

Student Code of Conduct, 4.01
Chapter 4: Student

Responsible Office: Student Affairs**Applies to:** Students**BOT Approved:** 11/16/2021

Policy: Standards of student behavior at Rhodes State College are intended to protect the College's educational process and promote an environment of both mutual respect and respect for the rights of others. The Rhodes State College Student Code of Conduct is intended to explain the rules for standards of student behavior and responsibility, prohibited conduct, and the due process rights provided to all students.

Guidelines:**I. Definitions:**

- a. **Advisor:** A person (attorney or non-attorney) providing advice or guidance to the accused student during the hearing.
- b. **Code:** The written regulations of the College as found in the Student Code of Conduct and published department/unit standards of behavior, (e.g. department / unit handbooks, syllabus).
- c. **College:** Rhodes State College
- d. **College Premises:** All lands, buildings, and facilities in the possession of, owned, leases, used or operated by Rhodes State College.
- e. **Complaint:** A written statement, a Security Incident Report, or other incident reporting forms documenting an alleged violation of the Student Code of Conduct or other published rules applicable to Rhodes State College students.
- f. **Crime of Violence:** The offenses listed in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act [20 USC 1092 (f)]; homicide, manslaughter by negligence and non-negligent manslaughter sex offenses (rape, fondling, incest and statutory rape), domestic violence, dating violence, stalking, robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug law violations, and illegal weapons possession.
- g. **Panel:** A selected group of faculty, staff and students assigned to hear the Student Code of Conduct cases.
- h. **Plagiarism:** Includes, but is not limited to, the unacknowledged use (intentional or unintentional), by paraphrase or direct quotation, of the published or unpublished work of another person. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.

Acknowledgement must be in accordance with course guidelines, and documentation must occur whenever a student uses direct quotations; copies a table, chart, or diagram; constructs a table from data provided by others; paraphrases a passage; summarizes a passage; presents specific examples,

figures, or factual information from a specific source and uses it to explain or support his/her judgments. Plagiarism covers the use of print, electronic, filmed, and broadcast material.

- i. **Student:** An individual who has registered for classes through the College, or is taking classes, either part time or full time. The status of “student” continues to exist until an individual graduates, is dismissed, or has not registered and is not in attendance after the 15th day of the current term.
- j. **Student Organizations:** Student groups that are authorized to operate within the College.

II. Policy Details

a. Scope of Student Conduct

The Code applies to the conduct of students, with or without accommodations. College student organizations, clubs, athletic teams and the student members or participants are also expected to abide by the Student Code of Conduct. Disciplinary action may be taken against the organization as a whole, individual member of the organization, or both.

b. Sexual Harassment, Discrimination, Harassment, and Sexual Misconduct

- i. In addition to the Student Code of Conduct, all students at the College are subject to the College’s [Nondiscrimination Policy \(2.03\)](#) and [Sexual Harassment, Discrimination, and Sexual Misconduct Policy \(2.02\)](#) and accompanying [Sexual Harassment, Discrimination, and Sexual Misconduct Grievance Procedure \(2.02\(a\)\)](#) which are separate from the Student Code of Conduct standards and procedures and are investigated and managed by the Title IX Officer.
- ii. The College’s [Sexual Harassment, Discrimination and Sexual Misconduct Policy \(2.02\)](#) covers behaviors on the basis of sex related to discrimination, sexual harassment, sexual assault, inducing incapacitation for sexual purposes, sexual exploitation, dating and domestic violence, stalking, and retaliation.
- iii. In cases where the provisions in the Student Code of Conduct and the provisions in the Nondiscrimination Policy or [Sexual Harassment, Discrimination and Sexual Misconduct Policy \(2.02\)](#) and accompanying Grievance Procedures are different or inconsistent, the [Sexual Harassment, Discrimination and Sexual Misconduct Policy \(2.02\)](#) and [Sexual Harassment, Discrimination, and Sexual Misconduct Grievance Procedure \(2.02\(a\)\)](#) supersede. Therefore, all students are expected to read the [Nondiscrimination Policy \(2.03\)](#), the [Sexual Harassment, Discrimination and Sexual Misconduct Policy \(2.02\)](#) and Grievance Procedures, as well as the Student Code of Conduct, to gain a thorough understanding of the expectations and procedures set forth in both processes and the differences between them.
- iv. When a student has been found in violation of the [Nondiscrimination Policy \(2.03\)](#) or [Sexual Harassment, Discrimination and Sexual Misconduct Policy \(2.02\)](#), the accompanying procedural standards will apply. A student found in violation of either of these policies does not necessarily preclude an additional finding that the student has engaged in other prohibited conduct

in violation of the Student Code of Conduct.

- v. Disciplinary records for the [Nondiscrimination Policy \(2.03\)](#) and the [Sexual Harassment, Discrimination and Sexual Misconduct Policy \(2.02\)](#) violations are maintained in the same manner as other disciplinary records under the Student Code of Conduct.

c. **Jurisdiction**

The College has jurisdiction over all conduct violations that occur on all lands, buildings, and facilities in the possession of, owned, leased, used or operated by Rhodes State College. The Code also applies to off-campus student conduct that adversely affects the College and the pursuit of its objectives. The College reserves the right to review and take disciplinary action based on conduct occurring off campus in direct connection with:

- i. A class assignment;
- ii. Academic course requirements (e.g., clinical settings, internships, field trips);
- iii. Any activity supporting pursuit of a degree;
- iv. Activities officially sanctioned, sponsored, conducted, or authorized by the College or by registered student organizations;
- v. Off-campus conduct between two members of the Rhodes State community that would otherwise violate this policy, the [Nondiscrimination Policy \(2.03\)](#) or the [Sexual Harassment, Discrimination and Sexual Misconduct Policy \(2.02\)](#)
- vi. Electronic activity encompassing all internet-accessible devices that would include misuse of College electronic resources, sharing course materials, cyber-bullying, that is not otherwise protected by the First Amendment.
- vii. Any activity that causes substantial destruction of property belonging to the College or members of the College community or causes serious harm to the health or safety of members of the College community; or
- viii. An activity in which a student is formally charged by authorities with committing a felony of such nature that the student's continued presence in the College community is harmful to either the student or members of the College community. Any activity in which a police report has been filed, a summons or indictment has been issued, or an arrest has occurred for a crime of violence.

d. **Authority**

The responsibility and authority for College student discipline has been delegated by the President to the Senior Vice President Academic and Student Affairs, Workforce Development (SVP) or designee in cases of academic and non-academic misconduct. The Senior Vice President or designee is also charged with the responsibility for the promulgation of rules governing student conduct.

e. **Prohibited Conduct**

Examples of conduct that will be subject to disciplinary action include, but are not limited to, the following:

i. Academic Misconduct

Academic misconduct is defined as any activity that compromises the academic integrity of the College, or subverts the process of education. Academic misconduct includes, but is not limited to:

- a) Violation of course rules as contained in the course syllabus or other information provided to the student by the College and/or a violation of program regulations established by the academic department and made available to students.
- b) Receiving from or providing assistance to a fellow student not authorized by the course instructor prior to, during, or after examinations and/or quizzes; or the possession and/or unauthorized use of materials before or during those examinations and/or quizzes;
- c) Receiving from or deliberately providing assistance not authorized by the course instructor in graded laboratory, clinical, field work, internships, and course assignments;
- d) Submitting plagiarized work;
- e) Submitting substantially the same work for one course that has been previously submitted for another course, without the express permission of the instructor for which the work is being submitted;
- f) Falsification, fabrication, or dishonesty in reporting attendance records, time cards, laboratory results, and/or patient records;
- g) Alteration of grades or marks by a student in an effort to change the earned grade or credit of the student or another student;
- h) Alteration of academically-related College forms or records, or unauthorized use of those forms; or
- i) Engaging in activities that unfairly place other students at a disadvantage, such as taking, hiding or altering resource material, or manipulating a grading system.

ii. Mental or Bodily Harm to Self

Conduct that causes harm or has the potential to harm one's self. Conduct covered by this offense includes but is not limited to: intentionally inflicting mental or bodily harm upon one's self; taking reckless, but not accidental, action from which mental or bodily harm could result to one's self (e.g., abuse of alcohol or other drugs).

iii. Bodily Harm to Others

Conduct that causes bodily harm or has the potential to physically harm another. Conduct covered by this offense includes but is not limited to: intentionally inflicting bodily harm upon any person; attempting to inflict bodily harm upon another person; taking any reckless, but not accidental, action from which bodily harm could result to another person; causing any person to believe that the offender may cause bodily harm or engage in violence; sexual misconduct – Please see the [Sexual Harassment, Discrimination, and Sexual Misconduct Policy \(2.02\)](#).

- iv. Destruction of Property**

Actual or threatened damage to, defacing of, tampering with, or destruction of College property or property of others, whether done intentionally or as a result of recklessness.
- v. Dangerous Weapons or Devices**

Use, storage, or possession of dangerous weapons or devices including, but not limited to, firearms, explosives, dangerous chemicals, fireworks or other weapons, unless authorized by an appropriate College official or permitted by a College policy.
- vi. Dishonest Conduct**

Dishonest conduct, including, but not limited to: knowingly making a false accusation of misconduct; misuse or falsification of College documents, such as forgery, alteration, or improper transfer; submission to a College official of information known by the submitter to be false; and knowingly reporting a false emergency.
- vii. Theft/Unauthorized Use of Property**

Theft or attempted theft, or the unauthorized use or possession of College property or services, or the property of others.
- viii. Failure to Comply with College or Civil Authority**

Failure to comply with legitimate directives of authorized College officials, law enforcement or emergency personnel, identified as such, in the performance of their duties, including failure to identify oneself when so requested; or violation of the terms of a disciplinary sanction.
- ix. Drugs**

Use, production, distribution, sale, or possession of marijuana, heroin, narcotics, or other controlled substances in a manner prohibited under Local, State and/or Federal law.
- x. Alcohol**

Use, production, distribution, sale, or possession of alcohol in a manner prohibited under Local, State and/or Federal law.
- xi. Unauthorized Presence or Use of College Property**

Unauthorized or attempted unauthorized entrance to or presence in or on College premises. Also includes unauthorized possession, use, or duplication of keys or other methods of controlled access such as ID or access cards or codes.
- xii. Disorderly or Disruptive Conduct**

Disorderly or disruptive conduct that unreasonably interferes with College activities including teaching, research, administration; or other activities conducted, sponsored, or permitted by the College on or off campus, at

clinical or internship sites, or in the community.

xiii. Harassment

Prohibition of harassing behavior is unwelcome conduct directed toward an individual or group of individuals which is severe, pervasive and objectively offensive sufficient to significantly limit or deny an individual's opportunity to their education or to participation in College programs or activities.

xiv. Bullying and/or Hazing

Performing, requiring, or encouraging any act, whether or not the act is voluntarily agreed upon, in conjunction with initiation into or continued membership or participation in any group, organization, or activity that causes or creates a substantial risk of causing mental or physical harm or humiliation. Such acts may include, but are not limited to, use of alcohol, creation of excessive fatigue, and paddling, punching or kicking in any form. The express or implied consent of the victim will not be a defense. Apathy or acquiescence in the presence of bullying and/or hazing does not constitute neutral acts; they are violations of this rule as outlined in the Anti-Hazing Policy 7.11.

xv. Violation of College Rules

Violation of other published College regulations, policies or rules; rules for athletic teams; rules for student groups or organizations as outlined in the Student Organization Handbook; or violations of Local, State, or Federal laws.

xvi. Riotous Behavior

Riotous behavior is the participation in a demonstration, riot, or activity with the purpose to commit or incite any action that presents a clear and present danger to others, causes physical harm to others, or damages property. This rule shall not be interpreted as prohibiting peaceful demonstrations, peaceful picketing, a call for a peaceful boycott, or other forms of peaceful dissent. Prohibited behavior in the context of a demonstration, riot, or activity includes but is not limited to:

- a) Knowingly engaging in conduct designed to incite another to engage in riotous behavior;
- b) Actual or threatened damage to or destruction of College property or property of others, whether done intentionally or with reckless disregard;
- c) Failing to comply with a directive to disperse by College officials, law enforcement or emergency personnel; and
- d) Intimidating, impeding, hindering, or obstructing a College official, law enforcement or emergency personnel in the performance of their duties.

xvii. Discipline Proceedings Abuse

Abuse of any College discipline proceedings, including but not limited to:

- a) Falsification, distortion, or misrepresentation of information during an Administrative Hearing, Discipline Review Panel Hearing or Academic Integrity Panel Hearing;
- b) Disruption or interference with the orderly conduct of an administrative or Discipline Review Panel proceeding or Academic Integrity Panel;
- c) Attempting to discourage an individual's proper participation in, or use of, a College discipline proceeding;
- d) Attempting to influence the impartiality of a member of an administrative or Discipline Review Panel or Academic Integrity Panel prior to, and/or during the course of a discipline review proceeding;
- e) Harassment (verbal or physical) and/or intimidation of the Administrative Hearing official and/or member of a Discipline Review Panel or Academic Integrity Panel prior to, during, and/or after a discipline review proceeding;
- f) Failure to comply with one or more sanctions imposed under the Student Code of Conduct; and
- g) Encouraging another person to commit an abuse of a College disciplinary proceeding.

f. **Right to Appeal**

A student found to have violated this Code has the right to appeal the decision (see [Student Code of Conduct Procedures, \(4.01\(a\)\)](#)).

Related Policies and Procedures:

[Student Code of Conduct Procedures, \(4.01\(a\)\)](#)

[Sexual Harassment, Discrimination, and Sexual Misconduct Policy \(2.02\)](#)

[Sexual Harassment, Discrimination, and Sexual Misconduct Grievance Procedure \(2.02\(a\)\)](#)

[Nondiscrimination Policy \(2.03\)](#)

[Nondiscrimination Grievance Procedures \(2.03\(a\)\)](#)

[Clery Policy \(7.10\)](#)

[Anti-Hazing Policy \(7.11\)](#)

Compliance References:

Senate Bill 40: Forming Open and Robust University Minds (FORUM) Act

[U.S. Department of Education's Office for Civil Rights Title 34 Part 106](#)

History:

	Date:	Reason:
Issued:	08/18/2020	Replaces Policy 10.1 (Code of Student Conduct)
Revised:	03/17/2021	Change in titles to align with organizational structure and added definition of harassment per Senate Bill 40
Revised:	11/16/2021	Added Anti-Hazing policy
Revised:		
Revised:		

This policy and / or procedure provides operating principles for Human Resources issues at Rhodes State College. It supersedes any prior policy covering specific subject. This policy and / or procedure may be suspended, modified or cancelled as determined by the College. This policy and / or procedure does not create a contract of employment, nor is it a condition of employment between the College and its employees.