

# Student Code of Conduct

*Grand Rapids Community College*

## Section 1

### Introduction and Purpose

Grand Rapids Community College ("GRCC") is an open access college that prepares individuals to attain their goals and contribute to the community. In order to achieve its mission, the College must foster a secure learning environment by protecting people, property and processes. The Student Code of Conduct sets forth expectations for individuals who choose to become part of the College community. GRCC Students are responsible for adhering to GRCC's Student Code of Conduct, rules and regulations, college policies and for compliance with all local, state and federal laws.

### Jurisdiction

This Code applies to:

- a. The on-campus conduct of all students and registered student organizations.
- b. The off-campus conduct and electronic communication of students and registered student organizations in direct connection with the use of college resources, including the campus computer network; academic course requirements, such as internships, field trips, international study or experiential learning activities; any activity supporting the pursuit of a certificate or degree, such as research at another institution; any activity sponsored, conducted, or authorized by GRCC or by registered student organizations, or when otherwise representing GRCC.
- c. Off-campus conduct that negatively impacts GRCC such as threats of violence or physical harm, unlawful harassment or other conduct which may have a negative impact or may place the GRCC community (inclusive of students or employees) at risk.
- d. Any activity that causes substantial risk of destruction of property belonging to GRCC or causes serious risk of harm or endangers the health or safety of members of the GRCC community, including students, employees, and members of the public when participating in GRCC events or activities.
- e. Any activity in which a police report has been filed, a summons or indictment has been issued, or an arrest has occurred for criminal activity which may have an impact on the GRCC community.

### Definitions

- a. Accused Student: Any student accused of violating this Student Code.
- b. Advisor: A person chosen by a party or appointed by the institution to accompany the party to meetings related to the resolution process, to advise the party on that process, and to conduct cross-examination for the party at the hearing, if any.
- c. Business days: Monday through Friday, excluding days when the College is not open.
- d. College officials: An employee designated to address a conduct-related issue.

- e. Complainant: Any person who formally alleges a violation of the Student Code.
- f. Criminal activity: Any alleged violation of local, state or federal laws.
- g. Employee: Anyone employed by GRCC as faculty or staff, on a full-time, part-time or volunteer basis.
- h. Online classes: Classes which utilize GRCC resources including multiple course modalities (fully online, hybrid, virtual, etc.)
- i. On-campus: All property owned, controlled or leased by GRCC.
- j. Property belonging to GRCC: All land, buildings, facilities or other grounds or structures, including adjacent streets and sidewalks, or any item in possession of or owned, used, loaned, leased, maintained or controlled by GRCC or funded by GRCC budgets, including computers and network systems, library materials, classrooms and laboratories used for GRCC purposes.
- k. Student: The term “student” includes persons who have been issued a student number at Grand Rapids Community College and are:
  - currently enrolled, or
  - admitted and show intent to enroll, or
  - withdrawn from a specific course or the College after allegedly violating the Student Code
  - dual enrolled and middle college students.
- l. Student Group, Club or Organization: A group of students who have been recognized by the College as having a specific affiliation (such as student clubs and organizations, athletic teams, college-sponsored groups, etc.)
- m. Support Person: A support person for the complainant or respondent may be a parent, friend, counselor, or other individual who did not witness the incident in question. Their function is to provide support and direction while not participating directly in the process.

## **Student's Rights & Responsibilities**

### **Rights**

Students at Grand Rapids Community College are afforded various rights along with their responsibilities. Students at GRCC have the same rights and protections under the Constitutions of the United States and the State of Michigan as other citizens. These rights are protected regardless of age, race, color, religion, marital status, sex/gender, pregnancy, sexual orientation, gender identity, gender expression, height, weight, national origin, disability, veteran status, political affiliation, familial status, genetics, and as stated in the GRCC Equal Opportunity and Nondiscrimination Policy.

Additionally, students have the following rights:

- a. The right to access education and campus facilities in accordance with building access policies.
  - i. To have access to classroom requirements and college policies and procedures.
  - ii. Fair and consistent academic evaluation.
  - iii. Students, official clubs and organizations may use available college facilities according to college policy and procedures.

- iv. Students are afforded due process in regards to disciplinary concerns, as well as a fair and balanced system for other complaint resolution.
- b. The right to confidentiality of student records.
  - i. The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their educational records, as outlined on the Student Records webpage: <http://www.grcc.edu/studentrecords/studentrightsunderferpa>
- c. The right to freedom of expression, association and assembly.
  - i. Students may express their views on college policy or matters of general interest, and may support causes by any orderly means that do not disrupt the operation of the college.
  - ii. In the classroom, students are free to take reasoned exception to the data or views offered and to reserve judgment about matters of opinion, but they are responsible for learning the content of the course.
  - iii. The right to participate in self-governing student bodies which provide channels of communication and means for using democratic processes to solve problems.
  - iv. Students have the right to participate in the institutional governance and policy formation as defined by the appropriate governing body.

## **Responsibilities**

The College expects all students to conduct themselves as responsible citizens and members of the academic community. It is the responsibility of each student to know, observe, abide by and adhere to GRCC's Student Code of Conduct and College policies.

## **Section 2**

### **Standards**

#### **Academic Honesty**

The development, understanding and practice of integrity and academic honesty are expected of all students at Grand Rapids Community College. Personal integrity is important in all aspects of life, and students are expected to conduct themselves with honesty and integrity, both in and out of the classroom. Acts of academic dishonesty will not be tolerated, and students engaging in such conduct may be subject to classroom and/or institutional disciplinary actions.

Academic dishonesty is any form of cheating and/or plagiarism which results in students giving or receiving unauthorized assistance in an academic exercise or receiving credit for work which is not their own.

## Cheating

Cheating includes, but is not limited to the following:

- a. Using any sources not authorized by the faculty member (textbooks, notes, websites, the work of other students) to complete examinations or other assignments. Giving or receiving content information relating to placement tests/assignments/quizzes/test/examinations to/from others unless authorized by the instructor.
- b. Using unauthorized electronic equipment;
- c. Submitting academic work previously submitted in another course without authorization;
- d. Altering or tampering with grades.

## Plagiarism

Plagiarism is intentional or unintentional use of the intellectual creations of another source, person or organization without proper attribution. Credit must be given for every direct quotation, for paraphrasing or summarizing a work (in whole, or in part, in one's own words), and for information that is not common knowledge. Students must not change or resubmit previous academic work without prior permission of the instructor. Plagiarism may take two main forms, which are clearly related:

- a. Stealing or passing off as one's own the ideas or words, images, or other creative works of another.
- b. Using a creative production without crediting the source, even if only minimal information is available to identify it for citation.

## Fabrication

Fabrication is defined as intentionally falsifying or inventing any information or citation on any academic exercise. Use of fabricated information in any sense, presented as fact is not tolerated. Therefore:

- a. "Invented" information may not be used in any laboratory experiment or academic exercise, including exams, essays, classroom or virtual discussions, etc.
- b. One should acknowledge the actual source from which cited information is obtained.

## Other Examples of Academic Dishonesty

- a. Allowing another student to copy during a test;
- b. Giving homework, term paper or other academic work to another student to plagiarize;
- c. Submitting any work that is not one's own;
- d. Falsifying information to a faculty member or College official;
- e. Altering a graded work after it has been returned, then submitting the work for re-grading without the instructor's knowledge/approval;
- f. Stealing tests or other assessment items;
- g. Forging signatures on College documentation;

- h. Giving false or misleading information to a faculty member in an effort to receive a postponement or an extension on a test or other assignment;
- i. Accessing computerized College records or systems without authorization (see GRCC AUA);
- j. Providing material or information to another person with knowledge that such aid could be used in any of the violations stated above;
- k. Unauthorized recording, reproduction, retransmission or redistribution of course materials (e.g. lectures, handouts, podcasts, exams, student projects, group work, online material, etc.);
- l. Impersonation of another person to complete an academic activity.

## **Consequences of Academic Dishonesty at GRCC**

Students who are found responsible for committing acts of academic dishonesty may be subject to classroom penalties and conduct sanctions. Withdrawal from a course does not exempt a student from any pending charges of classroom misconduct.

The faculty member may make a referral to the conduct office where a further determination may be made regarding documentation, additional investigation and/or potential institutional sanctions. Additionally, a faculty member may impose one or more of the following penalties for any academic dishonesty violation:

- a. Giving a warning – an oral explanation by a College official of violation and possible consequences if misconduct continues;
- b. Assignment of a reduced or a failing grade on an assignment, paper, project or exam;
- c. Resubmission of the assignment, paper, exam, or project in an alternate format.
- d. Lowering the grade for the course;
- e. Assignment of an “E” in the course.

Appeals for Academic Honesty penalties imposed by the faculty member that result in a lowering of an overall grade should be directed to the Grade Grievance Process (<http://www.grcc.edu/studentaffairs/studentacademicgrievanceprocedure>). Appeals for sanctions imposed by the conduct administrator should be directed to “Requesting a Hearing” (as described in section 4 below).

## **Classroom Conduct**

All students have the right to learn without interference from others. Faculty members have the authority to protect this right by creating and maintaining an environment that is conducive to learning. Towards this end GRCC has developed the following Code of Classroom Conduct:

Students are required and expected to conduct themselves in a safe, mature and considerate manner. Students should conduct and express themselves in a way that is respectful to all individuals. This includes respecting the rights of others to comment and participate fully in class. Classroom misconduct is any behavior which disrupts or interferes with the learning environment.

## **Examples of Classroom Misconduct**

Includes, but is not limited to, the following:

- a. Behaviors outlined in the General Conduct section that occur in the classroom.
- b. Engaging in behavior that disrupts or interferes with the learning environment. Behavior such as, but not limited to, talking in class while the faculty member or other students are speaking, using offensive language, creating distractions or disturbances, sleeping, reading or sharing unrelated materials or comments, and moving about the classroom is, in many situations, considered disruptive behavior to the learning process.
- c. Using cell phones or other electronic devices that disrupt the learning process or teaching environment. Faculty members have the right to restrict the use of electronic devices in their classrooms.
- d. Entering the classroom late or leaving the classroom prior to the end of class may be considered a disruption to the learning environment.
- e. Attending a virtual class while driving, working or similar.

Students with approved accommodations through Disability Support Services (DSS) have the right to receive and utilize appropriate accommodations, which may include behavior or the use of technology otherwise restricted.

## **Consequences of Classroom Misconduct at GRCC**

Students found responsible for classroom misconduct are subject to classroom penalties and conduct sanctions. Withdrawal from a course does not exempt a student from any pending charges of classroom misconduct.

The faculty member may make a referral to the conduct office where a further determination may be made regarding additional investigation and/or potential institutional sanctions. In addition, any one or more of the following penalties may be imposed by the faculty member for any classroom misconduct violation. Students suspected of Classroom Misconduct may be:

- a. Given a warning – an oral explanation by a College official of violation and possible consequences if misconduct continues;
- b. Dismissed from the remaining class time during which the infraction occurs;
- c. Dismissed from the remaining class time during which the infraction occurs, with required meeting with designated college employee (faculty member, Department Head, or Associate Dean) prior to returning to class;
- d. Assigned a reduced or failing grade on an assignment, paper, project or exam;

- e. Given a reduction in the final grade for the course;
- f. Required to meet with the faculty member and/or a college official if necessary.

If the offense is egregious, threatening or repeated, the Director of Student Life and Conduct or designee may impose an interim suspension pending investigation.

Appeals for Classroom Misconduct penalties imposed by the faculty member that result in a lowering of an overall grade should be directed to the Grade Grievance Process (<http://www.grcc.edu/studentaffairs/studentacademicgrievanceprocedure>). Appeals for sanctions imposed by the conduct administrator should be directed to “Requesting a Hearing” (as described in section 4 below).

## **General Conduct**

All GRCC students are expected to respect and value the rights of others and conduct themselves as responsible citizens. Choosing to join the GRCC community obligates each student to abide by a code of civilized behavior. The following personal actions on GRCC property, at official College functions, or which place students, faculty or employees at risk are prohibited. The following list is not intended to be exhaustive, and the College reserves the right to deem other behavior inappropriate that is not expressly identified in these regulations.

### **1. Attempts to Defraud**

Includes any activity intended to misrepresent any official document or identification used by or issued by the College.

### **2. Bullying**

Bullying is systematic intentional behavior that may take many forms, including but not limited to, repeated unwanted physical, verbal, or written acts which are hostile or offensive, targeted at an individual or group and creates an intimidating and/or threatening environment which produces a risk of psychological and/or physical harm. Bullying may manifest as cyber stalking or cyber bullying as well as excluding behaviors such as ignoring or dismissing individuals or groups.

- a. Hostile behaviors include, but are not limited to, inappropriate behaviors that are harmful or damaging to an individual and/or property. Behaviors that are intimidating, threatening, disruptive, humiliating, sarcastic, or vicious may also constitute hostile behavior.
- b. Offensive behaviors may include, but are not limited to, inappropriate behaviors such as abusive language, derogatory remarks, insults, or epithets. Other offensive behaviors may include the use of condescending, humiliating, or vulgar language, swearing, shouting or use of unsuitable language, use of obscene gestures, or mocking.

### **3. Complicity in Violating the Student Code of Conduct**

Includes attempting, aiding, abetting, conspiring, hiring or being an accessory to any act prohibited by this Code. If a student has knowledge of another student, individual or group committing or

attempting to commit a violation of this Code, they are required to remove themselves from the situation and report it to the College.

#### **4. Copyright Infringement**

Students must respect copyright laws that protect software owners, artists, and writers. Plagiarism in any form will not be tolerated. The use of College resources to infringe upon copyright laws (print, digital, and internet) is prohibited. This applies to all forms of electronic media including, but not limited to, software, electronic encyclopedias, image files, video files and sound files. For more information, see 3.0 Copyright Policy (<https://www.grcc.edu/sites/default/files/docs/policies/3-0Copyright.pdf>).

#### **5. Disruptive Demonstrations**

The First Amendment protects the right to assemble and to petition, but it requires that the right be peaceably exercised in accordance with the law. This right may be exercised by the use of written or spoken words, and by acts such as protesting and by "peaceable" assemblies and demonstrations; subject to reasonable College regulations regarding the time, place and manner of such expressive activity, including, but not limited to, the requirements set forth in GRCC's Free Speech and Expressive Activity Policy.

The College will not tolerate disruption of the learning environment, work environment or movement of others, nor will it condone violence or physical interference with the facilities or functions of the campus. Campus Police may, without delay, stop any demonstration that violates this regulation or any College Policy

#### **6. Discrimination**

Engaging in discrimination against other students, faculty or staff, College officials, or guests on the basis of age, race, color, religion, marital status, sex/gender, pregnancy, sexual orientation, gender identity, gender expression, height, weight, national origin, disability, veteran status, political affiliation, familial status, genetics, and/or any other legally protected class not heretofore mentioned as set forth in GRCC Equal Opportunity and Non-Discrimination policy.

a) Prohibited discrimination includes:

1. Unfair treatment because of your protected characteristic.
2. Harassment by faculty, staff, administrators, co-workers or GRCC contractors in GRCC programs, activities, services or workplace, because of your protected characteristic.  
Harassment is repeated, malicious mistreatment, verbal abuse, or conduct that is threatening, intimidating, humiliating, insulting, isolates people at work, or undermines their reputation or job performance through verbal or non-verbal communications.
3. Denial of a reasonable accommodation that you are otherwise entitled to under state and federal laws.

4. Retaliation because you complained about discrimination or assisted with a discrimination investigation or lawsuit

(Policy 6.2:

<https://www.grcc.edu/sites/default/files/docs/agc/6.2%20Equal%20Employment%20Opportunity%20and%20Non-Discrimination.pdf>)

## **7. Disruptive Behavior**

Includes the disruption of College activities and College business (including someone's ability to be a student or do their job) in classes, programs, meetings, and other student activities. Disruption may include: disorderly conduct, lewd or indecent behavior, breach of peace, or aiding, abetting or procuring another person to breach the peace on College premises or at functions sponsored by or participated in by the College.

## **8. Unethical Use and/or Misuse of Technology**

The use of GRCC Instructional Technology resources is subject to all federal, state and local laws, and to the College's applicable policies and guidelines, as outlined in the GRCC Acceptable Use of Technology Policy and Acceptable Use Agreement (Policy 6.18:

<https://www.grcc.edu/sites/default/files/docs/agc/6.18%20Acceptable%20use%20of%20technology%20policy.pdf>).

## **9. Harassment**

Unlawful harassment is behavior that may take many forms, including but not limited to, repeated unwanted physical, verbal, or written acts inclusive of but not limited to emails and cyber-attacks, which are hostile or offensive, targeted at an individual or group, who is in a protected class as defined by state and federal law, and creates an intimidating and/or threatening environment, which produces a risk of psychological and/or physical harm.

1. Hostile behaviors include, but are not limited to, inappropriate behaviors that are harmful or damaging to an individual and/or property. Behaviors that are intimidating, threatening, disruptive, humiliating, sarcastic, or vicious may also constitute hostile behavior.
2. Offensive behaviors may include, but are not limited to, abusive language, derogatory remarks, insults, or epithets. Other offensive behaviors may include the use of condescending, humiliating, or vulgar language, swearing, shouting or use of unsuitable language, use of obscene gestures, or mocking.
3. Harassment, for the purposes of this policy, is not conduct that is simply incivility or rudeness but conduct that violates the protections afforded to employees and/or students who are members of a protected class under state and federal law.

Grand Rapids Community College creates an inclusive learning and working environment that recognizes the value and dignity of each person. It is the policy and practice of GRCC to provide equal educational and employment opportunities regardless of age, race, color, religion, marital status, sex/gender, pregnancy, sexual orientation, gender identity, gender expression, height, weight, national origin, disability, political affiliation, familial status, veteran status or genetics in all programs, activities, services, employment and advancement including admissions to, access to, treatment in, or compensation in employment as required by state and federal law. See the Harassment Policy for complete details (Policy 6.3: [https://www.grcc.edu/sites/default/files/docs/policies/6-3\\_harassment\\_policy.pdf](https://www.grcc.edu/sites/default/files/docs/policies/6-3_harassment_policy.pdf)).

## **10. Hazing**

Hazing means any act committed on GRCC property or in connection with any GRCC related group or activity that endangers the mental or physical health or safety of an individual (including, without limitation, an act intended to cause degradation, cruelty, or humiliation), or that destroys or removes public or private property, for the purpose of initiation in, admission to, affiliation with, or as a condition for continued membership in a group or organization.

In response to allegations of hazing under this regulation, it is not a defense that:

- a. The victim gave consent to the conduct.
- b. The conduct was not part of an official organizational event or sanctioned or approved by the organization.
- c. The conduct was not required as a condition of membership in the organization.

## **11. Illegal Possession/Use of Alcohol and Drugs**

This includes the illegal use, possession, manufacturing or distribution of illegal drugs, controlled substances, look-alike drugs, narcotics, medical or recreational marijuana or alcoholic beverages or being under the influence of the same on campus. Prohibited conduct includes the use of a prescription drug if the prescription was not issued to the student, and sniffing toxic vapors.

## **12. Unauthorized Possession/Use of Alcohol and Drugs**

This includes the unauthorized use, possession, manufacturing or distribution of illegal drugs, controlled substances, look-alike drugs, narcotics, medical or recreational marijuana or alcoholic beverages or being under the influence of the same on campus. Prohibited conduct includes the use of a prescription drug if the prescription was not issued to the student, and sniffing toxic vapors. See the Drug and Alcohol Policy for complete details (Policy 6.24: <https://www.grcc.edu/sites/default/files/docs/agc/6.24%20Drug%20and%20Alcohol%20Policy.pdf>)

## **13. Illegal Possession/Use of Weapons**

This includes illegal possession, use, control or distribution of any weapons, including but not limited to, firearms, pellet guns, air pistols/rifles, explosives, dangerous chemicals, knives, stilettos, dirks, brass

knuckles, licensed weapons, objects or instruments possessed for use as a weapon or for direct or indirect delivery to another person for use as a weapon is prohibited.

#### **14. Unauthorized Possession/Use of Weapons**

This includes unauthorized possession, use, control or distribution of any weapons, including but not limited to, firearms, pellet guns, air pistols/rifles, explosives, dangerous chemicals, knives, stilettos, dirks, brass knuckles, licensed weapons, objects or instruments possessed for use as a weapon or for direct or indirect delivery to another person for use as a weapon is prohibited. See the Firearms, Explosives or Weapons Policy for complete Details (Policy 14.2:

<https://www.grcc.edu/sites/default/files/docs/agc/14.2%20Firearms%20Explosives%20or%20Weapons.pdf>

#### **15. Indecent or Obscene Behavior**

Such behavior includes, but is not limited to, indecent exposure, urinating or defecating in public, voyeurism, etc.

#### **16. Misrepresentation**

Includes representing or acting on behalf of the College or another individual when not authorized to do so.

#### **17. Misuse or Unauthorized Possession, Use or Theft of Public or Private Property**

Includes, but is not limited to:

- a. Theft or the taking of public or private property, unauthorized use or possession of public or private property, or unauthorized use or acquisition of services.
- b. Destroying, damaging or littering of any property, conduct that defaces, destroys, damages, or litters any property of the College or any property of an individual or group whether on Campus or at a College function.

#### **18. Obstruction/Abuse of Student Conduct Process**

Includes, but is not limited to:

- a. Failure to comply with the Student Conduct Process.
- b. Falsification, distortion, or misrepresentation of information.
- c. Disruption or interference with the orderly process of a discipline hearing.
- d. Attempting to influence, intimidate or discourage an individual's participation throughout the conduct process directly or indirectly.
- e. Attempting to influence the impartiality of a conduct officer, a member of the Hearing Committee, or Appeal Officer.
- f. Verbal or physical harassment and/or intimidation of a conduct officer, a member of the Hearing Committee, or anyone else involved in the conduct process, or failure to comply with decisions,

recommendations or sanctions imposed.

## **19. Refusal to Identify and/or Comply**

GRCC students are required to provide identification when asked by an employee or College official, specifically their GRCC issued RaiderCard. Failure to comply with a valid request to provide identification constitutes a violation of this Code. Disobedience or insubordination toward College officials or designees acting in the performance of their job duties and responsibilities is also prohibited.

## **20. Rioting**

Rioting is defined as engaging in, or inciting others to engage in, harmful or destructive behavior in the context of an assembly of persons disrupting the learning environment on Campus, in areas proximate to Campus, or in any location when the riot occurs in connection with or in response to a GRCC-sponsored event. Rioting includes, but is not limited to, such conduct as using or threatening violence to others, damaging or destroying property, impeding or impairing fire or other emergency services, or refusing the direction of authorized personnel.

## **21. Safety Violations**

Conduct which endangers the health or safety of any person(s), including, but not limited to:

- a. Intentionally or recklessly starting a fire or causing an explosion.
- b. Misusing fire safety equipment, fire escapes or elevators.
- c. Intentionally or recklessly endangering the welfare of any individual.
- d. Intentionally or recklessly obstructing fire, police, or emergency services.
- e. Using, possessing, or storing dangerous chemicals, fireworks, or explosives.
- f. Using, possessing, or storing any object considered to be a weapon on college property.
- g. Utilizing any instrument in a manner that endangers or tends to endanger any person.
- h. Obstructing the free flow of pedestrian or vehicular traffic.
- i. Failing to comply with the reasonable and lawful directions of GRCC officials and GRCC Campus Police.
- j. Knowingly and falsely alerting others about an emergency.

## **22. Sexual Misconduct**

Sexual misconduct includes but is not limited to sexual violence including sexual harassment, dating violence, domestic violence, stalking, sexual assault, and sexual exploitation. See Policy 6.4 Sexual Misconduct and Policy 6.5 Title IX Sexual Harassment for more information, including definitions and procedures (<https://grcc.edu/sites/default/files/docs/agc/6.4%20Sexual%20Misconduct%20Policy.pdf> and [https://drive.google.com/file/d/1xZGxgebQqc-eSR9Hllyr5\\_4893QHr138/view?usp=sharing](https://drive.google.com/file/d/1xZGxgebQqc-eSR9Hllyr5_4893QHr138/view?usp=sharing)).

## **23. Threatening or Causing Physical or Other Harm to Any Person**

Includes, but is not limited to:

- a. Any written or oral communication, conduct or gesture that is directed toward any person or group of people that may cause a reasonable person to fear for the safety of themselves or others.
- b. Interference by force, threat, harassment or duress with personal safety, academic efforts, employment, and/or participation in College-sponsored activities.
- c. Includes any conduct that threatens or causes physical injury or endangers another person's or one's own health or safety including, but not limited to: physical violence, assault, or the threat to use physical violence; use or possession of fireworks, gunpowder, dangerous chemicals, or explosive materials; and blocking or preventing the use of or access to fire exit doors and building hallways, etc.

Note: A student could be found responsible for threatening behavior or comments even if the person who is the object of the threat does not observe or receive it.

#### **24. Unauthorized Use of Tobacco, E-Cigarette or Vaporizer Pen**

According to the Tobacco Free Environment policy, students shall not use, chew, smoke or sell tobacco products, e-cigarettes, vaporizer pens and medical marijuana, at any time while subject to the jurisdiction of the GRCC Student Code of Conduct or in any place on GRCC properties, including sidewalks within the boundaries of any GRCC campus. The policy shall extend to all properties owned, leased or controlled by GRCC. See Policy 3.5 Tobacco/E-Cigarette Free Environment Policy for complete details ([https://www.grcc.edu/sites/default/files/docs/policies/3-5\\_tobacco\\_free\\_environment\\_policy.pdf](https://www.grcc.edu/sites/default/files/docs/policies/3-5_tobacco_free_environment_policy.pdf)).

#### **25. Unauthorized Access and Use of Facilities and Services**

Includes, but is not limited to:

- a. Unauthorized access or entry to College buildings, structures or facilities, information systems, or obtaining or providing to another person the means of such unauthorized access.
- b. Unauthorized possession, duplication or use of keys or access cards for any College property.
- c. Continued occupation of any College facility after being requested to leave by a College employee, official or designee acting in the performance of their duties.

#### **26. Violations of College Rules, Procedures, and Policies**

Students are responsible for making themselves aware of and complying with College policies and guidelines, which can be found at grcc.edu/policies.

#### **27. Violation of Local, State or Federal Laws**

Includes engaging in conduct that violates any federal, state or local law, rule, regulation, ordinance or code. The conduct process may be instituted without regard to any arrest or the pendency of any criminal prosecution or civil litigation. Sanctions imposed pursuant to this process are independent of the outcome of any criminal or civil processes.

Note: Students who are involved in violations of the Student Code of Conduct may have their parents notified by the Student Conduct Administrator (or designee.)

## Section 3

### Student Conduct Process and Procedures

Any person who becomes aware of potential violations of the Student Code of Conduct by a GRCC Student should report those violations to the Student Conduct Administrator or designee.

The Student Conduct Administrator (or designee) handles matters that require disciplinary action at Grand Rapids Community College. When a student has been charged with a possible violation of the Student Code of Conduct, the student will be notified of the allegations in writing. If the charges involve Sexual Misconduct, Discrimination or Retaliation in violation of any GRCC Policy, the student will also be provided with the relevant policy. If there are any procedural discrepancies found between this document and that policy, the process will follow that which is listed in the Sexual Misconduct and/or Title IX Sexual Harassment Policy (or other relevant Policy). Following notification, the Student Conduct Administrator or designee will meet with the accused student. Meetings shall not be open to the public, but the student may have a support person present during this meeting. If there is more than one accused student in the case, it is within the discretion of the Student Conduct Administrator or designee to conduct the meeting(s) either separately or jointly.

Preponderance of the evidence is defined as whether it is more likely than not that the Accused Student violated the Student Code and is the standard used to determine code violations.

If a student and/or group or organization is found responsible for a violation of the Student Code of Conduct, the Student Conduct Administrator shall determine the sanction(s) to be imposed. The student and/or group or organization will receive the determination and sanction(s) imposed, if any, in writing. Complainants of violent crimes and/or sexual misconduct will receive a determination of findings and sanctions related to the complainant.

Pending action on the charges, the status of a student will not be altered, nor will their right to be present on the campus and to attend classes be suspended on an interim basis, except for reasons relating to the safety and/or well-being of the GRCC community.

### Retaliation

The College seeks to foster an environment in which all employees and students feel free to report incidents of misconduct without fear of retaliation or reprisal. Therefore, the College strictly prohibits retaliation against any individual for filing a complaint or for participating in an investigation relating to any alleged violation of the Student Code or other GRCC Policy. Retaliatory conduct is illegal and constitutes a violation of this code.

Any student or employee who believes that they have been harassed or retaliated against in violation of this policy should immediately report such incidents to a Student Conduct Administrator.

All allegations of retaliation will be swiftly and thoroughly investigated. If it is determined that retaliation has occurred, the College will take all reasonable steps within its power to stop such conduct. Individuals who engage in retaliatory conduct are subject to disciplinary action, up to and including expulsion.

## **Sanctions**

The Student Code of Conduct and the formal conduct process endeavor to be fair, educational and restorative in nature. Sanctions should demonstrate those values. It is critical for sanctions to be flexible enough to respond to specific behavior. No two cases and no two students are the same; different circumstances within a case should be reflected in the sanction issued as a result of a finding of responsibility. It is important to balance the values of consistency within the process with the flexibility to issue fair, educationally appropriate sanctions to individual students.

If a student is found responsible for a violation of the Student Code of Conduct or policy violation, sanctions will be imposed. Factors considered in determining appropriate sanctions include, but are not limited to, the following: the specific facts of the case; the student's intentions; the student's prior disciplinary history; aggravating and mitigating factors; and any sanctions previously issued.

The following sanctions may be imposed by the Student Conduct Administrator or designee for violations of the Student Code of Conduct:

- a. Verbal warning - A verbal warning to cease and desist from conduct that has been determined to violate the Student Code of Conduct and/or College policy.
- b. Written warning - A written warning to cease and desist from conduct that has been determined to violate the Student Code of Conduct and/or College policy.
- c. Probation – A period of observation and review of conduct during which the student or recognized Student Organization must demonstrate compliance with College standards. Terms of this probationary period will be determined at the time probation is imposed.
- d. Permanent removal from a course or academic program.
- e. Restitution – Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- f. Suspension – Temporary loss of student status for a specified length of time, including a student's ability to participate in in-person and virtual College activities and/or be on campus.
- g. Expulsion – Termination of a student's enrollment at GRCC. This means the student may no longer participate in any GRCC activity or be on campus for any purpose.
- h. Other Sanctions – Other sanctions may be imposed instead of, or in addition to, specific sanctions listed in this section. These may include, but are not limited to: recommendations for counseling, establishment of mandatory behavior conditions/contract-signing stating agreed-upon behavior expectations for continued enrollment or reenrollment; loss of access to college computers and/or network; a specific project designed to assist the student in better understanding the overall impact of their behavioral infraction; a contract of terms for restitution of damages/stolen property before enrollment is continued and/or records are released. Suspension without pay from their on campus job; prohibit participation in extracurricular activities or interscholastic or leadership positions, or community service.

- i. Revocation of Admission and/or Degree – Admission to or a degree awarded from Grand Rapids Community College may be revoked for fraud, misrepresentation, or other violation of GRCC standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- j. Withholding Degree – GRCC may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Code of Conduct, including the completion of all sanctions imposed, if any.

More than one of the sanctions listed above may be imposed for any single violation. Sanctions of suspension, expulsion or revocation or withholding of a degree will become a permanent part of a student's record. Cases that result in all other sanctions will be maintained for seven years. Sanctions of written warning or more severe will be included in responses to background checks received by the Office of Student Life and Conduct.

The following sanctions may be imposed upon groups or organizations:

- a. Those sanctions listed above (a-j).
- b. Loss of selected rights and privileges for a specified period of time.
- c. Loss of Recognition– GRCC student organizations may lose recognition and will be deprived of the use of College resources, the use of the College's name, and the right to participate in College or campus-sponsored activities. This loss of recognition may be for a specific period of time or for an indefinite period of time until stated all conditions are met.

## **Interim Suspension**

In certain circumstances, the Student Conduct Administrator (or designee) may impose a suspension prior to the completion of the conduct process.

- a. Interim suspension may be imposed only to ensure the safety and well-being of members of the GRCC community or preservation of GRCC property or if the student poses an ongoing threat of disruption of, or interference with, the normal operations of the college.
- b. During the interim suspension, a student shall be denied access to the campus (including classes) as determined by the Student Conduct Administrator or designee.
- c. Students can appeal this decision by submitting a written statement within two business days of receiving written notification of the interim suspension. The written statement should outline why the interim suspension is inappropriate and be sent to the Dean of Student Success who will provide a response within five business days.

## **Amnesty for Reports of Sexual Misconduct or Student Code Violations:**

- a. For Victims:

The College provides amnesty to those who may be hesitant to report to College officials because they fear that they themselves, or others, may be accused of minor policy violations, such as underage drinking or drug use, at the time of the incident. Educational options will be explored, but no conduct proceedings or conduct record will result.

b. For Those Who Offer Assistance:

To encourage students to offer help and assistance to others, College pursues a policy of amnesty for minor violations when students offer help to others in need. At the discretion of the Director of Student Life and Conduct and the Title IX Coordinator for reports of sexual misconduct, 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.

c. For Those Who Report Serious Violations:

Students who are engaged in minor violations but who choose to bring related serious violations by others to the attention of the College are offered amnesty for their minor violations.

Educational options will be explored, but no conduct proceedings or record will result.

d. 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 College 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.

Abuse of amnesty requests can result in a decision by the Director of Student Life and Conduct not to extend amnesty to the same person repeatedly.

## Section 4

### Requesting a Hearing

If a student disagrees with the decision reached by the Student Conduct Administrator (or designee) or with the sanction imposed, the Accused Student(s) or Complainant(s) may request a Hearing before a hearing committee. If appealing a decision that resulted in a warning only, the case is only eligible for a review of written documentation by the Dean of Student Success (or designee) as described in the Final Appeal process. The Hearing Committee process will not be initiated.

**Process for Requesting a Hearing:** The request for the hearing must be made in writing within five (5) business days following the Student Conduct Administrator's (or designee) written notification of conduct decision to the student and must include the reason for the hearing request.

### Hearing Committee Make-up

The Hearing Committee will consist of three (3) GRCC employees (a combination of faculty and staff members) selected from a pool of trained hearing members appointed by the Dean of Student Success.

## **Notice of Hearing**

The Accused Student(s) and the Complainant(s) shall be given written notice of the time, date and place of the hearing, the reason for the assigned sanction, a list of potential witnesses, unless to do so would compromise their safety, and notice of the nature of the evidence.

## **Timing**

In order to provide the parties with sufficient time to prepare for a hearing, it may not be scheduled to commence within ten (10) business days of the date when the hearing was requested unless there is mutual agreement between the College and the parties. Subject to that requirement, a hearing must be scheduled as promptly as possible and without undue delay. The Accused Student(s) and the Complainant(s) may attend the hearing, present evidence and witnesses, and hear witnesses. Questions to witnesses may be directed through the hearing committee Chair.

## **Rules and Regulations**

- a. For the Hearing, students are entitled to be accompanied by one support person. The support person may be an individual of the student's choice, so long as they did not witness the alleged incident. The student may choose to have an attorney as their support person but it shall be at their expense.
- b. The student's attorney or support person shall have no role at the Hearing other than to advise the student. The support person shall not be permitted to ask or answer questions or to make oral arguments or otherwise disrupt or delay the hearing.
- c. Questions from the student(s) to witnesses or to other students will be directed through the Hearing Committee Chairperson. The Hearing Committee will make decisions based on the information presented at the hearing and from the case file.
- d. There shall be a single recording of the hearing, which shall be property of GRCC, and will be retained with the case file. No other recording devices will be allowed. Deliberations shall not be recorded.
- e. A campus police officer may attend the hearing.
- f. If the accused student, complainant or witnesses fail to attend the hearing, the hearing will proceed as scheduled.
- g. Unless the law requires, the hearings are not open to the public.

## **Special Hearing Provisions for Sexual Misconduct, Discrimination and Other Complaints of a Sensitive Nature**

For sexual misconduct, discrimination and other complaints of a sensitive nature, whether the alleged victim is serving as the party bringing the complaint or as a witness, alternative testimony options may be provided upon request, such as placing a privacy screen in the hearing room or allowing the alleged victim to testify from another room via audio or audio/video technology. While these options are intended to help make the alleged victim more comfortable, they are not intended to work to the disadvantage of the responding student.

The past sexual history or sexual character of a party will not be admissible by the other parties in hearings unless such information is determined to be highly relevant by the panel Chair. All such

information sought to be admitted by a party or the College will be presumed irrelevant until a showing of relevance is made to the Chair. Demonstration of pattern, repeated, and/or predatory behavior by the responding student, in the form of previous findings in any legal or campus proceeding, [or in the form of previous good faith allegations], may be relevant to the finding, with a showing that the evidence is relevant to the question of whether or not the respondent is responsible for the particular action at issue in the case. This showing can be made by evidence of a pattern of conduct so distinct that the prior finding evidence is helpful in determining identity in the current case. Absent a showing that the prior finding evidence is more relevant than it is prejudicial, the prior findings will only be considered in determining the sanction, not the finding. The parties will be notified in advance (where possible) if any such information is deemed relevant and will be introduced in the hearing.

The party bringing any complaint alleging sexual misconduct, other behavior falling within the coverage of Title IX and/or a crime of violence will be notified in writing of the outcome of a hearing, any sanctions assigned and the rationale for the decision.

## **Hearing Decision**

The decision of the Hearing Committee will be based solely upon matters introduced into evidence during the Hearing. If the Accused Student(s) is found to be responsible for a code violation, the Committee will determine if the sanctions were appropriate for the violation. The committee may recommend it remain the same or lessen the sanction impact, but cannot assign a more significant sanction. A vote of two Committee members will be considered a majority decision and will be presented in writing to the student no later than ten (10) business days after the conclusion of the hearing.

## **Final Appeal**

The student may appeal the Hearing Committee's decision in writing to the Dean of Student Success within five (5) business days. This final level of appeal is a review of written documentation only. If an appeal is not timely filed, the student will forfeit their final appeal opportunity.

- a. **Appeal Procedures:** All appeals must be submitted in writing to the Dean of Student Success. The written appeal must clearly explain, in detail, the basis for the appeal. Basis for the appeal must address one or more of the following, in detail,
  - i. Whether appropriate procedures were followed.
  - ii. Whether the sanctions imposed are appropriate, reasonable or just.
  - iii. Whether the decision was supported by evidence.
  - iv. Whether all relevant information was available at the time of the original hearing.
- b. If the student fails to follow through with the above outlined process, the appeal opportunity will be forfeited.
- c. **Dean of Student Success Decision:** After reviewing the Hearing Committee's written decision, along with the written appeal from the student, the Dean of Student Success shall have five (5) business days to render a written decision to the student. The Dean of Student Affairs' decision shall be final, binding and emailed to the student's GRCC email address.

## Section 5

### Annual Security Report Information

The Annual Security Report is available on the Grand Rapids Community College Police Department website at [www.grcc.edu/annualsecurityreport](http://www.grcc.edu/annualsecurityreport). If you would like to receive a printed copy of the Annual Security Report, you can stop by the GRCC Police Department at 25 Lyon Street NE or you can request a copy be mailed to you by calling (616) 234-4012.

Title IX of the Education Amendment Act of 1972 requires that all entities receiving federal funds or financial assistance prohibit sex discrimination and sexual harassment in their education programs and activities. Learn more about Title IX at [www.grcc.edu/generalcounsel/TitleIX](http://www.grcc.edu/generalcounsel/TitleIX).

### Interpretation and Revision

- a. Any question of interpretation or application of the Student Code shall be referred to the Dean of Student Success or their designee for final determination.
- b. The Student Code of Conduct shall be reviewed every three years under the direction of the Student Conduct Administrator.
  - i. Revised 7/15/2010
  - ii. Revised 9/16/2014
  - iii. Revised 7/5/2018
  - iv. Revised 8/9/2022