

Davis Applied Technology College: A Utah College of Applied Technology Campus Student Code of Conduct and Discipline Policy and Procedures

Effective Date: 9 January 2012

Campus President's Council Approval: 9 January 2012

1. Purpose

The College, a campus of the Utah College of Applied Technology, provides this Policy and Procedure in order to articulate the College commitment to all students, to outline standards for appropriate student group and individual behavior, and to encourage responsible citizenship within the campus community

2. References

- 2.1. Higher Education Opportunity Act
- 2.2. Utah Code 53B-4 (Enforcement of Regulations at Institutions)
- 2.3. Utah Code 53A-11-910 (Students in Public Schools, Disruptive Student Behavior)
- 2.4. DATC Student Records Policy

3. Definitions

- 3.1. **Administrative Discipline** - Formal corrective and/or disciplinary action taken against a student by a member of the College staff.
- 3.2. **Grievance** - Any reported incident that occurred while the student was enrolled that is the subject of a complaint involving a College student, a faculty member, other College staff, guests visiting the College, or other students. Such incidents must be a violation of College policies and procedures. Incidents or complaints reported may include sexual harassment, racial discrimination, or other types of allegations or grievance issues. Reliable documentation and/or testimony that allow a fair review of the complaint are essential components of the grievance process.
- 3.3. **Due Process** - Due process refers to the right to be heard which shall be provided to all of the parties associated with a student grievance. Due process includes the right of notification of statements or charges made and reasonable opportunities to respond in a timely manner prior to disciplinary action taken by the College. Students should be informed of standards and regulations regarding student conduct and performance standards. Resolutions and disciplinary actions, which are outcomes of a complaint, shall be clearly explained and fairly administered.
- 3.4. **Student** - The College recognizes student status as a student engaged in an active course of study.
- 3.5. **Secondary Student** - Student who meets the following criteria during the fiscal year in which they are enrolled: Is currently enrolled in grades 7-12 in a Utah public or private school / Is currently enrolled in grades 7-12 in a Utah public or private school / Is not more than 17 years old on or before September 1 or is documented as a retained senior or has been enrolled in less than grade 12 during the previous year and is no more than 19 years old on or before September 1 / Has not previously earned a high school diploma, certificate of high school completion, adult education secondary diploma or a high school equivalency diploma (GED)

4. Policy

- 4.1. The College acknowledges certain rights and privileges that students should receive including:
 - 4.1.1. A safe climate conducive to learning with consideration for the dignity of students, permitting them to be treated with courtesy and respect.

4.1.2. Reasonable notice of attendance, performance and completion standards and expectations

4.1.3. The right to due process in any proceeding involving the possibility of administrative discipline. This includes the right to be heard and the right to a decision and review by impartial persons.

4.1.4. The right to be free from illegal bias, prejudice, discrimination or any form of harassment.

4.1.5. The right to privacy and confidentiality of student and academic records.

4.1.6. The right to reasonable access to facilities, programs and information.

4.2. Student Responsibility

4.2.1. By registering as a student of the College, the student agrees to maintain College standards for student conduct and to do so in accordance with the rights outline above.

4.2.2. Further, students agree that violation of those standards may result in Administrative Discipline which could include suspension from the College.

4.2.3. The following behaviors and actions are forbidden:

4.2.3.1. Behavior that violates federal, state or local law including the illegal possession or use of weapons or any form of assault.

4.2.3.2. Possession or use of controlled substances including illegal drugs or alcohol.

4.2.3.3. Harassment of or discrimination toward other students for any reason.

4.2.3.4. Behavior that violates College rules or regulations, including classroom policies or use of tobacco products outside of designated areas.

4.2.3.5. Any use of College facilities, resources or equipment which, in the judgment of the Administration, is primarily for profit or personal gain.

4.2.3.6. Behavior that unreasonably disrupts or otherwise interferes with the lawful functions of the College, the rights of other students to pursue an education or actions of the College faculty or staff. (Including abusive or threatening behavior towards other students, faculty, staff or other College representatives.)

4.2.3.7. Behavior which results in injury or damage to persons affiliated with the College or to College property.

4.2.3.8. Violations of copyright law including plagiarism, illegal duplication and/or modification of materials or files, downloading or uploading copyrighted files without appropriate permission, using College equipment (including College networks) for copyright violation(s), distribution and/or display of materials including literary works musical works (including accompanying words), dramatic works (including any accompanying music) pictorial, graphic and sculptural works, motion pictures and other audio-visual works, sound recordings, architectural works and works created by state and local governments and any attempt to circumvent copy protection or digital rights management systems while at the College. Conduct which is covered under the "Fair Use" provisions of copyright law shall not be considered a violation.

4.2.3.8.1. Students must contact the copyright owner for permission and include citation and

reference when using copyright material.

4.2.3.9. Conduct which violates any legal obligations or restrictions placed on the student by the College, external sponsors, courts or other legal entities (i.e. Protective Orders, Terms of Probation or Parole, etc.) as it would pertain to the student's program.

4.3. Disciplinary Action

4.3.1. Instructors have the right and responsibility to remove, or request assistance in removing, a student from the classroom as quickly as possible if the student is being unnecessarily disruptive to the learning process, is violating classroom or College rules, local, state or federal law, or is found to be out of compliance with legal obligations or restrictions or is a threat to themselves or others.

4.3.1.1. Students who are removed should be escorted to Student Services and referred to a member of the Counseling Team or the Director of Student Services for appropriate disciplinary action.

4.3.1.2. Instructors may, at their discretion, summon the Code Team to respond to assist in the removal of a student.

4.3.2. Student violations of the Code of Conduct will be evaluated by Student Services on an individual case-by-case basis and may include one or a combination of the following disciplinary actions:

4.3.2.1. Notification and warning against repeating the conduct which deemed a violation.

4.3.2.2. Probation, which can include behavioral contracts or other written requirements for maintaining a student's eligibility for continued enrollment.

4.3.2.3. Suspension for a specified period of time based upon the severity and circumstances of the violation.

4.3.2.3.1. At the end of the suspension, the student must re-apply for enrollment and may be required to meet certain readmissions conditions including behavioral contracts or mandatory training (i.e. anger management or other behavioral interventions) or such other stipulations as are appropriate to the infraction and may need to demonstrate to Student Service personnel that he/she understands and will abide by the Student Code of Conduct.

4.3.2.4. Withdrawal from the College.

4.3.3. Students who disagree with a disciplinary action have the right to appeal as outlined in the College Student Grievance Policy.

5. Procedures

5.1. Alleged Student Code of Conduct violations will be evaluated by Student Services personnel. An investigation of the alleged incident will be documented and will include a determination of which, if any provisions of the Student Code of Conduct have been violated.

5.1.1. Investigations will include discussion with the individual(s) reporting the violation and the alleged perpetrator(s).

5.1.2. Depending on the violation, the investigating staff member may contact local law enforcement as appropriate and a formal police investigation will be conducted. Results of that investigation will be

included in the incident and investigation.

5.2. In the event that one or more the students under investigation is a Secondary Student, a report will be made to the student's school of origin and, failing that, to the individual identified as the student's legal guardian.

5.2.1. At the completion of the investigation and evaluation of the incident, the student will be provided written notification of the outcome of the investigation and any administrative discipline which will be levied against them.