

STUDENT RIGHTS, RESPONSIBILITIES, AND CONDUCT CODE

Washtenaw Community College is a community whose mission is to "make a positive difference in people's lives through accessible and excellent programs and services." Washtenaw is a learning community rich in the diversity of its teachers and staff who are deeply committed to helping students achieve their goals. It is a community drawn together by the common beliefs in the values of teaching and learning and the importance of respecting differences in people and in their ideas.

The primary purpose of the Policy on Student Rights and Responsibilities is to maintain an environment which supports the educational process and protects the safety and well-being of the College Community. The responsibility for maintaining such an environment is shared by all members of the community.

Washtenaw Community College students are members of both the College community and the community at large. As members of the College community, students are subject to the rights and responsibilities which accrue to them by virtue of this membership. As members of the larger community, of which the College is a part, students are entitled to all rights and protection accorded them by the law of that community. By the same token, students are also subject to all laws and their enforcement. When students violate civil or criminal law, they may incur penalties prescribed by legal authorities. In such an instance, College discipline will be initiated when students also violate College regulations. Any violation of criminal law not listed in this policy may also, at the discretion of the College, result in student disciplinary action.

Within the College, it should be noted that this policy will supersede current program and departmental procedures if conflicts exist.

This policy and the administrative procedures are intended to apply to all persons and students at the College.

The Office of the President or his/her designee is charged with the responsibility of developing and administering guidelines and procedures to implement this policy.

STUDENT RIGHTS

Freedom of Access to Higher Education

Washtenaw Community College is an open-door institution, which means that any individual who has the ability to benefit from College offerings will be admitted. The mission of the College is to "strive to make a positive difference in people's lives through accessible and excellent programs and services."

Freedom from Discrimination and Discriminatory Harassment

Discrimination against individuals on the basis of any protected status is antithetical to the values of the College and is prohibited by law. Harassment of individuals because of any of these innate characteristics will not be tolerated at Washtenaw Community College. Violation of this policy may result in discipline ranging from counseling up to and including dismissal.

Discriminatory harassment is defined as verbal or physical conduct based upon religion, race, color, national origin, age, sex, height, weight, marital status, disability, veteran status or any other protected status as provided for and to the extent required by state and federal statutes. The College also prohibits discriminatory harassment based on sexual orientation, gender identity or gender expression. Any verbal or physical conduct is prohibited if it is based on any of these protected statuses and it:

1. adversely affects a term or condition of an individual's education, employment, or participation in a College activity;
2. is used as a basis for or a factor in any decision affecting the individual's employment, education, or participation in a College activity;
3. has the purpose or effect of unreasonably interfering with an individual's employment or educational performance; or
4. has the purpose or effect of creating an intimidating, hostile, offensive or abusive environment for that individual's employment, education, or participation in a College activity.

Freedom from Sexual Harassment

Washtenaw Community College is committed to maintaining an environment for learning, teaching, working, and research that is free of sexual harassment. Sexual harassment is antithetical both to the academic values of the College and the need for a work environment that is free from sexual harassment or coercion. Sexual harassment in any form is a violation of College policy and is prohibited by Title VII of the 1964 Civil Rights Act, Title IX of the Educational Amendments of 1972, and by the Elliot-Larsen Civil Rights Act of 1976. Sexual harassment will not be tolerated at Washtenaw Community College. Violation of this policy may result in discipline ranging from counseling up to and including dismissal or termination.

Academic Freedoms

1. Freedom of Speech and Expression: Students have the right to express their thoughts and opinions without fear of reprisal. Student evaluation shall be determined on an academic basis, not on opinions or conduct in matters unrelated to academic standards. Students should bear in mind that the right to free speech does not include a license to harass or injure others or to disrupt orderly conduct of College classes or operations.
2. Protection Against Improper Academic Evaluation: Students shall have protection through due process against prejudiced or capricious academic evaluation.
3. Protection Against Improper Disclosure: Students shall have access to their educational records and the College will protect student educational records from dissemination or transferability without a student's consent. In this regard, it is College policy to comply fully with the provision and regulations of the Family Educational Rights and Privacy Act (FERPA) of 1974.

Freedom in Student Affairs

1. Freedom of Association: Students bring to campus a variety of interests and skills previously acquired and develop new interests as members of the College Community. They shall be free to organize and form associations to promote their common interests, to develop leadership skills and to meet new friends.
2. Participation in College Governance: As members of the College Community, students shall be free, individually or collectively, to

express their views on issues of College policy or procedure and on matters of general concern to the student body.

3. Publications: Student publications are important in establishing and maintaining an atmosphere of free and responsible discussion and bringing issues of concern and importance to the attention of the College Community. The College and students will share student publication editorial responsibility for all College-sponsored or supported student publications in order to maintain the integrity of communities, as well as promote free inquiry and expression.

Right to Due Process

In administering this policy, the College guarantees each student accused of violating a published College policy, those principles of due process and fundamental fairness established by the Constitution of the United States. Due process at Washtenaw means that a student is assured that his/her rights as a student will be protected. Specifically, a student has the right: to be informed of all charges brought against him/her; that he/she be given a fair opportunity to refute them; that the College not be arbitrary in its actions; and that there be provisions to appeal a decision.

STUDENT RESPONSIBILITIES

Core Values and Behavioral Expectations

As an institution of higher learning, Washtenaw Community College takes pride in the campus climate that supports excellence in teaching and learning, personal growth and development, and maintaining an atmosphere that is safe for, and respectful to, all students, faculty, and staff.

The Washtenaw Community College experience is founded on the core values of Integrity, Community, Social Justice, Respect, and Responsibility. Based on this foundation, we expect that during their time at Washtenaw Community College, students will:

- Set their own personal development goals and take responsibility for their learning.
- Be prepared to be intellectually challenged and strive for excellence in their studies.
- Acquire an inquisitive mind, respect diversity and individuality, demonstrate a sense of civic and global responsibility, and employ and develop sound ethical principles.
- Be meaningfully engaged and involved in the campus community.
- Take full advantage of opportunities to develop and implement career and education plans.
- Be accountable for their behavior.
- Act responsibly in the utilization of the College resources at their disposal.
- Be judicious and forthright in seeking and obtaining financial resources through grants, loans, and scholarships.

The College considers the behavior described in the following subsections as inappropriate for the College community and in opposition to the core values set forth in this document. These expectations and rules apply to all persons and students at the College. The College encourages community members to report to College officials all incidents that involve the following actions. Any student found to have committed or to have attempted to commit the following misconduct is subject to sanctions.

Integrity: College students exemplify honesty, honor and a respect for the truth in all of their dealings. Behavior that violates this value includes, but is not limited to:

1. Falsification. Knowingly furnishing or possessing false, falsified or forged materials, documents, accounts, records, identification or financial instruments.
2. Academic Dishonesty. Any act of academic dishonesty including:
 - Collusion is defined as the unauthorized collaboration with any other person in preparing work offered for individual credit.
 - Fabrication is defined as intentionally falsifying or inventing any information or citation on any academic exercise.
 - Cheating is defined as intentionally using or attempting to use unauthorized materials, information, or study aids in any academic exercise.
 - Plagiarism is defined as the appropriation of any other person's work and the unacknowledged incorporation of that work in one's own work offered for credit.
3. Unauthorized Access. Misuse of authorized access or unauthorized access to any College building (i.e. keys, cards, etc.) or unauthorized possession, duplication or use of means of access to any College building.
4. Taking of Property/Theft. Intentional and unauthorized taking of the property of other students, staff, guests, or faculty while on campus or at College-sponsored functions.
5. Stolen Property. Knowingly taking or maintaining possession of stolen property.

Community: College students build and enhance their community. Behavior that violates this value includes, but is not limited to:

1. Disruptive Behavior. No student, acting alone or with others, shall obstruct, interfere with, or disrupt any teaching, administrative, disciplinary, public service, research or other activity authorized or conducted on the College campus. This disruption does not necessarily have to involve violence or force for the student to face disciplinary action. Disrespectful actions that cause a member of the Campus Community to experience emotional distress or humiliation, whether or not the result was intended, are cause for the student to face disciplinary action;
2. Trademark. Unauthorized use (including misuse) of College or organizational names and images;
3. Damage and Destruction. Intentional, reckless and/or unauthorized damage to or destruction of College property or the personal property of another;
4. Information Technology and Acceptable Use. Violating Washtenaw Community College's Computing Resources Usage Policy (Policy #8022) or the Internet Accounts Policy (Policy #8021) found online within the Board of Trustee Policy Manual;
5. Gambling. Gambling is prohibited on campus or at any College-sponsored function; (excludes approved charitable fundraising activities);
6. Weapons. Possession, use, or storage of knives, firearms, fireworks, explosives, or other lethal weapons on campus or at any College-sponsored event are prohibited except under the following exclusions. Firearms are permitted:
 - 6a. as described in Board of Trustees Policy 6041 Firearms Range Safety.
 - 6b. as described in the WCC Police Academy procedures for cadets.
 - 6c. as permitted by law.

7. Smoking. Smoking (including tobacco cigarettes, pipes, cigars, electronic cigarettes, vapor cigarettes, herbal cigarettes, or any device emitting smoke or vapor) is prohibited in any area of campus. Smoking marijuana (including for medicinal purposes) is also prohibited in any area of campus;
8. Fire Safety. Violation of local, state, federal or campus fire policies including, but not limited to:
 - 8a. Intentionally or recklessly causing a fire which damages College or personal property or which causes injury.
 - 8b. Failure to evacuate a College-controlled building during a fire alarm;
 - 8c. Improper use of College fire safety equipment; or
 - 8d. Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on College property. Such action may result in a local fine in addition to College sanctions;
9. Animals. Animals, with the exception of animals that provide assistance (e.g. seeing-eye dogs), are not permitted inside College buildings except as permitted by law.
10. Wheeled Devices. Skateboards, roller blades, roller skates, bicycles and similar wheeled devices are not permitted inside College buildings. Additionally, skateboards and other wheeled items may not be ridden on railings, curbs, benches, or any such fixtures that may be damaged by these activities and individuals may be liable for damage to College property caused by these activities.

Social Justice: Students recognize that respecting the dignity of every person is essential for creating and sustaining a flourishing College community. They understand and appreciate how their decisions and actions impact others and are just and equitable in their treatment of all members of the community. They act to discourage and challenge those whose actions may be harmful to and/or diminish the worth of others. Conduct that violates this value includes, but is not limited to:

1. Discrimination. Any act or failure to act that is based upon an individual or group's actual or perceived status (race, color, religion, sex, national origin, sexual orientation, gender identity, gender expression, height, weight, age, marital status, disability, veteran status or other protected status) that is sufficiently severe that it limits or denies the ability to participate in or benefit from the College's educational program or activities.
2. Unwelcome Harassment. Any unwelcome conduct based on actual or perceived status including: race, color, religion, sex, national origin, sexual orientation, gender identity, gender expression, height, weight, age, marital status, disability, veteran status or other protected status. Any unwelcome conduct should be reported to campus officials, who will act to remedy and resolve reported incidents on behalf of the victim and community.
 - 2a. Hostile Environment. Sanctions can and will be imposed for the creation of a hostile environment only when unwelcome harassment is sufficiently severe, pervasive (or persistent) and objectively offensive that it unreasonably interferes with, limits, or denies the ability to participate in or benefit from the College's educational or employment program or activities.
3. Retaliation. Any intentional adverse action initiated (directly or indirectly) against a person believed, alleged, or confirmed to have previously committed an injurious act against an individual.
4. Retaliatory Discrimination or Harassment. Any intentional, adverse action taken by a responding individual or allied third party against a participant [or supporter of a participant] in a civil rights grievance proceeding or other protected activity under this Code.
5. Bystanding.

- 5a. Complicity with or failure of any student to appropriately address known or obvious violations of this Code;
- 5b. Complicity with or failure of any organized group to appropriately address known or obvious violations of this Code by its members.
6. Abuse of Conduct Process. Abuse or interference with, or failure to comply in, College processes including conduct and academic integrity hearings including, but not limited to:
 - 6a. Falsification, distortion, or misrepresentation of information;
 - 6b. Failure to provide, destroying or concealing information during an investigation of an alleged policy violation;
 - 6c. Attempting to discourage an individual's proper participation in, or use of, the campus conduct system;
 - 6d. Harassment (verbal or physical) and/or intimidation of a member of a campus conduct body prior to, during, and/or following a campus conduct proceeding;
 - 6e. Failure to comply with the sanction(s) imposed by the campus conduct system;
 - 6f. Influencing, or attempting to influence, another person to commit an abuse of the campus conduct system.

Respect: College students show positive regard for each other and for the community. Behavior that violates this value includes, but is not limited to:

1. Harm to Persons. Intentionally or recklessly causing physical harm or endangering the health or safety of any person.
2. Threatening Behaviors:
 - 2a. Threat. Written or verbal conduct that causes a reasonable expectation of injury to the health or safety of any person or damage to any property.
 - 2b. Intimidation. Intimidation defined as implied threats or acts that cause a reasonable fear of harm in another.
3. Bullying and Cyber bullying. Bullying and cyber bullying are repeated and/or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally, and are not protected by freedom of expression.
4. Stalking. Stalking is a course of conduct directed at a specific person that is unwelcome and would cause a reasonable person to feel fear.
5. Sexual Misconduct. Includes, but is not limited to, sexual harassment, non-consensual sexual contact, non-consensual sexual intercourse, and/or sexual exploitation.
6. Public Exposure. Includes deliberately and publicly exposing one's intimate body parts, public urination, defecation, and public sex acts.

Responsibility: College students are given and accept a high level of responsibility to self, to others and to the community. Behavior that violates this value includes, but is not limited to:

1. Alcohol. Consumption or possession of any alcoholic beverages on College property unless previously approved by the President or his/her designee and then only for those who are of legal drinking age. This includes a prohibition of being intoxicated on campus.
2. Drugs. Unlawful manufacture, distribution, dispensation, possession or being under the influence of any illegal drugs or controlled substances on College property or at College-sponsored activities.
3. Prescription Medications. Abuse, misuse, sale, or distribution of prescription or over-the-counter medications.
4. Failure to Comply. No student shall fail to comply with the lawful and reasonable directions of College officials or law enforcement officers acting in the performance of their duties and/or refuse to identify him or herself to these persons when requested to do so.

5. **Financial Responsibilities.** Failure to promptly meet financial responsibilities to the institution, including, but not limited to; knowingly passing a worthless check or money order in payment to the institution or to an official of the institution acting in an official capacity.
6. **Arrest.** Failure of any student to accurately report an off-campus arrest for a felony by any law enforcement agency to the Ombudsman Office within five business days of release.
7. **Other Policies.** Violating other published College policies or rules.
8. **Health and Safety.** Creation of health and/or safety hazards (dangerous pranks, hanging out of or climbing from/on/in windows, balconies, roofs, etc.)
9. **Violations of Law.** Evidence of violation of local, state or federal laws, when substantiated through the College's conduct process.

SANCTIONS

One or more of the following sanctions may be imposed for violations of College Policies:

1. **Warning:** An official written notice that the student has violated College policies and/or rules and that more severe conduct action will result should the student be involved in other violations while the student is enrolled at the College.
Restitution: The student is required to make payment either with money or the performance of specific duties to the College or other persons, groups, or organizations for damages incurred as a result of a violation of this policy. This is not a fine but, rather, a repayment for labor costs and/or the value of property destroyed, damaged, consumed, or stolen.
2. **Failing Grade:** In the case of academic dishonesty, the student may receive a failing grade for the test or for the course involved.
3. **Loss of Privileges:** The student will be denied specified privileges for a designated period of time.
4. **Behavioral Requirement:** This includes required activities including, but not limited to, seeking academic counseling or substance abuse screening, writing a letter of apology, etc.
5. **Educational Program:** Requirement to attend, present and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible.
6. **Expulsion or Removal from an Academic Major, Course, Program, or Activity:** **Removal:** A student may continue to attend other classes but may not attend the course or program from which he/she has been removed. In the event of removal, a student will be given either a withdrawal or a failure in the course. **Expulsion:** Permanent separation from participating in, or enrolling in, a specific academic major, course, or program. This could also apply to a club, team, or other non-academic student activity. **Expulsion from a specific program** could include a prohibition from entering all related programs (e.g. expelled from nursing program and sanction includes prohibition from entering any Allied Health program) or **expulsion from a non-academic activity** could include a prohibition from participating in all related non-academic student activities (e.g. expelled from one club sports team and sanction includes prohibition from participating with any club sport team) depending on the nature of the Code violation.
7. **Probation:** Probation is a serious and active response to a violation of this code. Probation may be combined with other sanctions or applied separately. Probation is for a designated period of time. If there are violations of this Code or any violation of the terms of the probation during the period of probation, this will typically result in immediate suspension.
8. **Suspension:** Separation of the student from the College for a specified period of time, after which the student is eligible to return. Eligibility to return may be contingent upon satisfaction of specific conditions. During the suspension, the student shall not participate in any College-sponsored activity and is barred from College premises unless prior written approval from the President or his/her designee is received. This sanction may be enforced with a trespass action as necessary.
9. **Expulsion:** Permanent separation of the student from the College. The student is barred from College property and the student's presence at any College-sponsored activity or event is prohibited. This action may be enforced with a trespass action as necessary. This sanction will be noted as an Expulsion on the student's official academic transcript.
10. **Other Sanctions:** Other sanctions, including loss of access to College resources, mandated counseling or psychiatric assessments, may be imposed instead of, or in addition to, those specified in the above sections. For example, students may be subject to restrictions upon their driving privileges on College property for disciplinary violations involving the use of motor vehicles, or, in the case of computer misconduct, students may forfeit the use of their email account. Additional or alternate sanctions may be created and designed as deemed appropriate to the offense with the approval of the President or his/her designee.

The following sanctions may be imposed upon groups or organizations found to have violated this Code:

1. One or more of the sanctions listed above and/or
2. Deactivation, de-recognition, loss of all privileges (including status as a College registered group/organization), for a specified period of time.

Interim Action

Under this Code, the President or his/her designee may impose restrictions and/or separate a student from the community pending the scheduling of a campus hearing on alleged violation(s) of this Code when a student represents a threat of serious harm to self, others, is facing allegations of serious criminal activity, to preserve the integrity of an investigation, to preserve College property and/or to prevent disruption of, or interference with, the normal operations of the College. Interim actions can include separation from the institution or restrictions on participation in the community pending the scheduling of a campus meeting or hearing on alleged violation(s) of this Code.

During an interim suspension, a student may be denied access to the College campus, facilities, or events. As determined appropriate by the President or his/her designee, this restriction may include classes and/or all other College activities or privileges for which the student might otherwise be eligible. At the discretion of the President or his/her designee and with the approval of, and in collaboration with, the appropriate academic Dean(s), alternative coursework options may be pursued to ensure as minimal an impact as possible on the responding student.

Conditional Return after College Action

In the event the College has taken measures to separate the student from the Campus Community through either Interim Action or formal

Sanctions; on a case-by-case basis, the College may impose conditions for the return of the student to the Campus community.

Outcomes Statement

The College will have a policy available that provides support for the educational process, protects the safety and well-being of the College community, and insures due process for all students.

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