

SECTION 5: Student Policies

SUBJECT: Student Code of Conduct & Student Hearing Board

SECTION 5: Student Policies

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- vi. currently using college-owned or college-managed facilities or property in connection with LC State sponsored academic activities.
- C. The Student Code of Conduct may also be applied to off-campus student behavior even when such behavior does not occur at or with a college-affiliated function, activity or group and does not constitute a violation of Title IX, when the administration determines at its discretion that the off-campus conduct affects a substantial school/college interest. A substantial school/college interest is defined as a school/college interest that is directly affected by the conduct. A substantial school/college interest is defined as a school/college interest that is directly affected by the conduct.

SECTION 5: Student Policies

SUBJECT:

SECTION 5: Student Policies

SUBJECT: Student Code of Conduct & Student Hearing Board

student must represent one's own ideas, concepts and current understanding. Academic Dishonesty includes:

- i. Cheating - intentionally using or attempting to use unauthorized materials, information, or study aids in any academic exercise. The term "academic exercise" includes all forms of work submitted for credit hours.
- ii. Fabrication - intentional and/or unauthorized falsification or invention of any information or the source of any information in an academic exercise.
- iii. Collusion facilitating academic dishonesty – intentionally or knowingly helping or attempting to help another to commit an act of Academic Dishonesty.
- iv.

SECTION 5: Student Policies

SUBJECT: Student Code of Conduct & Student Hearing Board

C. **Smoking and Vaping Policy**

By Executive Order Number 92-2 of the Governor of Idaho, smoking tobacco or similar substances is not allowed inside any college-owned or operated building. To provide building access which is smoke-free, while still accommodating those who elect to smoke, the campus has established designated smoking areas on the outer parking lots of the campus. Smoking or vaping within the campus grounds, around or in buildings, or anyplace other than a designated smoking area is considered a violation of the Student Code of Conduct. A map of the designated smoking areas may be found at the following website: <https://www.lcsc.edu/visit/campus-map-directions>.

D. **Drugs**

Possession, manufacture, distribution, use or sale of marijuana, drug narcotics or other controlled substances classified as illegal under Idaho law, except those taken under a doctor's prescription, is prohibited on college-owned or controlled property (as that term is herein and hereafter used, college-owned or controlled property includes student housing owned by or rented through the college), or at any college-sponsored or supervised function (See campus policy on Alcohol and Drug abuse, and rules on sanctions for alcohol and drug abuse; <https://www.lcsc.edu/student-counseling/substance-abuse-information-assistance>).

E. **Falsification of College Records**

The willful falsification of official records or documents or the submission of records or documents to the college with knowledge of their falsity is prohibited. Falsification of records or documents includes, but is not limited to, the following: the forging or alteration of, or the knowing use of false or inaccurate registration documents, documents submitted in support of residency determinations, transcripts, fee receipts, identification cards, meal tickets, parking decals, financial aid forms, and ASLCSC forms or documents.

F. **Threats of Harm or Actual Harm to a Person's Physical or Mental Health or Safety**

Threats of harm or actual harm to a person's physical or mental health or safety are prohibited. Such conduct includes, but is not limited to:

- i. Physical violence of any nature against any person. Physical violence includes, but is not limited to, (1) fighting; (2) assault; (3) battery; (4) the use of a knife, gun, or other weapon except in reasonable self-defense; (5) physical abuse; (6) restraining or transporting someone against his or her will; or (7) any action that threatens or endangers the physical health or safety of any person or causes reasonable apprehension of such harm.
- ii. Persistent or severe verbal abuse, threats, intimidation, harassment, coercion, bullying, derogatory comments, vandalism, or other conduct that threatens or endangers the mental or physical health or safety of any person or causes reasonable apprehension of such harm. A single instance may be considered severe enough to merit sanctions.
- iii. Hazing, which includes, but is not limited to, any action or participation in any activity that (1) causes or intends to cause physical or mental discomfort or distress; (2) may demean any person, regardless of location, intent or consent of participants; or (3) destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. The express or implied consent of the victim will not be a defense. Apathy or acquiescence in the presence of hazing are not neutral acts; they are also violations of this rule.
- iv. Discrimination, Sexual Harassment, Retaliation and Other Civil Rights Offenses: Acts of discrimination, sexual harassment, retaliation and other civil rights offenses are

SECTION 5: Student Policies

SUBJECT: Student Code of Conduct & Student Hearing Board

prohibited per policy 3.110 Discrimination, Sexual Harassment and Retaliation Prohibited.

- a) Conduct that may violate Policy 3.110 is defined within that policy and will be addressed using the related Resolution Process document. Prohibited conduct includes, but is not limited to:
 - 1) Discrimination on the basis of a protected class;
 - 2) Sexual Harassment, including sexual assault, dating violence, domestic violence, and stalking;
 - 3) Sexual Exploitation; and
 - 4) Other civil rights offenses when the act is motivated by actual or perceived membership in a protected class, and the result is a discriminatory limitation or denial of employment or educational access, benefits, or opportunities.
 - b) It is prohibited for the college or any member of the college community to take materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy and procedure.
 - c) Charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination/sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation.
 - d) The exercise of rights protected under the First Amendment does not constitute retaliation.
 - e) Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy and procedure does not constitute retaliation, provided that a determination regarding responsibility, alone, is not sufficient to conclude that any party has made a materially false statement in bad faith.
 - f) Lewis-Clark State College reserves the right to impose any level of sanction, ranging from a reprimand up to and including suspension or expulsion/termination, for any offense under this policy.
- v. Consent
- a) Consent is:
 - 1) knowing, and
 - 2) voluntary, and
 - 3) clear permission
 - 4) by word or action
 - 5) to engage in sexual activity.
 - b) Since individuals may experience the same interaction in different ways, it is the responsibility of each part

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SECTION 5: Student Policies

SUBJECT: Student Code of Conduct & Student Hearing Board

Clark State College Policy 4.123, is prohibited. The college will provide safe storage of firearms and weapons for students who live in housing managed by the college or other students upon request. Possession of illegal weapons, explosives, chemical, or incendiary devices, except as expressly authorized by law or institutional policy, is prohibited on college-owned or college-controlled property. Students in violation of this provision of the Student Code of Conduct will be subject to college-based disciplinary action and, depending upon the nature of the infraction, may be referred to local law enforcement.

Q. Group Offenses

Living organizations, clubs and similarly organized groups are responsible for compliance with college regulations. Upon satisfactory proof that a group encourages, 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.

R. National City/State Laws

Violation of any United States Federal law, State of Idaho law or City of Lewiston ordinance which occurs on college-owned or controlled property or while the violator is participating or attending a college-sponsored event or activity is in violation of this Code. Additionally, off-campus or non-college related criminal activity is in violation of this Code when it affects a substantial school/college interest as defined above in the Preamble.

S. Accessories

A person is in violation of this Code if he or she intentionally aids or abets another in the commission of any offense mentioned in this Code. Abuse of the Student Code, includes but is not limited to:

- i. Falsification, distortion, or misrepresentation of information during a judicial investigation;
- ii. Disruption or interference with the orderly conduct of a judicial proceeding;
- iii. Institution of a judicial proceeding knowingly without cause;
- iv. Attempting to discourage an individual's proper participation in, or use of, the judicial system;
- v. Attempting to influence the impartiality of a member of a judicial body prior to, and/or during the course of, the judicial proceeding;
- vi. Harassment (verbal or physical) and/or intimidation of a member of a judicial body prior to, during, and/or after a judicial proceeding;
- vii. Failure to comply with the sanction(s) imposed under the Student Code;
- viii. Influencing or attempting to influence a member of a judicial body.

SECTION 5: Student Policies

SUBJECT: Student Code of Conduct & Student Hearing Board

4. Disciplinary Sanctions.

- A. Disciplinary sanctions which may be imposed for a violation the Student Code of Conduct are listed here in order of their severity:
 - i. Warning;
 - ii. Probation (with terms and length as determined by the person levying the sanction);
 - iii. Withheld suspension (failure to comply with the terms of withheld suspension may result in immediate suspension from college. Withheld suspension may also be a “delayed” suspension whereby a student is permitted to remain enrolled for the duration of the current term but will not be permitted to enroll in subsequent terms unless certain conditions are met);
 - iv. Suspension (removal from the college for a specific length of time, e.g., semester or academic year) which may include readmission following the suspension period subject to an additional period of probation or withheld suspension. Students who are suspended will have this sanction noted on their official college transcript;
 - v. Expulsion (indefinite removal from college) which may include being banned from campus property. Students who are expelled will have this sanction noted on their official college transcript.
 - vi. *Suspension or expulsion can occur even after a student withdraws if the withdrawal occurred while Student Code of Conduct charges were pending.
- B. The person or Board levying or recommending the sanction may also impose or recommend any combination of the following and may also include them as terms of probation:
 - i. Community service (to be performed for a specific period of time under the direction of the Vice President for Student Affairs or his or her designee);
 - ii. Fines not exceeding two hundred dollars (\$200);
 - iii. Restitution of damages;
 - iv. Special sanctions deemed appropriate and reasonable by the person or Board levying or recommending the sanctions (e.g., counseling, restrictions on behavior or requiring letters of apology to be written);
 - v. Administrative fees not exceeding fifty dollars (\$50).
- C.

SECTION 5: Student Policies

SUBJECT: Student Code of Conduct & Student Hearing Board

5. **Disciplinary Procedure**

The President of the college is responsible to the State Board of Education for the administration and enforcement of all regulations or policies adopted by the board. The State Board of Education possesses all the power necessary or convenient to accomplish the objectives and perform the duties prescribed by law. The Vice President for Student Affairs is responsible to the President of the college for enforcement of the Student Code of Conduct and has been designated as the Senior Student Judicial Officer of the college. Primary responsibility for investigating alleged violations, proffering charges, imposing sanctions and educational remedies, representing the college in hearings and appeals under this Student Code of Conduct and enforcing sanctions and educational remedies is assigned to the Vice President for Student Affairs, or his or her designee. Title IX cases will be investigated and referred to a trained Title IX hearing panel.

A. **Classroom Infractions**

Individual faculty members or programs may impose their own policies regarding student classroom behavior and academic dishonesty. Such policies are to be readily available to students (e.g., course syllabus, program website or handbook). Sanctions imposed by a faculty member are limited to grades on individual assignments, course grades, and/or temporary dismissal from a class (depending on the nature of the infraction). Students accused of academic dishonesty or of another classroom infraction may also be referred by the faculty member to the Vice President for Student Affairs for official disciplinary action.

Faculty members do not have the authority to dismiss a student from a course indefinitely or to dis-enroll a student from a program or major/minor. Should an incident rise to the level of potential course or program disenrollment, the division chair, instructional dean, and the Vice

SECTION 5: Student Policies

SUBJECT: Student Code of Conduct & Student Hearing Board

