their guests' actions and behaviors. Hosts are also responsible for any damages and/or special costs that result from the behaviors of their guests. The host must be present with the guest at all times while the guest is in the apartment/building.

Community members and staff members should address problems or concerns created by the presence and/or behavior of guests in the area; resolution may include immediate removal of a guest from the area by Housing & Residential Life staff or security along with limiting or revoking future guest privileges and/or disciplinary sanctions.

Guest Parking: Guests may park in any unposted parking spot but must observe the parking rules and regulations.

Harassment

Students are prohibited from harassing any other person by making repeated and/or unwelcome sex-related comments, sexual overtures, verbal threats, or physical behavior, including rape. The college follows Minnesota State Board policies 1.B. 1 (Equal Opportunity and Nondiscrimination in Employment and Education Policy) and 1.B.3 (Sexual Violence Policy). It is a violation for persons to use the telephone or electronic means to harass or threaten others. Please report any harassing or threatening behavior to security or Student Development Services.

Health Hazards

Situations or items such as piled, soiled clothing, exposed food items, trash, vomit or bodily fluids, and the noxious odors emanating from such pose serious health hazards in the community and are prohibited. If you are unsure of how to clean up/dispose of trash, please contact the Director of Housing and Residential Life for guidance.

Identification

Residents are expected to carry and produce identification (student ID, state/government issued ID) upon request by a college officials including, but not limited to, campus security, residence hall staff, employees, or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested.

Keys

All residents are issued a specific apartment key, bedroom key, mailbox key, and exterior door key/fob upon check-in. Residents should keep their room locked and carry their keys whenever they leave their room. If a resident misplaces their keys or is locked out of their apartment/bedroom, during business hours contact Student Development Services for assistance. After-hours contact security for assistance. If a resident is unable to find their keys,

they will be charged for a lock change. Lock changes are approximately \$125.00 (subject to change without notice).

If a resident believes their keys were stolen, they may request that the lock be re-cored/replaced. The resident may be billed for the cost to re-core/replace the lock, the replacement exterior door key/fob and any applicable over-time charges.

When residents move out of their rooms, they must return all keys issued to them, including any keys that were once thought to be missing but were later found. In addition; the following behaviors are considered a misuse of keys and are prohibited:

- Giving a guest or another resident your keys to access your apartment, room or building when you are not present.
- Finding a 'lost' key and failing to return it to the front desk.
- Using a 'lost' key to access an apartment, room, building that you are not authorized to have access to.
- Taking or using a key that was not issued to you.

Students must reside in their assigned room/apartment unless otherwise approved by college officials.

Laundry Facilities Abuse

Abuse of another's possessions or damage to equipment in the laundry areas is not permitted. Any use of the equipment by or for a non-resident of that building is not permitted. Please report any broken equipment to the Director of Housing and Residential Life.

Lofts

The college does not allow lofts for student bedrooms.

Occupancy

A student assigned to a double room only has claim for one-half of the room and its furnishings. Each roommate has an equal right to access the room and the privacy within it. A student in a double room without a roommate must always be ready to accommodate a second resident, unless the student has paid for a double as a single (allowed pending occupancy need). An attempt will be made to send notice of any new roommate assignment, but prior notice may not always be possible. Students without roommates may be consolidated (i.e. moved to another apartment/building) at the college's discretion.

All residents of individual apartments have equal access to the common spaces and the provided furniture and kitchen equipment.

Painting

The painting of apartments and/or bedrooms is not permitted. Similarly, students are not permitted to decorate walls, ceilings or furniture with paint, highlighter, pencils, pens, washable paints, acrylics, laundry detergent, or any other substances.

Political Canvassing

Campaigning on behalf of candidates for local, county, state and national offices is permitted in the residence halls under the following guidelines:

- Complete the “application for political campaigning” form and submit it to the Director of Residential Life and Housing at least 2 business days prior to the requested campaign time. (Form is available from the front desk in Legacy Hall during normal business hours). Completed applications shall be available to the public. Complaints about a campaign worker will be made to the responsible party on the application.
- Door-to-door campaigning political campaigning by the candidate with his/her campaign workers may occur between 10:00 am – 4:00 pm, Monday – Friday.
- Residents who do not wish to be disturbed may display a “No Solicitation” sign on their room door. Candidates and campaign workers must honor these signs as well as all requests to leave a specific apartment. No campaign material may be attached to or left by apartment doors.
- Campaign workers and candidates must display or wear identification while campaigning in the residence halls.
- No more than three campaign workers will be allowed in each requested campaign area at any one time.
- No device that amplifies sound may be used.

Public Property

Possession or use as a decoration of stolen property including city, county, or state property, such as road signs, is not permitted. Possession of stolen property is a violation of state law. Stolen or unauthorized property is subject to confiscation.

Published Policies

Students are responsible for abiding by any Minnesota State Colleges and Universities, Minnesota State Community and Technical College (including the Student Conduct Code), or Housing and Residential Life policy, rule, or regulation published in hard copy or available electronically.

Quiet Hours / Courtesy Hours

Residents have the right to sleep and study in their rooms/apartments at any time. When asked by someone to respect this right, residents are expected to demonstrate courtesy and consideration by complying with the request. This policy applies to noise that can be heard from both inside and outside a residence hall.

Quiet hours: Sunday – Thursday, 10:00 pm to 8:00 am; Friday and Saturday, Midnight to 10:00 am. Quiet hours mean that sound must not be audible beyond the limits of any individual room, hallway, apartment common area, or lounge. During finals week, 24-Hour quiet hours will be in effect. Students moving out at the end of a semester should do so as quietly as possible during finals week.

Courtesy Hours are in effect 24 hours a day, seven (7) days a week. As a rule; at no time, should noise be heard from a resident’s apartment more than two (2) doors away, or from another floor.

Residence Hall Room/Apartment as a Place of Business

The use of state property including resources, residence hall rooms, internet connectivity, and/or phone service for the purpose of running a business is prohibited. This includes providing child care, selling goods or services online or on a floor, or other revenue generating practices.

Right of Entry

The college or designees reserves the right to enter the premises for repair, preservation of health, safety, quietude, placement and/or recovery of college-owned property, or when staff has reason to believe a violation of law or policy is being committed.

Room/Building Security

- Propping Doors: Residents may not prop any residence hall door intended to remain closed and/or locked for safety and security reasons. Propped doors compromise the safety and security means they are designed to meet, including fire safety.
- Unauthorized presence: Students and visitors may not enter or roam a building or apartment where they do not live without an escort who is a resident of that hall or apartment. Allowing unescorted non-residents access to a building or living area, including walking through the residence halls unescorted, is a violation of this policy.
- Unauthorized entry: Unauthorized entry of a restricted area or a person's apartment and/or bedroom area without permission of the occupant or person responsible for the area is not permitted.

Room/Apartment Decorations

- Decorations may not damage facilities or create a health, safety or fire hazard and should be subject to roommate's approval. Fire regulations prohibit the use of any flammable hanging decoration including cloth, parachutes, fish nets, crepe paper, etc. Every resident will be required to remove any decoration or furnishings deemed potential fire hazards.
- Decorations on room/apartment doors are not to cover more than one third (1/3) of the door and may not cover the apartment number.
- Rooms/apartments may not be painted.
- Natural holiday trees are not permitted in the residence halls. Artificial trees and fiber optic trees may be used according to listed safety precautions.
- Any supplementary lighting (including strings of lights) must be UL (Underwriters Laboratory) approved and in good condition. Never put lights on metallic objects, such as metal furniture, to avoid a short circuit. Lighting may not obstruct doorways or walking paths.
- To avoid potential damage charges, do not use nails, screws, or sticky adhesives. Use a tacky, putty substance like "Tackit" or 3M Command adhesives (follow application directions carefully). Contact paper, masking tape and duct tape can damage paint and will strip the finish off wooden doors and other surfaces. Adhesive remains will need to be cleaned, and any resident installed hooks and mirrors removed from the walls before checkout. Residents will be charged for any removal and/or repairs.

Satellite Dishes and Antennas

Satellite dishes, exterior antennas, or similar devices are not permitted in the residence halls.

Smoking and Tobacco Use

Smoking, tobacco use (including smokeless tobacco products) and tobacco sales (including the use or sales of smokeless tobacco products) are prohibited in college owned, operated, leased property.

Sports in the Residential Buildings

Running, hacky sack, Frisbee throwing, hockey, in-line skating, skate boarding, rip-sticking, bouncing balls, riding bikes, and other athletic/sport-type activities are prohibited in the residential buildings. No remote-controlled toys are to be operated in the hallways. The college reserves the right to confiscate equipment used in violation of this policy. Residents and/or their guests causing damage to college property due to use of this type of equipment will be held fiscally responsible.

Trash Removal

Residents are responsible for taking out their own trash. Trash must be taken to and deposited in the nearest designated trash areas. All trash must be removed from all apartments and bedrooms during break periods. All residents of an apartment will receive sanctions if trash is not removed from the unit's common area. Residents of specific bedrooms will be held responsible if trash is not removed from the bedroom.

Weapons

Students may not use or possess firearms, fireworks, explosives, or other dangerous weapons or materials in the residence halls. Firearms include any gun, rifle, pistol, or handgun designated to fire bullets, BBs, pellets, or other projectiles by means of explosive gas, compressed air, or other propellant. Weapons include, but are not limited to, hunting knives, switchblades, razor blades, metal knuckles, bow and arrows, nunchakus, foils, or any instrument used to threaten or inflict injury upon another person. Dangerous materials include lighter fluid, propane, or other dangerous chemicals.

Windows and Screens

For safety purposes, window screens may not be operated (i.e. cutting the screen) or removed at any time. Removing or opening a screen for other than emergency purposes may result in a fine. Throwing any object from a residence hall window or using a window as an entry or non-emergency exit is a serious safety concern.

JUDICIAL PROCESS

A. Charges and Informal Process

1. Any member of the college community may file a written complaint alleging that a student or organization has violated the Student Conduct Code. Charges should be in writing for the record but can proceed upon verbal notification to the Dean of Student Success Services or designee.
2. The Dean or designee shall conduct a preliminary investigation to determine the validity of the charges by meeting with the complainant(s) and accused student(s) within a reasonable period of time from receiving the complaint. Upon determination that the charges are valid, the Dean or designee shall:
 - a. Provide written notice to the accused student(s) that a complaint has been filed which

accused the student(s) of violating the Student Conduct Code. This notice will be sent to the student's institutional e-mail and/or to the mailing address on file with the College, and it will include the specific violation(s) alleged and the date the alleged violation(s) occurred. This written notice will be sent to the accused student(s) within a reasonable period of time of the violation determination (typically within 10 business days).

- b. Provide the accused student(s) with a copy of the Student Conduct Code.
 - c. Inform the accused student(s) of the nature of evidence available to support the complaint.
 - d. Specify a date and time when the student is required to meet with the Dean or designee to attempt to reach a mutually acceptable resolution of the charges. Allow the student(s) at least 48 hours to prepare for this meeting.
 - e. Inform the student(s) that failure to appear for this informal meeting shall result in referral of the charges for a formal hearing before the Judicial Board.
3. Under this informal process, the Dean or designee determines whether a violation occurred and the applicable sanction. If the sanction is less than expulsion or a nine-day suspension, the student does not receive a formal hearing but instead may appeal to the ~~Provost~~ Chief Student Affairs Officer or designee. A student may request a formal hearing before the Judicial Board only if the sanction is expulsion or suspension of more than nine calendar days.

B. Formal Process

The formal process will consist of a hearing following these guidelines:

1. A Judicial Board will be in place comprised of the Chief Student Affairs Officer or designee, the advisor of the accused student or organization or designee, up to two members of the Student Government Association, a faculty member and a staff member. A counselor or designee may also be in attendance as an ex-officio member to assist with mediation and counseling but shall not be expected to act in a disciplinarian role. The person bringing the claim of misconduct may also be in attendance but may not serve on the judicial board.
2. The Chief Student Affairs Officer or designee shall provide the accused student with advance written notice of the time, place and date of the hearing. The accused student or organization must also be provided in advance with written information regarding: 1) the charges; 2) evidence to be presented against the student/organization; and 3) a list of witnesses and the nature of their testimony. If the accused student or organization representatives fail to appear at the appointed time, the hearing may still proceed as scheduled.
3. The accused student or organization will be given the opportunity to speak in his/her own defense, to question any witnesses and to have an advisor present. This advisor may give advice to the accused student or organization but may not question the judicial panel members or witnesses. This advisor may not be the same advisor serving on the judicial panel. The advisor may not be an attorney.
4. A written statement of the findings, conclusions and any sanctions imposed will be postmarked to the address the student has on file with the College no later than five business days following the date of the hearing.

SANCTIONS

The following sanctions may be imposed when students have been found to have violated the Student Conduct Code. More than one of these sanctions may be imposed for any single violation. Failure to comply with imposed sanctions may result in additional sanctions. Additional penalties may be imposed if the student is found to have further violated the Student Conduct Code.

1. **Reprimand and Warning:** The issuance of a written reprimand and warning that states that the student(s) is violating or has violated institutional regulations.
2. **Restitution and/or Fines:** A student may be required to pay the cost for the repair or replacements of any damaged or destroyed property. A student may receive a monetary fine if found responsible for violations of the Student Conduct Code.
3. **Confiscation:** Goods used or possessed in violation of the Conduct Code, including falsified information or identification, will be confiscated and are not subject to return to the student.
4. **Restricted Access:** A student may be removed from and/or have access restricted from specified College facilities, including student residence halls.
5. **Loss of Privileges:** A student may lose privileges to participate in and/or attend College events, represent the College in specified manners, hold office in any College-sanctioned organization, receive institutional financial aid or maintain on-campus student employment.
6. **Participation in a Specific Program:** A student may be required to participate in a specific program(s), such as an educational program, counseling program or other program as assigned.
7. **Probation:** A written notice of probation for violation of the specified regulations. Probation imposed will be for a designated period of time and will include the probability of more severe disciplinary sanctions if the student(s) is found to be violating any institutional regulation during the probationary period.
8. **Discretionary Sanctions:** Work assignments, service to the College or other related discretionary sanctions. This will be coordinated by the Chief Student Affairs Officer or designee.
9. **Suspension:** Termination of enrollment for specified period of time, after which the student(s) is eligible to return. Conditions for re-admission may be specified.
10. **Expulsion:** Permanent termination of the privilege of enrollment at the college.
11. **Summary Suspension:** A suspension is imposed without a formal hearing to ensure the safety and well-being of members of the College community.

After the student has been summarily suspended, the Chief Student Affairs Officer or designee must provide the opportunity for a Judicial Board hearing within the shortest reasonable time period, not to exceed nine calendar days from the date the student received written notification of the summary suspension.

During the summary suspension, the student may not be on College property without obtaining prior written authorization from the Chief Student Affairs Officer or designee.

APPEALS OF THE FORMAL PROCESS *

***For appeals of the informal process, see Section A., Number 3.**

1. A decision reached by the college Judicial Board may be appealed by the accused student(s) to the Chief Student Affairs Officer/or designee within five (5) business days of the decision.

Appeals must be in writing and shall be sent to the Chief of Student Affairs Officer/or designee.

2. An appeal shall be limited to review of the verbatim record of the initial hearing and supporting comments for one of more of the following purposes:
 - a. To determine whether the original hearing was conducted in a fair manner in light of the charge(s) and evidence presented and in conformity with prescribed procedures allowing the accused student(s) a reasonable opportunity to prepare and to present a rebuttal of the charge(s) and evidence.
 - b. To determine whether the evidence confirmed that a violation of the Student Conduct Code occurred.
 - c. To determine whether the sanction(s) imposed were appropriate for the specific violation of the Student Conduct Code.
3. Following a review of the hearing and the appeal presented by the student(s), the Chief Student Affairs Officer or designee shall render a decision. The Chief Student Affairs Officer or designee may: uphold the Judicial Board's decision and sanction(s); determine that the decision was reached in error or inappropriately; or may determine that the sanction was inappropriate. In the latter case, the Chief Student Affairs Officer or designee may issue a lesser sanction. If the Chief Student Affairs Officer or designee decides that the sanction(s) was reached in error or inappropriately, the Chief Student Affairs Officer or designee may require the Judicial Board to hear the case de novo or may choose to absolve the student(s).
4. The Chief Student Affairs Officer or designee shall notify the student(s) in writing of the decision of any new sanction imposed. This written notice will be provided no later than ten business days following the date of receiving the appeal.
5. The Chief Student Affairs Officer or designee's decision shall be final with the College and the Minnesota State College and Universities system.
6. If the sanction involved suspension for 10 days or more, the student(s) shall be informed of the right to a contested case hearing under Chapter 14 of Minnesota Statutes which states that an appeal may be made to an Administrative Law Judge at the Minnesota State Hearing Examiners Office, St. Paul, Minnesota. The student(s) may request a hearing in writing within five (5) business days of receipt of written suspension notice. If the student(s) does not file an appeal within the five (5) business days, any further right to appeal shall be waived. The attorney assigned to the Minnesota State College and Universities system office by the Attorney General shall represent the College at this hearing. The Administrative Law Judge shall prepare a report, which contains a recommendation, to the College President. The decision of the College President is final. During this appeal process, the student(s) shall have the right to attend classes and to receive services related to the College program until a final decision has been made, unless the process is the result of actions deemed harmful or potentially harmful to other persons or property.

INTERPRETATION

1. Any questions of interpretation regarding the Student Conduct Code shall be referred to the Chief Student Affairs Officer or, in the case of academic dishonesty, to the Chief Academic Affairs Officer of the College.

2. The Student Conduct Code shall be reviewed every year under the direction of the Chief Student Affairs Officer.

NOTIFICATION AND MAINTENANCE OF RECORDS

The College shall notify students of the Student Handbook which contains the Student Conduct Code at the start the Fall and Spring semesters. The Student Conduct Code is available in a variety of ways that includes, but is not limited to: The Student Handbook, online at www.minnesota.edu/policies under the Student Policies heading. Students are responsible for knowing the information contained in the Student Conduct Code.

Records relating to students' histories of student conduct shall be kept as required by law and the college records retention schedule and shall be kept separate from students' regular records. The only persons having access to these records shall be the College President, the Chief Student Affairs Officer, the Chief Academic Affairs Officer, the or designee, and the Deans. Any other person who wishes to review these files must have permission from the Chief Student Affairs Officer or the Chief Academic Affairs Officer.

Associated Policies:

Minnesota State Board Policy 1B – Equal Education and Employment Opportunity

All Minnesota State Community and Technical College Policies (found at [www. Minnesota.edu/policies](http://www.Minnesota.edu/policies))

Associated Procedures:

Minnesota State Board Procedures:

1B.1.1 Report/Complaint of Discrimination/Harassment Investigation and Resolution

1B.3.1 Response to Sexual Violence

All Minnesota State Community and Technical College Policy Procedures found at

www.minnesota.edu/policies

Policy History:

Policy Owner: Chief Student Services Officer

Policy Author: Shawn Anderson, Christian Breczinski, Karen Buboltz, Scott Ebsen, Nancy South, Victoria McWane-Creek, Peter Wielinski

Date of Adoption: 8/6/2010

Date of Implementation: 5/17/2017

Date and Subject of Revision: 2010 per annual review updated; 2017 review and update relevant content.

Policy Group Assignment: Students