



Category

3-01 Student Code of Conduct

Approval

LC Approved:
10/7/11
Effective Date/BOT Approved: 10/7/11
Revised:
Responsible Party: VP of Student Services/Workforce Development

Student Code of Conduct

Policy Statement

The College community expects all students to live by the following regulations that are designed for its general well being. Any violations of these policies may result in disciplinary actions, such as probation, suspension, expulsion and/or legal actions. Visitors to the College shall observe these regulations while on College property. Noncompliance by their visitors may subject students to sanctions imposed by the College as well as to the provisions of law.

College students enjoy all the rights and privileges of citizenship. Students are subject, however, to the special obligations that accrue to them as members of the academic community. Institutional efforts should be exerted to develop, not inhibit, intellectual and personal development of students by the exercise of the rights of citizenship both on and off College locations.

The enforcement of the obligations of students to the larger society is the responsibility of the legal and judicial authorities duly established for that purpose. When the interests of the College community are clearly involved, however, the authority of the College may be asserted. The fact that a violation occurs off College locations does not preclude the interest and involvement of the College.

The Student Code of Conduct exists to encourage the best possible learning and living environment for all students. It is the obligation of students to treat all other members of the academic community with dignity and respect – including other students, faculty members, employees, visitors and neighbors of WATC. The enforcement of College regulations is critical to the existence of such an environment for all members of the academic community. Violation of the Student Code of Conduct may lead to disciplinary action up to and including dismissal from the institution.

The following are not permitted and are enforced by the Vice President, Student Services & Workforce Development.

- Falsification of College Records:** Willful falsification of official records or documents or omission with the intent to deceive is prohibited. Included in this regulation, but not limited to the following examples, is the forging, alteration or misuse of College documents, records, academic record change forms, fee receipts, identification cards, parking permits, financial aid forms, telephone billing cards, WATC forms or documents and computer tampering.
- Use of Alcoholic Beverages on College Property:** The possession, sale or the furnishing of alcohol on the College campus is governed by the city of Wichita, Sedgwick County, and/or the Kansas Department of Alcohol Beverage Control (ABC). However, the enforcement of alcohol laws on-campus is the primary responsibility of the faculty/staff and local law enforcement. The WATC campuses have been designated “Drug Free” and only under certain circumstances is the consumption of alcohol permitted. The possession, sale, manufacture or distribution of any controlled substance on College property or at events controlled by the College is illegal under both state and federal laws. Such laws are strictly enforced by the College and local law enforcement. Violators are subject to College disciplinary action, criminal prosecution, fine, and/or imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone less than 21 years of age in a public place or a place open to the public is illegal. It is also a violation of City, County, and State laws for anyone to consume or possess alcohol in any public or private area of the campus without prior approval from the College President or his designee. Organizations or groups violating alcohol/substance policies or laws may be subject to sanctions by the College.

3. **Illegal Drug Activity:** Possession, manufacture, distribution, use or sale of drugs or drug paraphernalia and narcotics classified as illegal, except those taken under a doctor's prescription, are prohibited on College-owned or controlled property or at any College-sponsored or supervised function.
4. **Hazing:** Hazing is defined as an activity that endangers the physical safety of a person; produces mental or physical discomfort; causes embarrassment, fright, humiliation or ridicule; or degrades the individual — whether it is intentional or unintentional. The College does not tolerate students being subjected to any treatment that debases individuals' status or robs them of dignity.
5. **Harassment:** Conduct toward another person or identifiable group of persons including, but not limited to, unwelcome comments or other conduct that unreasonably interferes with an individual's work or academic performance or creates an intimidating, hostile or offensive environment for that individual's work, education or participation in a College activity; or retaliation against any person filing a conduct complaint or against any person cooperating as a witness. Harassment based on race, age, sex, color, religion, gender, national origin, ancestry, disability or veteran status is not tolerated.
6. **Physical Assault:** Conduct including, but not limited to, unwanted touching, threats of violence, use of violence and/or fighting.
7. **Sexual Harassment and/or Sexual Assault:** Any actions or statements of a sexual nature that are abusive, intimidating, harassing or embarrassing, along with implied or stated threats are prohibited. This policy includes, but is not limited to, unwanted touching or comments, retaliation, threats of violence, use of violence and sexual assault.
8. **Lewd or Indecent Conduct:** Conduct including, but not limited to, actions that are indecent, vulgar, obscene, profane or offensive.
9. **Destruction/Damage/Misuse of Property:** Malicious destruction, damage or misuse of College or private property.
10. **Disorderly Conduct:** Detaining or threatening another person, obstructive or riotous acts and/or verbal/physical abuse of any member of the WATC community on- or off-College locations.
11. **Unauthorized Entry:** Any unauthorized or forceful entry, whether actual or attempted, into any College facility or building.
12. **Failure to Obey Official Orders:** Failure to disperse or to leave; disrupting or obstructing a College building or facility, room or other premise; failure to identify oneself with an identification card; or to cease the use of loudspeakers, amplifiers or other forms of noise after being given notice or an official order to do so by a duly authorized agent or administrative officer of the College.
13. **Possession or Use of Firearms/Weapons:** The possession, wearing, carrying, transporting or use of a firearm or other dangerous weapon, incendiary device or explosive is strictly forbidden on College-owned or controlled premises or vehicles.
14. **Theft:** Theft or the conversion of another's property — personal, public or College.
15. **Gambling:** Any illegal game or contest played for money or for any form of property or item of value. Gambling includes, but is not limited to, games played with cards, dice or other gambling devices that involve betting and/or wagering.
16. **Fiscal Misconduct:** Fiscal misconduct includes, but is not limited to falsification of College or student organization financial records, any purchase made without organization membership approval, including, but not limited to, long-distance calls, copier use, signature of contracts, travel expenses, etc.; failure to relinquish student organization financial records to officers/advisors and/or WATC officials; failure to provide an end-of-fiscal-year financial disclosure statement to the organization's membership when requested to do so; writing non-sufficient funds checks to the College; forgery; and/or embezzlement.
17. **Failure to Comply With Official Notification:** Failure to comply with any official notification, written or verbal, of a duly authorized administrative, faculty or conduct authority of the College.
18. **Conduct System Process Misconduct:** Falsifying, distorting or misrepresenting information before a conduct authority and/or knowingly instituting a conduct proceeding without cause.
19. **Other Acts of Misconduct:** Violation of any city or state laws and/or board policies or the policies of WATC instructional centers and satellites, including internship and clinical sites.
20. **Irresponsibility:** Living organizations, societies, clubs and similarly organized groups are responsible for compliance with College regulations. Upon satisfactory proof that a group encouraged or did not take satisfactory steps to prevent violations of College regulations, that group may be subject to permanent or temporary suspension, loss of recognition or charter, social probation or other action.

Student Discipline

Procedure for Disciplinary Probation, Disciplinary Suspension and Disciplinary Expulsion

WATC provides every student the opportunity to learn. Taking advantage of this opportunity is the student's responsibility. Students are expected to acquaint themselves with the Student Bill of Rights, the Student Code of Conduct and all pertinent published policies and procedures and are held responsible for compliance with these policies and procedures.

The Board may place on probation, suspend or expel, or may authorize the President or his or her designees, to place on probation, suspend or expel any student who violates the Student Bill of Rights, the Student Code of Conduct or other pertinent published policies.

Definitions:

1. Notice: Notices which are required to be given by this procedure shall be considered served upon the student when given by personal delivery or mailed by first class mail or by certified mail to the address the student has filed with the College.
2. Disciplinary Probation: After a finding of violation of the Code of Conduct, a disciplinary probationary period restricts the student's privileges for a designated period of time, including the probability of more severe disciplinary sanctions if the student is found to be violating any College regulations during the probationary period.
3. Summary Suspension: An immediate action taken by the Vice President of Student Services and Workforce Development to ensure the safety and well-being of members of the College community or preservation of College property; to ensure the student's own physical or emotional safety and well-being; or if the student poses a clear threat of disruption or interference with the normal operations of the College.
4. Disciplinary Suspension: An involuntary separation of the student from the College for misconduct, apart from academic performance, that does not exceed two academic terms per suspension for any singular offense or situation. While a student is suspended, he or she is not eligible for admission or re-admission at any of the College's facilities or activities. Once the suspension is lifted, the student is eligible for admission or re-admission. Students may be suspended from a class, and may be suspended from use of a College facility or an activity, in the sole determination by an authorized College employee that the conduct is in violation of the Student Code of Conduct subject only to an appeal to the Vice President of Student Services and Workforce Development to ensure that the action was taken pursuant to College policies. For example, students may be suspended from one class period by the responsible faculty member while longer suspensions can be applied only in accordance with College procedures.
5. Disciplinary Expulsion: An involuntary separation of the student from the College for misconduct, apart from academic performance, for more than two academic terms. While a student is expelled, he or she is not eligible for admission or re-admission at any of the College's courses, programs, or activities. After the expulsion, a student's eligibility for re-admission is contingent upon their ability to prove the behavior that resulted in the expulsion has been resolved.
6. Day: Refers to calendar day unless otherwise noted below.

Procedures

- a. Investigation and Decision: The Dean of Students or his/her designee receives all allegations of Code of Conduct violations, excluding allegations of academic integrity and safety which are received by the Deans/Directors of the Academic programs. For allegations received by the Dean of Students, the Dean of Students or his or her designee investigates the complaint(s). The Dean of Students may decide that the charges can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the parties. If an administrative resolution is not achieved and if the Dean of Students recommends Expulsion, the matter is reviewed by the Vice President of Student Services and Workforce Development and by the President before a decision to Expel for disciplinary reasons is reached. All decisions resulting in Disciplinary Expulsion must first be approved by the President. For all other decisions, the Dean of Students issues a Decision which determines whether the alleged conduct occurred; whether the conduct violated the Student Code of Conduct or College policies or procedures; and the Dean of Students initiates a sanction or sanctions, as warranted by the circumstances.
- b. The student receives written Notice of the Decision and is advised of his/her right to appeal the Decision by filing a written appeal with the Vice President of Student Services and Workforce Development within seven (7) days of service of the Decision.
- c. Disciplinary Suspensions and Disciplinary Expulsions become effective no earlier than six days after service of the Notice unless the sanction is agreed to by the student in which case an earlier effective date may be agreed to by the parties.

2. Appeal

a. In the event of a written appeal, the Vice President of Student Services and Workforce Development gives written Notice to the student and to the President. The Notice describes the conduct to be evaluated; the Student Code of Conduct and/or College policies or procedures which were allegedly violated; the date, time and place of the alleged violation; the sanction that is proposed and the date, time and place of the hearing before the Vice President of Student Services and Workforce Development. The Notice is given at least seven (7) days prior to the hearing unless a shorter time is agreed to by the parties. Time limits for scheduling of hearings may be extended at the discretion of the Vice President of Student Services and Workforce Development.

b. The effective date of the Disciplinary Suspension or the Disciplinary Expulsion is postponed while the appeal is processed. The effective date of a Summary Suspension is not postponed while the appeal is processed.

c. The Vice President of Student Services and Workforce Development determines his/her own hearing procedures, keeping in mind the following guidelines:

(1). The Student has the right to be heard by the Vice President of Student Services and Workforce Development; in the event that the student is under the age of eighteen or incapacitated, he/she may have an advisor present to assist him/her in presenting his/her case.

(2). Students do not have the right to be represented by an attorney during appeal proceedings except in the case where civil or criminal actions concerning the student are pending and in that case, the attorney's role shall be advisory only. The student is responsible for presenting his/her own case; therefore, advisors are not permitted to speak or to participate directly in any portion of the appeal, including but not limited to during the hearing.

(3). The Student has the right to identify documents, witnesses and other material he/she would like the Vice President of Student Services and Workforce Development to review before making a final decision. The Vice President of Student Services and Workforce Development determines which documents, witnesses, and other materials are pertinent to the appeal.

(4). Hearings are conducted in private unless all parties agree otherwise.

(5). A record of the hearing should be maintained by the Vice President of Student Services and Workforce Development.

3. Decision by the Vice President of Student Services and Workforce Development.

The Vice President of Student Services and Workforce Development may affirm, modify, or reverse the Decision of the Dean of Students. The Vice President of Student Services and Workforce Development notifies in writing the Dean of Students, the President, and the student of the Decision. The notification of the Decision of the Vice President of Student Services and Workforce Development will normally be issued within fourteen (14) days of service of the appeal. The Decision of the Vice President of Student Services and Workforce Development is final.

4. Additional Provisions

a. College disciplinary proceedings may be instituted against a student charged with violation of a law if the alleged violation occurred at the College or at College-sanctioned activities or was of such a nature as to impact the College. Proceedings under this procedure may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus.

b. The procedural rights afforded to students above may be waived by the student.

Student Bill of Rights

Policy Statement

The Wichita Area Technical College (WATC) community expects all members to discipline themselves, individually and collectively, and it requires adherence to the regulation of conduct appropriate for an academic community. Each member of the College community is obligated to assume individual responsibility for his/her personal freedoms and obligations. WATC must and will take appropriate action when a member's conduct places the best interests of the community at jeopardy.

Students are both (1) citizens and (2) members of the academic community. As (1) citizens, they enjoy the same freedoms of speech, peaceful assembly and right of petition that other citizens enjoy. As (2) members of the academic community, they assume the obligations inherent in that membership and as representatives of the College. Each student, as a member of this community, is responsible for being familiar with the policies of WATC and the following rights.

1. **Freedom of Association:** Students are free to organize and to participate in voluntary associations of their own choosing, subject only to reasonable College regulations ensuring that such associations are neither discriminatory in their treatment of other members of the College, nor operated in a manner that substantially interferes with the rights of others. Freedom of association may not be forbidden because of the general political or philosophical objectives of any particular group. However, campus groups or organizations are under a strong obligation to avoid representing their actions or views as those of the College.
2. **Recognized Campus Organizations:** A recognized organization is a group of College students organized for a stated purpose that has official recognition from the College. Affiliation with an extramural organization shall not of itself disqualify a student organization neither from institutional recognition, nor from the use of College facilities, although reasonable provisions may be made to safeguard the autonomy of a campus organization from domination by outside groups.
3. **Freedom of Speech and Assembly:** No regulation shall restrict any student expression solely on the basis of disapproval or fear of his/her ideas or motives. Students and student organizations shall be free to examine and discuss all questions of interest to them, and to express opinions publicly and privately. Modes of expression or assembly that are manifestly unreasonable in terms of time, place or manner may be forbidden. This does not, however, abrogate the student's accountability as citizens to the laws of the larger society.

Students and student organizations shall always be free to support causes by orderly and peaceful assembly that does not infringe upon the rights of others. It shall be made clear that such expressions represent views of the students or student organizations, and not the College.

Student groups are allowed to invite and to hear any person of their own choosing. Routine procedures required by the College before a guest speaker is invited to appear on campus shall be designed so as to ensure that there is orderly scheduling of facilities and adequate preparation for the event. Institutional control of campus facilities shall not be used as a device of censorship. It shall be made clear to the academic and larger community that sponsorship of guest speakers does not necessarily imply approval or endorsement of the views expressed, either by the sponsoring group or the institution.

4. **Freedom of the Press:** There shall be no ideological censorship in the determination of printed matter available on campus; access to publications is not to be denied because of disapproval of their content. Any student publication supported by compulsory student fees or by substantial institutional subsidy shall, however, be subject to the rules and regulations of the College.
5. **Freedom in the Classroom:** The classroom is not an unstructured political forum; it is the center for study and understanding of described subject matter for which the faculty member has professional responsibility and institutional accountability. The faculty member should respect the confidential nature of the relationship between faculty and students. The faculty member should avoid exploitation of students for private advantage and should acknowledge significant assistance from them. The faculty member should protect student's rights as defined herein. Control of the order and direction of class, as well as control of the scope and treatment of the subject matter, must therefore, immediately rest with the individual faculty member, free from disruption by students or others who may be in disagreement with the manner in which the faculty member discharges his/her responsibilities. A student has the right to be informed in reasonable detail at the beginning of each term of the nature of the course, the course expectations, the evaluative standards and the grading system that will be used. A student has the right to take reasonable exception to the data or views offered in the classroom and to reserve judgment about matters of opinion, without fear of penalty. A student has the right of protection against improper disclosure of information concerning his/her grades, views, beliefs, political associations or character that an instructor acquired in the course of his/her professional relationship with the student. Students

shall have protection through orderly procedures against prejudiced or capricious academic evaluation. At the same time, they are responsible for maintaining standards of academic performance established for each course in which they are enrolled.

6. **Nondiscrimination:** It is the policy of WATC not to discriminate against any individual in matters of admission, employment, housing, services or in the educational programs or other activities based on non-meritorious factors including, but not limited to, age, race, sex, color, religion, gender, national origin, ancestry, disability, veteran status or political affiliation.
7. **Student Records:** The College complies with the Family Educational Rights and Privacy Act of 1974 (FERPA) and affords students certain rights with respect to their educational records. This act was designed to protect the privacy of educational records, to establish a student's right to inspect and review their educational records and to provide guidelines for the correction of inaccurate or misleading data through informal and formal hearings. In accordance with FERPA, the College requires that students who want the College to release copies of grade transcripts or any other information relative to academic performance must give the College permission to do so.
8. **Equal Protection:** The College has an obligation to apply its regulations equally to all students who are similarly situated. This does not mean, however, that the College is required to refrain from taking action against some offenders because there are others who cannot be identified, or who are not similarly charged.