

Student Rights and Responsibilities – Process

1. General Statement of Student Rights and Responsibilities

- a. The purpose of the Student Rights and Responsibilities statement is to define a student's basic rights within the college community, state what actions students may expect from the college to protect those rights, and explain the college's expectations of its student members, including the standards by which student behavior are measured. This statement describes unacceptable student behavior and outlines the procedures by which students are disciplined if they engage in unacceptable conduct.
- b. Students have the right to be treated fairly by the college and to be informed of college policies and/or regulations affecting them. Any student accused of violating college policies and/or regulations is entitled to fair and balanced procedural protection.

2. General Jurisdiction

Application to Academic Students: A person must be officially admitted and/or currently registered for an academic credit course to be considered a student under this policy.

3. Student Code of Conduct

a. *Jurisdiction*

- i. The jurisdiction of the college shall extend to personal behavior and conduct which occurs on Northwestern Michigan College property, or at any official college function or activity whether those activities are social, professional, or academic.
- ii. The Dean for Student Services shall have original jurisdiction over all complaints involving Section 3. b. (Prohibited Behavior). The College Review Board shall have exclusive jurisdiction over all appeals under Section 3.

b. *Prohibited Behavior:* The following behavior and conduct is prohibited. This list is not intended to be exhaustive and the college reserves the right to impose discipline for personal behavior and conduct that may not be expressly identified in Section 3. b. if the student knew or should have known that the conduct was not appropriate under the circumstances.

- i. Interference with the teaching and learning process, including the use of profanity toward another student or faculty/staff member.
- ii. Physical abuse, verbal abuse, threats, intimidation, harassment, coercion, and/or other conduct which threatens or endangers the health or safety of any person, including sexual assault against any student, faculty, staff, or guest of the college.
- iii. Discrimination based on age, color, disability/handicap, height, marital status, national origin, political affiliation, race, religion, gender, sexual orientation, veteran's status, or weight.
- iv. Interference by force, threat, harassment, or duress with an individual's personal safety, academic efforts, employment, or participation in college-sponsored

activities and/or creating a reasonable apprehension that such interference is about to occur. This includes stalking.

- v. Disruption of college activities and college business, including, but not limited to, classes, convocations, and student services.
- vi. Continued occupation of a college facility after being requested to leave by any person acting as an authorized agent of the college.
- vii. Defacement, damage to, or theft of college property and/or that of another student, faculty, staff, or guest of the college.
- viii. Tampering with fire alarms, safety systems, or the unauthorized setting of fires.
- ix. Dishonesty, including, but not limited to, cheating, furnishing false information to the college, forgery, misuse or alteration of any college document, or misuse of the college computer system. Academic dishonesty is covered in the Academic Code of Behavior as set forth in Section 5.
- x. Making a false report concerning a fire, bomb, or other alleged emergency.
- xi. Use, possession, manufacture, or distribution of drug paraphernalia, controlled substances, and look-alike drugs. The use of alcoholic beverages as prohibited by NMC policies and/or state law.
- xii. With the exception of law enforcement officers, possession, while on campus or at a college-sponsored function, of any weapons, or look-alike weapons, including, but not limited to, firearms, explosives, dangerous chemicals, knives, brass knuckles, licensed weapons, or objects or instruments possessed for use as a weapon or for direct or indirect delivery to another person for use as a weapon.
- xiii. Willful disobedience of college officials or authorized agents acting in the performance of their duties.
- xiv. Willful violation of college rules, regulations, procedures, and policies as promulgated in college policy statements.
- xv. Any violation of a local ordinance, or state or federal law.
- xvi. Unauthorized possession, duplication, or use of keys to any college premises, or unauthorized entry to or use of college premises, or tampering with any door or door locking mechanism.
- xvii. Bringing animals into the classrooms or buildings, with the exception of Seeing Eye dogs, or dogs trained to assist persons with a disability recognized under state or federal law.
- xviii. To maintain classroom integrity, only those students registered for an NMC class may attend that class, except for authorized guests.
- xix. Conduct which is disorderly, lewd, or indecent; which includes the use of electronic/digital recording and/or imaging devices used to take images and/or recordings of persons without their knowledge and/or consent; breach of the peace; aiding, abetting, or procuring another person to breach the peace on college premises or at functions sponsored by the college, or participated in by the college.
- xx. Theft or other abuse of computer time, as described in the Computer and Network Acceptable Use Policy including, but not limited to:

- (a) Unauthorized entry into a file to use, read, or change the contents, or for any other purpose.
- (b) Unauthorized transfer of files.
- (c) Unauthorized use of another individual's identification or password.
- (d) Use of computer facilities to interfere with the work of another student, faculty/staff member, or college official.
- (e) Use of computer facilities to send or publish threatening, obscene, or abusive messages.
- (f) Use of computer facilities to view and/or print obscene or offensive images.
- (g) Use of computer facilities to interfere with normal operations of the college computer system.

xxi. Abuse of the disciplinary process, including, but not limited to:

- (a) Failure to obey the summons of a disciplinary body or college official.
- (b) Falsification, distortion, or misrepresentation of information before a disciplinary body.
- (c) Disruption or interference with the orderly conduct of a disciplinary proceeding.
- (d) Interruption of a disciplinary proceeding.
- (e) Attempting to discourage an individual's proper participation in, or use of, the disciplinary system.
- (f) Attempting to influence the impartiality of a member of a disciplinary body prior to, and/or during the course of, the disciplinary proceeding.
- (g) Verbal or physical harassment and/or intimidation of a member of a disciplinary body prior to, during, and/or after a disciplinary proceeding.
- (h) Failure to comply with the sanction(s) imposed under the Student Code of Conduct.
- (i) Influencing or attempting to influence another person to commit an abuse of the disciplinary system.

c. *Report of Violations – Initial Inquiry*

- i. Any person may report that a student has allegedly violated the Student Code of Conduct to the Dean for Student Services, or his/her designee.
- ii. Upon receiving such a report, the Dean for Student Services or his/her designee may conduct an informal inquiry to determine:
 - (a) If there is jurisdiction over the alleged violation;
 - (b) Whether the accused is a student, as defined in Section 2;
 - (c) Whether the alleged conduct is prohibited; and
 - (d) Whether a sanction is probable, if the allegation is proven.