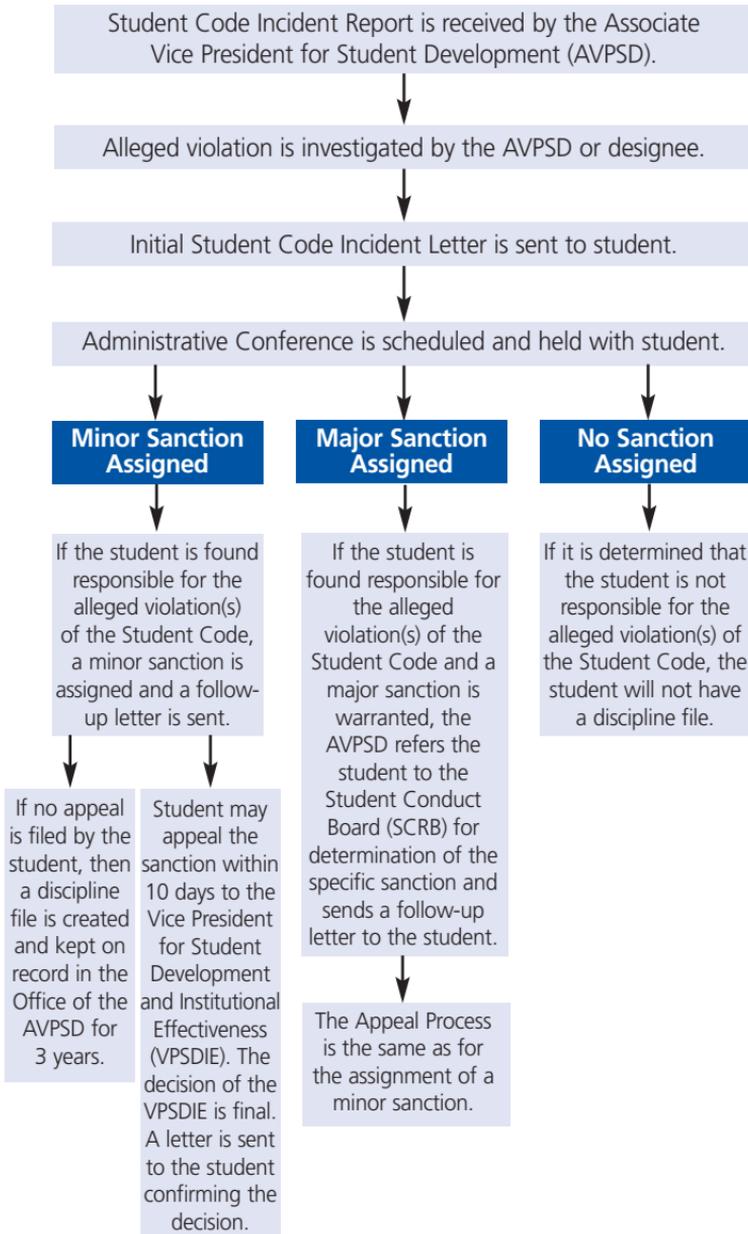


Students Rights and Responsibilities

STUDENT CODE PROCESS



Students Rights and Responsibilities

■ STUDENT CODE PROCESS

INTRODUCTION

Harford Community College is an academic community and all members and visitors share the duty and responsibility of securing and maintaining the freedom to learn within that academic college community. Freedom carries responsibilities; chief among these is the respect for rights and values of others. In order to provide and preserve this freedom on the HCC campus and at College-sponsored and College-supervised functions, the Student Code was developed by a committee of students, faculty, staff, and administrators.

Within the College community, individuals are accorded respect in a learning environment that is free of discrimination on the basis of race, color, religion, sex, sexual orientation, national origin, age (for students age 16+), disability or any other characteristic protected by law or by the policies and practices of HCC. All students are expected to exhibit and to practice professional behavior when participating in instructional settings, including field experiences, internships, athletic and cultural events, co-op assignments or any other related College endeavor. Such behavior includes but is not limited to dress, oral and written remarks/statements and general conduct, per rules and regulations of the College or off-campus site.

The College faculty and staff recognize their role in developing this sense of responsibility through example and guidance. Additionally, every student is presumed to have sufficient maturity, intelligence, and concern for the rights and values of others to preserve the standards of the academic community. This Code enumerates clear expectations of students as members of the College community, the kind of unacceptable behavior that may result in disciplinary action, and sanctions and disciplinary proceedings utilized when the Code is not observed. While on College property, all persons, including guests of students, are required to abide by all College policies, procedures, practices, and related rules and regulations.

DEFINITIONS

When used in this Code:

- A. The term "College" means Harford Community College and, collectively, those responsible for its control and operation;
- B. The term "student" includes all persons registered for credit and noncredit courses on a full-time or part-time basis. An individual who is not officially enrolled for a particular semester/term but who has a continuing relationship with the College is considered a "student";

Students Rights and Responsibilities

DEFINITIONS (continued)

- C. The term “instructor” means any person hired by the College to conduct educational activities. In certain situations, a person may be both “student” and “instructor” and is subject to the rights and responsibilities of both;
- D. The term “College official” pertains to all College employees;
- E. The term “College community” includes students and all employees;
- F. The term “organization” means a number of persons who have complied with the formal requirements of College recognition;
- G. The term “shall” is mandatory;
- H. The term “may” is discretionary;
- I. The term “working days” means Monday through Friday of each week when the College is open;
- J. The term “Charging Party” shall mean the Associate Vice President for Student Development (AVPSD) or his or her designee;
- K. The term “Respondent” shall mean a student, former student, or applicant charged with a student conduct violation that has been referred to the Student Conduct Review Board.

RIGHTS AND RESPONSIBILITIES

The following enumeration of rights and responsibilities shall not be construed to deny or disparage others retained by or ascribed to students in their capacity as members of the student body or as citizens of the community at large.

- A. The College guarantees to students the rights to free inquiry, expression, and assembly while on campus or while attending institution-sponsored or institution-supervised activities, subject to requirements of this Code and those governing the use of College facilities and grounds. Students who wish to peacefully assemble or demonstrate must complete a “Free Speech and Peaceful Assembly” form and return it to the College Life Office. Advocacy of any cause and peaceful assembly and demonstration are permitted within the College subject to the following regulations:
 - 1. order and safety of individuals and property must be maintained;
 - 2. instruction and other normal operations of the College must not be interrupted;
 - 3. movement and passage of persons and vehicles must not be interrupted;
 - 4. activities may not be of a violent, threatening, or hazardous nature;
 - 5. reservations of facilities and/or grounds may be made through the College Life Office located in the Student Center.

Students Rights and Responsibilities

RIGHTS AND RESPONSIBILITIES (continued)

- B. Students are free to pursue their educational goals. Appropriate opportunities for learning in an instructional setting and through on- and off-campus experiences shall be provided by the institution. The College also recognizes that in the learning process there are two parties, the instructor and the student, and that the learning process requires active participation on the part of both parties. In matters of disputes having to do with the learning process, the instructor, by virtue of training, education, and experience, is the leader and manager of that process.
- C. In instructional settings, students shall have the right to express any views pertinent to the subject matter of the course in which they are enrolled; however, the instructor shall always be the sole judge of the relevancy of subject matter and shall always have authority over the conduct of the instructional session. Students are responsible for meeting the standards of any course for which they are enrolled.
- D. Student groups and organizations may be charged with violations of this Code. A student group or organization and its officers may be held collectively and individually responsible when violations of this Code, by those associated with the group or organization, have received the consent or encouragement of the group or organization or of the group's or organization's leaders or officers.
- E. Recognized student organizations may invite speakers to campus after the requirements for use of the institutional facilities have been met and if the event is compatible with the policies of the institution, and upon prior approval of the Coordinator for College Life and the organization's advisor. It should 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.
- F. Throughout the disciplinary process, students must be notified in writing about meetings and conferences they are required to attend at least two (2) working days prior to the scheduled meeting. No formal disciplinary actions may be imposed upon any student without written notice to the respondent of the nature and cause of the charges. Failure to respond to such notice may be treated as a failure to comply with the directions of a College official. The disciplinary process will proceed even if the student does not respond to the notice. Correspondence may be via students' Harford email accounts.
- G. Any member of the College community may file complaints against any student for violation of the Student Code. The complaint should be submitted in writing to the Associate Vice President for Student Development within ten (10) working days of the incident.

Students Rights and Responsibilities

RIGHTS AND RESPONSIBILITIES (continued)

- H. The Student Code and all College policies, procedures, practices or related rules and regulations apply on- and off-campus at all College-sponsored and all College-supervised functions.
- I. All students are subject to the Code of Student Conduct. Individuals who are not currently enrolled at the College remain subject to the Code of Conduct and the disciplinary and review process for misconduct that occurred during any period of enrollment, for misconduct that occurred during a period between any consecutive semesters, terms, or summer sessions for which they are enrolled, or for misconduct that occurred during the time after admission to the College but prior to first enrollment, and for statements, acts or omissions related to application for enrollment.

PROHIBITED CONDUCT

Generally, College discipline shall be limited to conduct which adversely affects the College community's pursuit of its educational objectives. The following misconduct, which is not all-inclusive, is subject to disciplinary action:

- A. Failure of students to possess HCC student identification card or failure to furnish said identification upon the request of a College official.
Failure of future students or visitors to possess photo identification or failure to furnish upon the request of a College official.
- B. Intentionally providing false information on any College application, transcription, or electronic or written document or correspondence;
- C. Intentionally making false material statements to the College;
- D. Academic dishonesty, such as:
 - 1. Cheating, which means knowingly using or attempting to use unauthorized materials, equipment, devices, information or study aids, as defined by the instructor;
 - 2. Fabrication, which means intentional and unauthorized falsification or invention of any information or citation in an academic exercise;
 - 3. Facilitating academic dishonesty, which means knowingly helping or attempting to help another to commit an act of academic dishonesty;
 - 4. Plagiarism, which means knowingly representing the work of another as one's own;
 - 5. Copyright Infringement, which means copying or downloading the work of another and distributing or displaying to others without the creator's permission.

Students Rights and Responsibilities

PROHIBITED CONDUCT (continued)

- E. Forgery, alteration, or misuse of any College documents, records, equipment, or identification;
- F. Obstructing or acting in a manner disruptive or disturbing to the normal educational functions of the College, administration of the College, disciplinary procedures, or other College activities;
- G. All forms of violence, threatening behavior, verbal/non-verbal harassment, physical abuse, verbal abuse, stalking, coercion, and/or other conduct that threatens or endangers the health or safety of any persons;
- H. Obstructing or restraining the movement and passage of persons and/or vehicles;
- I. Stealing, concealing, defacing, or damaging College property or the property of a member of the College community or campus visitor;
- J. Unauthorized entry to or use of College and off-campus properties, including the failure to leave any of the buildings or grounds after being requested to do so by an authorized employee of the College;
- K. Attending an instructional session without properly registering or without the express permission of the instructor, or bringing unregistered visitors, including children, to class;
- L. Leaving a child for whom you are responsible (ages 12 and under) unattended at any time;
- M. Possession, consumption, sale, or serving of alcoholic beverages except as expressly permitted in writing by the College;
- N. Sale, distribution, use, or possession of illegal drugs or controlled dangerous substances as defined by Maryland law except as expressly permitted by law;
- O. Being under the influence of alcohol or illegal drugs;
- P. Gambling, disorderly conduct, or lewd or obscene conduct or expression;
- Q. Possession or use of firearms, explosives, or any other dangerous or deadly weapons, except as expressly permitted in writing by the College. An instrument designed to look like a weapon, which is used by a student to cause reasonable apprehension or harm, is expressly included within the definition of weapon;
- R. Tobacco use in all areas of the campus, including parking lots and personal vehicles;
- S. Use of any sound amplification equipment, system, or device, except as provided for by College regulations or expressly permitted by the College;

Students Rights and Responsibilities

PROHIBITED CONDUCT (continued)

- T. Failure to comply with the College's Computer Use Guidelines, which are available at the Library, the College Life Office and the HCC website, including utilizing any electronic device for the purpose of engaging in any form of academic misconduct or illegal activity, such as file sharing that violates copyrights;
- U. Failure to comply with lawful directions of College officials acting in performance of their duties;
- V. Violations of the Student Code or of other College policies or regulations, such as traffic regulations, those concerning the registration of student organizations, the use of College property, or the time, place, and manner of public expression.

SANCTIONS

- A. The following formal disciplinary actions may be imposed upon students:

MINOR SANCTIONS

1. **WARNING:** Notice, orally or in writing, that a student is violating or has violated institutional regulations.
2. **EDUCATIONAL PROJECT:** This sanction requires a student to complete a specific educational assignment as determined by the AVPSD or his/her designee.
3. **CAMPUS AND/OR COMMUNITY SERVICE:** This sanction requires a student to perform a specified number of service hours. The AVPSD or his/her designee determines the specific assignment.
4. **RESTITUTION:** Reimbursement for damage to or misappropriation of property.
5. **FINES:** Previously established and published fines may be imposed.
6. **DISCIPLINARY PROBATION:** Written notice that continuation or repetition of conduct found wrongful, during a designated period of time not exceeding one year, will be cause for more severe disciplinary action such as suspension or expulsion.
7. **DISCIPLINARY PROBATION WITH REVOKED PRIVILEGES:** Written notice that continuation or repetition of conduct found wrongful, during a designated period of time not exceeding one year, will be cause for more severe disciplinary action such as suspension or expulsion and during the probationary time period, the student is excluded from participation in privileged or extracurricular institutional activities.

Students Rights and Responsibilities

SANCTIONS (continued)

8. **SUSPENSION FROM COURSE(S):** Exclusion from participation in particular course(s) for a period of time not to exceed one semester.

MAJOR SANCTIONS

9. **SUSPENSION FROM THE COLLEGE:** Exclusion from courses and other privileges or activities as set forth in the notice for a defined period of time not to exceed two years. Whether or not a student may make up missed academic work due to the suspension will be determined as part of this sanction.
 10. **EXPULSION FROM THE COLLEGE:** Termination of student status for an indefinite period of time. The conditions for readmission, if any, shall be stated in the order of expulsion.
- B. More than one of the sanctions above may be imposed for any single violation.
- C. **Disciplinary Files and Records:** Case referrals may result in a disciplinary file in the name of the respondent, which shall be voided if the respondent is found innocent of the charges. The files of respondents found guilty of any charges against them will be retained as a disciplinary record for three years from the date of the incident. In cases of expulsion, all documents related to the violation shall be maintained permanently. The case file consists of materials, which would be considered educational records per FERPA guidelines. Personal notes of College employees or complainants are not included.
- D. **Interim Suspension:** Interim suspension may be imposed: a.) to ensure the safety and well-being of members of the College community or preservation of College property; b.) to ensure the student's own physical or emotional safety and well-being; or c.) if the student poses an ongoing threat of disruption of, or interference with, the normal operations of the College. During the interim suspension, a student shall be denied access to the campus and/or off-campus sites (including classes) and/or all other College activities or privileges for which the student may be otherwise eligible, as the Vice President for Student Development and Institutional Effectiveness (VPSDIE) or her designee, may determine to be appropriate. The VPSDIE may suspend a student immediately and without prior notice, pending disciplinary or medical evaluation.

Students Rights and Responsibilities

PROCEDURES IN DISCIPLINARY PROCEEDINGS

- A. **ACADEMIC DISHONESTY:** The administration and faculty take a firm stand and maintain a united commitment in eliminating and preventing academic dishonesty among students. Each instructor must state in writing the consequences of academic dishonesty and students should have prior knowledge of the nature of penalties. Before penalties are imposed, there should be clear evidence of cheating. The instructor is required to notify the Division supervisor of the violation in writing. If the penalty represents failure in the course or seriously jeopardizes the student's attainment of a passing grade, the Division supervisor and instructor must concur on the penalty and the student shall be notified in writing and given the option of appealing the decision to the Vice President for Instruction, whose decision is final. At any point, the faculty member or the Division supervisor should consult with the AVPSD on the case. At minimum, the AVPSD shall be informed if the student is found to have committed this violation in order to support College-wide record keeping.
- B. **CONDUCT ISSUES**
1. **Disruptive Behavior During Instructional Time:** An instructor has the prerogative to suspend a student from the instructional setting for one instructional session when in the instructor's judgment such action is warranted in the best and immediate interest of instruction. If the student refuses to leave the instructional setting, College Security and the Sheriff's Office will be notified. If the student does not comply with College Security, law enforcement authorities may be notified. The instructor will notify the Division supervisor, with a copy to the AVPSD for record keeping purposes, of the disruptive behavior in writing within twenty-four hours of the incident and will discuss the suspension with the Division supervisor as soon as possible after the action occurs in an attempt to resolve the issue prior to the next instructional session. If warranted the Division supervisor may assign the student to another section of the course or provide another instructional format.

If the instructor and the Division supervisor concur that the student should not be permitted to continue participating with the instructional activity, the Division supervisor will notify the AVPSD in writing of this recommendation and the instructor will complete and submit a written incident report to the AVPSD. The AVPSD will notify the student and proceed with a Student Code violation complaint against the student. The faculty member and Division supervisor will cooperate with the AVPSD who will conduct an administrative conference as described below to

Students Rights and Responsibilities

PROCEDURES IN DISCIPLINARY PROCEEDINGS (continued)

reach resolution. The AVPSD will notify the student of the sanction in writing, with a copy to the Division supervisor.

2. **Other Types of Student Code Violations:** Alleged Student Code violations should be presented to the AVPSD, or the College Security Office in writing. Any charges should be submitted as soon as possible after the event takes place, preferably within ten (10) working days. The AVPSD will investigate the charges through interviews and documentation and will either dismiss the case or conduct an Administrative Conference with the student. If the case is dismissed after investigation, all parties will be informed in writing. If the case is not dismissed, then the AVPSD will proceed with an Administrative Conference.

Administrative Conference: If after an investigation the AVPSD, based on reasonably reliable information, believes the student may have violated one or more provisions of the Code of Conduct, the AVPSD shall issue written notice to the student briefly describing the charges and scheduling an Administrative Conference. With at least two (2) working days prior notice to the student, the AVPSD shall conduct an Administrative Conference with the student and determine the appropriate sanction or dismiss the case. If the student fails to respond or attend the Administrative Conference, the Student Code process will proceed without the student's input, including placing a Dean's hold on the student's account.

- a. **Minor Sanctions** (see description under SANCTIONS) – The AVPSD will impose such and will also notify the student of the sanction in writing. Minor sanctions may be appealed in writing within ten (10) working days to the Vice President for Student Development and Institutional Effectiveness whose decision is final.
 - b. **Major Sanctions** (see description under SANCTIONS) – If a major sanction is indicated, the AVPSD will refer the case to the Student Conduct Review Board (SCRB) for deliberation and will notify the student of the referral in writing. The referral to the SCRB shall include a citation of the section(s) of the Code of Conduct the student is charged with violating, as well as a brief statement of the facts concerning each violation.
- C. **DISCRIMINATION OR SEXUAL HARASSMENT:** If an allegation poses possible discrimination or sexual harassment issues, the AVPSD will inform and involve the Chief Human Resources Officer.

Students Rights and Responsibilities

PROCEDURES IN DISCIPLINARY PROCEEDINGS (continued)

D. VIOLATION OF LAW AND COLLEGE DISCIPLINE

1. The College reserves the right to restrict the presence of and/or expel any person who may present a threat to any student or any person who is listed on the National or Maryland Department of Public Safety and Correctional Services Sex Offender Registry or with the Harford County Child Advocacy Unit.
2. College Special Police Officers may charge or arrest students and/or report possible violations of the law to appropriate legal authorities. The College may advise off-campus authorities of the existence of the Student Code and how such matters will be handled internally within the College community. The College will cooperate fully with the law enforcement authorities and other agencies in the enforcement of civil or criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators.
3. Federal legislation authorizes the College to disclose records of disciplinary actions concerning violations of state, federal, or local laws governing the use or possession of alcohol or controlled substances, which involve dependent students who are under the age of 21. Disclosure of these types of disciplinary violations may be made to a parent or guardian.
4. The College may report general discipline information or disclose records of disciplinary proceedings to parents or legal guardians of dependent students for any Code of Conduct violation.
5. College disciplinary proceedings may be instituted against a student charged with violation of any federal, state, or local law, which is also a violation of this Student Code. Proceedings under this Student Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings on or off-campus. The outcome of the criminal proceedings will have no bearing on the HCC disciplinary proceedings.

STUDENT CONDUCT REVIEW BOARD (SCRB)

The Student Conduct Review Board (SCRB) is convened to review and take action on cases referred by the AVPSD related to student conduct violations. The SCRB shall be composed of five (5) voting members chosen from and by the College Advisory Council: one (1) full-time instructional faculty, two (2) full-time students, one (1) administrator, and one (1) staff person. The SCRB shall elect its own Chairperson who must be a College employee. The Coordinator of College Life serves in an ex-officio capacity as the

Students Rights and Responsibilities

STUDENT CONDUCT REVIEW BOARD (SCRB) (continued)

administrative coordinator and record-keeper of the SCRB. The SCRB must have five (5) members in attendance to take formal action.

DISCIPLINARY HEARING PROCESS

- A. Within five (5) working days of the Administrative Conference, the AVPSD refers the case in writing to the SCRB for review and action. The AVPSD shall act as the Charging Party to present the case to the SCRB. The AVPSD may appoint a staff member or a student to act as his or her designee in the matter.
- B. The hearing shall be held within twenty (20) working days after the AVPSD's referral to the SCRB. The parties shall receive written notice of the date at least five (5) working days in advance of the hearing.
- C. A schedule of the hearings in disciplinary proceedings shall be fixed by the SCRB Chairperson. The College and the Respondent shall have discretion to alter the schedule for good cause.
- D. Where a Respondent has been charged with multiple violations arising out of a single occurrence or a series of related offenses, a single hearing may be held on all violations. A Respondent may request a consolidated hearing of multiple violations of an unrelated nature. Where more than one Respondent is charged with a violation arising out of a single occurrence or out of connected multiple occurrences, or the same operative facts, a single hearing may be held for all Respondents charged. Such Respondents may request that their case be consolidated with others, or separated from others. The Charging Party shall have the opportunity to respond to any such requests, and the Chairperson of the SCRB shall make determinations regarding consolidation or separation.
- E. The Respondent shall have a right to reasonable access to the hearing file maintained by the Charging Party with respect to the complaint. During normal operating hours, the Respondent is permitted to review the complaint and any related documents to be presented at the hearing. If the Respondent wishes to provide access to the file to other persons, the Respondent must make the request in writing as required by FERPA. Some materials may not be disclosed to the Respondent or otherwise available for his or her review, including personal notes or statements of College staff members or complainants.
- F. Hearings shall be conducted in such a manner as to afford due process and shall be private unless the Respondent requests a public hearing or the meeting is required to be open under State Law. In hearings involving more than one individual, severance shall be allowed upon request. The Charging Party and the Respondent have the right to be assisted by an advisor who may come from within or outside of the College.

Students Rights and Responsibilities

STUDENT CONDUCT REVIEW BOARD (SCRB) (continued)

- G. Both the Charging Party and the Respondent are responsible for presenting his or her own case and, therefore, advisors are not permitted to speak or to participate directly in any hearing before the SCRB.
- H. The Charging Party, the Respondent, and the SCRB shall have the privilege of presenting witnesses. Production of records and other exhibits may be required. Prospective witnesses, other than the complainant or Respondent, may be excluded from the hearing during testimony.
- I. There shall be a single verbatim record (tape recording) of all hearings before the SCRB. The record shall be the property of the College and will be maintained in accordance with FERPA guidelines, as is applicable.
- J. All procedural questions are subject to the final decision of the Coordinator of College Life.
- K. After the hearing, the SCRB shall determine (by majority vote) whether the Respondent has violated each section of the Student Code that the Respondent is charged with violating. This determination shall be made on the basis of whether it is more likely than not that the Respondent violated the Student Code. Once the SCRB determines whether the Respondent violated each section of the Student Code he/she is charged with violating, the SCRB will (by majority vote) choose one of the four following actions: (1) dismiss the case, (2) refer the case back to the AVPSD for assignment of a minor sanction, (3) assign the major sanction of suspension, or (4) assign the major sanction of expulsion. The SCRB's decision shall be submitted in writing to the Charging Party and the Respondent within ten (10) working days from the conclusion of the hearing.
- L. No imposition of sanctions may be made solely upon the failure of the Respondent to answer the charges or appear at the hearings. In such a case, the evidence in support of the charges shall be presented and considered.
- M. An appeal of a SCRB decision by either party may be made to the Vice President for Student Development and Institutional Effectiveness in writing within ten (10) working days of the date of notice of the decision. An appeal shall be limited to a review of the full report of the SCRB for the purpose of determining whether its decision was supported by the evidence and was not arbitrary. An appeal may not result in a more severe sanction for the Respondent. The Vice President shall take one of the three following actions: (1) uphold, (2) revise, or (3) dismiss, the sanction imposed by the SCRB. The decision of the Vice President shall be final.

Students Rights and Responsibilities

STUDENT CONDUCT REVIEW BOARD (SCRB) (continued)

- N. Although SCRB proceedings are considered confidential, federal and state law permit, in some circumstances, the release of SCRB records. The decision and records of the SCRB may be disclosed to the parents or legal guardians of dependent students. In addition, the decision and records of the SCRB may be disclosed to the parents or legal guardians of any student under the age of 21 if the conduct violation involves possession or use of alcohol or a controlled substance. Finally, if the conduct violation involves any crime of violence, the decision of the SCRB may be disclosed to the victim(s) of such crime or offense. The terms used herein shall be interpreted and applied as is consistent with FERPA.

HEARING PROCEDURES

- A. The Chairperson of the SCRB shall conduct the hearing, make evidentiary rulings to ascertain that the Respondent has been duly notified of the charges, and that the parties are prepared to proceed. The Chairperson shall also administer an appropriate oath of honesty to all persons expected to be testifying at the hearing.
- B. The Charging Party shall proceed first, and may present witnesses and/or other relevant evidence in support of the charge. The Respondent shall have the right to respond and to question any witnesses presented on behalf of the Charging Party; the Charging Party shall have the right to rebuttal.
- C. After the Charging Party has concluded presenting his or her case, the Respondent shall then have the right to testify on behalf of himself or herself and shall have the right to present witnesses and other evidence. The Charging Party shall have the right to respond and to question any witnesses presented on behalf of the Respondent; the Respondent shall have the right to rebuttal.
- D. The hearings shall be conducted in accordance with the basic principles of due process afforded in administrative hearings. Only relevant testimony and evidence shall be admissible. Hearsay and circumstantial evidence are admissible. The SCRB will determine relevancy and admissibility of evidence and witnesses. Written statements or affidavits shall not be admitted into evidence unless signed under oath and witnessed by a College staff member.
- E. The SCRB shall have the right to summon witnesses and may seek disciplinary enforcement if a witness refuses to attend or testify. Should the SCRB conclude that a fair hearing cannot proceed without the testimony of a particular witness, and, after good faith attempts are made, the witness fails to appear, the hearing may be postponed until the witness is able to appear.

Students Rights and Responsibilities

STUDENT CONDUCT REVIEW BOARD (SCRB) (continued)

PROCEDURAL SAFEGUARDS

The College's disciplinary proceedings are designed to be fundamentally fair. An individual charged with a violation of the Student Code has the right to receive written notification of the time, date and place of the hearing, a written statement of the charges and their source, and access to the records of charges and other pertinent papers available to the SCRB. In addition, the Respondent:

- a) may elect not to appear, but the hearing will be held in his/her absence,
- b) may have an individual of his/her choice to advise him or her,
- c) may remain silent,
- d) will speak for himself/herself and/or may present witness(es),
- e) will receive written notification of the SCRB's decision,
- f) may appeal the SCRB's decision to the Vice President for Student Development and Institutional Effectiveness.

The burden of proof will rest upon the Charging Party (the AVPSD, or his or her designee), and a determination by the SCRB shall be made on the basis of whether it is more likely than not that the Respondent violated the Student Code as charged. All decisions will be based only on evidence presented before the SCRB.

INTERPRETATION AND REVIEW

- A. Any question of interpretation regarding the Student Code shall be referred to the AVPSD or his or her designee for final determination.
- B. Any recommendations for modifications shall be given to the Student Government Association and AVPSD and shall go through the normal channels for approval before being put into effect.

■ CONCERNING BEHAVIOR REPORTS

As members of the campus community, students have a shared ethical responsibility to report concerning behaviors they experience or observe. Concerning behaviors include emotional distress, unusual behavior, abuse of alcohol or illicit drugs, thoughts of suicide or homicide, disturbing written material, and other troubling behaviors. If you experience or you know or observe someone who exhibits any of these behaviors, it is your duty to report them on a Concerning Behavior form on OwlNet. You may also report the situation to the Associate Vice President for Student Development or designee, Student Center Room 254. Thank you for doing your part to help someone in need!

Students Rights and Responsibilities

■ CONCERNING BEHAVIOR REPORTS (continued)

While HCC does not have a counseling center, the College does have a Student Intervention and Prevention Team (SIP). Members of the SIP team will review the report and provide assistance to the student as necessary. The SIP team may meet with the student in question, assess the situation, provide resources, and/or mandate an assessment. A student who exhibits behavior that is a direct threat of harm to self or others may be temporarily suspended from HCC on an interim basis pending a disciplinary proceeding or medical evaluation.

■ COPYRIGHT INFRINGEMENT

Information regarding institutional policies and sanctions related to copyright infringement is available at the Library, **443-412-4131**, or online at www.harford.edu/library/copyright/.

■ DISABILITY SUPPORT SERVICES

Students with disabilities are encouraged to contact Disability Support Services (DSS) upon admission to the College or when considering attending the College. Qualified students with documented disabilities are provided reasonable accommodations and a variety of support services. Current documentation of the disability must be provided prior to arrangement of accommodations for the Academic Skills Assessment or College courses. Accommodations and services are determined based on the student's documented needs and an interactive process with the student and DSS staff. DSS staff are available to help any student registered with DSS assess their academic progress, learn strategies for successfully navigating the rigors of college, discover learning strengths and weaknesses, and career exploration. DSS can also provide training on the use of assistive technology and adaptive equipment. A minimum notice of two weeks may be needed to provide some accommodations. Call **443-412-2402** or TTY **443-412-2199** for information or to make an appointment.

STUDENTS WITH DISABILITIES GRIEVANCE PROCEDURE

Harford Community College has established informal and formal grievance procedures to resolve complaints regarding alleged discrimination based on a disability. HCC provides for the equitable resolution of complaints by students with disabilities alleging a violation of their rights under the Americans with Disabilities Act and Section 504 of the Rehabilitation Act. Students can begin the informal grievance process by filing a complaint in writing with the Coordinator for Disability Support and Intervention Services (**443-412-2132**). A formal grievance may be filed in writing at any time with the Chief Human Resources Officer (**443-412-2129**). An investigation into the complaint will be completed within 30 workdays for an informal grievance and 90 workdays for a formal grievance. For more information, call Disability Support Services at **443-412-2132** or TTY **443-412-2199**.

Students Rights and Responsibilities

■ DRUG AND ALCOHOL POLICY

COMPLIANCE STATEMENT

In compliance with the Drug Free Schools and Communities Act of 1989, Harford Community College's Drug and Alcohol Policy is available to all students. Details regarding the risks associated with drug and alcohol use, and a list of educational and treatment resources available on campus and in the community are available at www.harford.edu or by obtaining a copy of the Student Guide for a Drug and Alcohol Free Campus from the College Life Office.

STANDARDS OF CONDUCT

The College's policy prohibiting alcohol abuse and the illegal manufacture, distribution, dispensation, possession, or use of illicit drugs is designed to protect the health and safety of all members of the community, and to protect their rights to an environment free from the effects of substance abuse. All students are expected to attend classes, labs, and all College-sponsored activities unhindered by the influence of substances including illegal drugs, alcoholic beverages, and misused legal drugs (both prescription and over-the-counter).

The sale, distribution, use, or possession of illegal drugs on campus is a violation of federal and state laws and is prohibited at all times. Harford Community College prohibits the possession, consumption, sale, and serving of alcoholic beverages to or by students while on campus or at off-campus activities. Student Activities funds may not be used to purchase any alcoholic beverages.

Students who suspect a classmate may be under the influence or in possession of drugs or alcohol while on campus may notify a campus official, or may directly contact College Security by calling **443-412-2272**.

SANCTIONS

Students who violate the drug and alcohol policy are subject to legal sanctions upon referral to appropriate law enforcement agencies and disciplinary action by campus officials. Details regarding the specific legal consequences for violating the law due to drug possession or distribution, or for driving while under the influence of drugs or alcohol, can be found at <http://www.harford.edu/CollegeLife.drugalcohol.asp>.

Students who are convicted of violating the law by selling, distributing, using or possessing illegal drugs or alcohol on College property, or during any off-campus College-sponsored activity, will be subject to disciplinary action up to and including expulsion. The standard penalty for drug distribution or sale of illegal drugs will be expulsion, while penalties for use or possession of drugs or alcohol may include referral to Harford County Drug Abuse Services or other treatment programs.

Students Rights and Responsibilities

■ DRUG AND ALCOHOL POLICY (continued)

Students receiving federal financial aid at the time of a drug conviction may no longer be eligible to receive federal financial assistance as determined by the U.S. Department of Education. Ongoing eligibility may be contingent upon successfully completing a rehabilitation program to include random urinalysis conducted by a treatment facility.

■ EQUITY IN ATHLETICS DISCLOSURE ACT

This Act has been developed by the United States Department of Education to provide prospective student-athletes with information that can help them make decisions about their potential or continued enrollment in a postsecondary institution. Prospective and current students, and the public, can use the information to assess an institution's commitment to, and progress toward, equity in its intercollegiate athletic program. To read the Act itself, contact the Athletic Department at **443-412-2226**.

■ FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. These rights include:

- The right to inspect and review the student's education records within 45 days of the day the College receives a request for access. Students should submit to the Registration and Records Office a written request that identifies the record(s) they wish to inspect. The College official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the College official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
- The right to request an amendment of the student's education records that the student believes is inaccurate. Students should write the College official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate. If the College decides not to amend the record as requested by the student, the College will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
- The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. In order to consent to disclosure, including to parents, students must contact the Registration and Records Office to complete the FERPA release form.

Students Rights and Responsibilities

■ FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA) (continued)

- The right to file a complaint with the U.S. Department of Education concerning alleged failures by the College to comply with the requirements of FERPA.

EXCEPTIONS THAT PERMIT DISCLOSURE WITHOUT CONSENT ARE:

- To school officials with legitimate educational interests.
- To parents of a dependent student as defined by the Internal Revenue Code.
- To persons or organizations providing financial support to the student.
- To a person in response to a lawfully issued subpoena or court order.
- To persons in an emergency in order to protect the health and safety of students and other individuals.
- To other institutions in which a student is seeking to enroll or is already currently enrolled.

FERPA DIRECTORY INFORMATION

FERPA allows the College to release student directory information to anyone who requests it unless the student specifically asks that this not be done. Requests to withhold release of information must be submitted in writing to the Registration and Records Office.

INFORMATION THAT HCC CONSIDERS STUDENT DIRECTORY

information includes:

- Student Name
- Photographs
- Academic Honors and Awards
- Program of Study
- Dates of Enrollment
- Full-Time/Part-Time Status
- Degrees/Certificates Awarded
- Participation in Officially Recognized Activities and Sports

■ FINANCIAL AID

The information includes eligibility requirements, application forms and procedures, satisfactory progress standards, cost of attendance, types of financial aid programs, disbursement of funds and return of Title IV assistance. Further information is available at www.harford.edu/FinancialAid/default.asp or the Financial Aid Office in the Student Center, **443-412-2257**.

Students Rights and Responsibilities

■ FREEDOM OF EXPRESSION AND INQUIRY

Because the community college bears the responsibility for creating, nurturing and maintaining an environment conducive to the free exchange of ideas, and because the way in which a college deals with controversy in art, theater, speech, and/or with exhibits, presentations, lectures and/or performances reveals the relative status of the fine and performing arts, the sciences, humanities and related fields of academic inquiry within the college, and the attitude of the neighboring community toward the role of the college as a forum for public discourse (Lyons, 1991), HCC will provide a forum for public dialogue when controversy erupts over an exhibition, performance or presentation of material intrinsic to higher education learning.

The public should be encouraged to think of the College as a laboratory in which varying intellectual and cultural perspectives can interact.

The College will strive to foster an environment for critical dialogue concerning the above while maintaining an open relationship to the different cultural, intellectual and religious values characteristic of our pluralistic society. When learning is permitted to function in this way, it can best serve the mission of the College and the community at large (Lyons, 1991); further, campus leaders can best protect the freedom of expression for all constituencies by siding with none.

If an exhibition (or other activity) intrinsic to higher education learning becomes the focus of public controversy, the most appropriate response an academic institution can take is not to censor or attach disclaimers but to provide a forum for public dialogue about the exhibition/activity.

When the argument is asserted regarding public funding for artistic or related presentations and performances, it does not diminish (and indeed may heighten) the responsibility of the college community to ensure academic freedom and of the public to respect the integrity of academic institutions (Fantom, 1990).

■ GRIEVANCE PROCEDURE

The purpose of the General Grievance Process for Students is to provide a clearly stated, timely, and accessible method of recourse to students who feel that a particular action or series of actions on the part of a Harford Community College employee has violated accepted or stated institutional practices and standards. Student grievances appropriate to this policy include, but are not necessarily limited to:

- Contesting of grades assigned within a course for exams, written assignments, or other projects before the final grade is issued;
- Concerns regarding ethical and professional behavior of employees;
- Arbitrary application of current College policies by employees; and

Students Rights and Responsibilities

■ GRIEVANCE PROCEDURE (continued)

- Perceived violations by College employees of accepted rights of students in institutions of higher learning such as the right to free expression and the right to assemble.

This process is intended to be investigative rather than adversarial and is not to be used when the grievance involves an alleged violation of the Student Code of Conduct, Sexual Harassment policy, Nondiscrimination policy, or to appeal other institutional actions/policies which possess their own appeal process. Refer to the HCC College Catalog for these procedures.

■ INVOLUNTARY WITHDRAWAL FROM THE COLLEGE

In cases where a student is unable or unwilling to request a voluntary withdrawal from the College, and the student poses a direct threat of harm to self or others or substantially impedes the continuance of normal College functions, the College reserves the right to involuntarily withdraw such student.

■ NON-DISCRIMINATION STATEMENT

Harford Community College as an institution of higher learning believes in equal opportunity in education and in employment and promotes an atmosphere that is free from discrimination on the basis of age, color, disability, national origin, race, religion, sex, sexual orientation or any other status protected by law or policies and practices of HCC. The College's commitment to equal opportunity also extends to include participation in academic, social, cultural and athletic activities and events. The College is totally committed to a policy of nondiscrimination in employment, job assignment, promotion, and provision of employee benefits. While every student, employee and visitor retains the right to file an external complaint when he or she believes unfair practices occurred, Harford Community College provides an internal procedure for addressing such grievances.

Students who have been subjected to discriminatory actions as part of the educational process may discuss it with (1) the appropriate faculty division dean; (2) the Vice President for Student Development and Institutional Effectiveness at **443-412-2233**, or (3) the Chief Human Resources Officer (CHRO) at **443-412-2129**.

■ PERSONAL INJURY

At enrollment, students agree to assume the risks and liabilities entailed in any course requirement. The student releases and holds harmless Harford Community College, its trustees, faculties, staff, and administration from any injury sustained through his/her actions or the actions of other students enrolled in the course.

Students Rights and Responsibilities

■ PLAGIARISM

Plagiarism is a problem for students and professional writers, for it is often misunderstood and quite frequently dismissed as a minor mistake. Students who plagiarize may not only fail the assignment in question, but may also fail the course or be suspended from the institution. Professional writers pay an equally high price for such a violation—losing their position and reputation. Plagiarism—taking the words or thoughts of someone else without proper documentation—may be accidental or intentional. The key to avoiding this academic faux pas is to understand it and practice routine precautions.

TYPES OF PLAGIARISM:

- Taking the words/ideas of a source and leaving out in-text citations, page numbers (as required), or authorship;
- Altering the original meaning or integrity of a document;
- Not using proper/accurate documentation for in-text citations and resource list entries or forgetting to include a resource list for the document;
- Not using quotation marks around original material and changing some of the words in the original, but relying too heavily on the original phrasing;
- Failing to document every quoted/paraphrased source in the resource list (Works Cited - MLA or Reference - APA); and
- Buying/borrowing a paper, or part of a paper, from another person or “supplier” (Internet paper factories) and offering it as your own work.

BASIC GUIDELINES FOR AVOIDING PLAGIARISM:

- Make sure you have stayed within the guidelines of fair use—no more than 10% of the original in your paper.
- Understand the difference between “common knowledge” (what is not documented) and the specific thoughts/ideas of others; when you are uncertain, document.
- Learn the proper use of ellipsis points to indicate omitted material from quotations.
- Review your work before turning it in, making sure you have a resource list entry for each source in the paper.
- When you are uncertain about documentation, consult a current handbook, an instructor, or a librarian.

(This article was created by the 2007 Harford Community College SDIE Plagiarism Committee.)

Students Rights and Responsibilities

■ POSTING PROCEDURE

Authorized posting is permitted on designated bulletin, tack, or corkboards only. Items posted on other surfaces, such as walls and doors, will be removed. Unsolicited business advertisements and flyers may not be posted or distributed anywhere on campus and also will be removed.

Students who wish to post items without prior approval may only use the designated boards located outside the College Store and the College Life Office. This space is specifically for student notices such as textbook sales, ride sharing, etc. Please note that HCC does not accept postings for in-home services (i.e. babysitting, elder care, home improvements, etc.) and unauthorized postings will be removed.

Flyers may not be placed under car windshield wipers or any other unauthorized location. For more information, call the College Life Office at **443-412-2140**.

Safety and Security

■ CAMPUS ACCESS LIMITATIONS

In accordance with the Education Article of the Maryland Code, Section 26-102, the president or her/his written designee may deny access to the buildings or grounds of the College to any person who: (a) is not a bona fide currently registered student or is not a current employee of the College and/or who does not have lawful business to pursue at the College, or (b) is suspended or expelled, or (c) acts in a disruptive manner. All employees, students, and visitors must present a College I.D. or State issued photo I.D. upon request from any College Official or authorized security representative for the College.

All persons attending classes must be officially registered for those classes. Children (ages 12 and under) are not to be left unattended at anytime, under any circumstances.

Students are permitted on the campus during the hours of 6:30 a.m. to 11 p.m. and within College facilities during scheduled hours of operation but only for sanctioned College events and activities, including classroom instruction. Student are not permitted on campus from 11 p.m. to 6:30 a.m. year round, and are not permitted on campus at any time when the College is officially closed per the academic calendar and during periods of emergency closure, such as inclement weather events. Exceptions to the access restrictions must be preauthorized by a College official and communicated in advance to College Security.