

STUDENT RIGHTS, RESPONSIBILITIES AND CONDUCT

Code for Student Rights, Responsibilities and Conduct

I. 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 community. Freedom carries responsibilities; chief among these is respect for the rights and values of others. To provide and preserve this freedom and promote safety, security and overall well-being on the HCC campus and at College-sponsored and College-supervised functions, this Student Code was developed by a committee of students, faculty, staff, and administrators and is reviewed annually to ensure consistency with best practices and strategic priorities of the College.

Within the College community, individuals are accorded respect in an academic environment that is conducive to learning, fosters student development, and is free from discrimination on the basis of race, color, religion, sex, national origin, age, status as an individual with a disability, veteran, sexual orientation, gender identity, marital status, or any other characteristic protected by law or by the policies and practices of HCC. All students and student organizations are expected to exhibit and practice professional behavior and model good citizenship when participating in instructional settings, during classroom instruction, field experiences, internships, athletic and cultural events, co-op assignments, and other related College endeavors. Such behavior includes but is not limited to appropriate dress, oral and written remarks/statements, and general conduct, as well as the off-site use of social networking sites and other computer-aided communications, 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. At HCC, we strive to deliver a student discipline process that is educational. This Student Code is designed to provide educational guidance to assist in developing good citizens and to respond appropriately to behavior that interferes with the learning environment. Whenever possible, sanctions serve as a means to educate students about their mistakes and how to become better citizens. It is our responsibility to help students make better decisions in the future and to help them avoid repeating their mistakes. 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 Student Code outlines clear expectations of students as members of the College community, unacceptable behavior that may result in disciplinary action, and sanctions and disciplinary proceedings utilized when the Student Code is not observed. Although HCC will make every effort to make the published Student Code available to students and student organizations, students and student organizations are equally responsible for becoming familiar with the expectations, policies, and procedures contained in the Student Code.

II. Definitions

When used in this Code:

- A. **"Administrative Conference"** provides the opportunity for the Student Conduct Official or designee and the Respondent to review the alleged violation(s), provide an explanation of the disciplinary process, review the Respondent's history at the College, review the Respondent's account of the situation and any relevant facts, and discuss the options for resolution.
- B. **"College"** means Harford Community College and, collectively, those responsible for its control and operation.
- C. **"College community"** means the College and all persons who are students, instructors, and employees of the College.
- D. **"College official"** means all College employees and authorized Public Safety representatives for the College.
- E. **"Complainant"** means the person who makes a referral of an alleged violation of the Student Code.
- F. **"Dean's Hold"** means a hold that is placed on a student's record that will prevent the student from making any registration and records transactions with the College, including registering for courses and requesting a transcript.
- G. **"Electronic Communication"** means a communication transmitted by means of:
 - (a.) an electronic device, including but not limited to a telephone, cellular phone, computer, or pager, and/or
 - (b.) the internet or any social networking or social media websites. This includes the transmission of photographs and audio files.
- H. **"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.
- I. **"May"** is used in the discretionary sense.
- J. **"Medical evaluation"** means a medical or mental health assessment completed by a qualified physician or psychologist approved by HCC indicating the student's ability to safely participate in activities at the College.
- K. **"Records"** are those records directly related to a student and maintained by the College or by a party acting for the College. Where appropriate, student records subject to federal educational records privacy laws will be identified as such.
- L. **"Registered Student Organization (RSO)"** means a group of students who participate in an organization officially recognized by Student Activities.
- M. **"Respondent"** means a student who allegedly violated this Student Code.
- N. **"Shall"** is used in the mandatory sense.
- O. **"Student"** refers to any person who is registered for credit or community education courses on a full-time or part-time basis.
- P. **"Student Conduct Review Board (SCRB)"** is the group of College persons that is convened to review and take action on cases referred by the Student Conduct Official.
- Q. **"Student Conduct Official"** means the Student Conduct and Intervention Specialist or her/his designee who is authorized to impose sanctions upon any student(s) found to have violated the Student Code and refer cases to the SCR.B.

- R. **"Team"** means a group of students participating in organized athletic activities who are officially recognized by College Athletics.
- S. **"Title IX" states** No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance" (Title IX of the Education Amendments of 1972 Implementing Regulations at: 20 U.A.S.C § 1681 & 34 C.F.R. Part 106).
- T. **"Title IX Coordinator"** is the person who oversees compliance with Title IX regulations.
- U. **"Vice President for Student Success (VPSS)"** is the person who is responsible for invoking an interim suspension when necessary and also handles Student Code appeals.
- V. **"Work day"** means a day when the College is open and does not include weekends or holidays when the College is closed.

III. Jurisdiction

- A. The Student Code and all College policies, procedures, practices, or related rules and regulations apply to conduct that occurs on campus, at all College-sponsored and College-supervised functions regardless of location, and to off-campus conduct that adversely affects the College, the College Community, and/or the pursuit of the College's objectives. As noted herein, the mere fact that conduct occurs off-campus and/or after hours when classes are not in session does not remove such conduct from the scope of this Student Code, particularly where such conduct has a negative impact upon teaching and learning within the College.
- B. All students are subject to the Student Code. Students are responsible for reading the Student Code. Ignorance of its content does not negate a student's responsibility.
- C. Registered Student Organizations (RSOs) and Teams may be charged with violations of this Student Code. A RSO and its officers and members of a Team and its captains and players may be held collectively and individually responsible for violations of this Student Code by those associated with the RSO or Team, where there is evidence that such violations were committed with the consent or encouragement of the RSO's leaders or officers or the Team's captains.
- D. All persons, including family members of students, and other guests of students, are required to abide by all College policies, procedures, practices, and related rules, regulations, and laws, while on- or off-campus at all College-supervised and all College-sponsored functions. The College reserves the right to deny any person entrance to the College or to remove any person from the buildings or grounds of the College who poses a risk of harm to our students, employees, other visitors, or property.
- E. The College prohibits the enrollment of 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. Students who are placed on such registries are expected to inform the College of such placement as soon as they become aware of their status. A student who withholds such information from the College shall, upon discovery, be promptly withdrawn from all classes and subject to disciplinary action.

IV. Rights and Responsibilities

A. Freedom of Assembly

The College guarantees to students the rights to free inquiry, expression, and assembly while on campus or while attending College-sponsored or College-supervised activities, subject to requirements of this Student Code and those governing the use of College facilities and grounds. The College reserves the right to determine the time, place, and manner of any such assembly or demonstration so as to ensure the peace and safety of its campus, while at the same time respecting the right of free speech of its students. While the College cannot anticipate that every assembly of students is planned in advance, Students who expect to engage in peaceful assembly or demonstration on campus must file a "Student Free Speech and Peaceful Assembly Form" with the Office of Student Life. This form should be filed at a reasonable time in advance of the expected event so as to allow the College to take appropriate action to ensure the peace, safety, and order of its campus. Advocacy of any cause and peaceful assembly and demonstration are permitted within the College subject to the following regulations:

1. order and safety of persons 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; and
4. activities may not be of an illegal, violent, threatening, obscene, or hazardous nature.

B. Freedom of Expression

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. Where there are 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, whose decision shall be given appropriate deference by the College.

C. Freedom of Association

Students are free to organize and join organizations and groups to promote any legal purpose, whether it is religious, political, educational, recreational, or social. Registered Student Organizations (RSO) may invite speakers to campus provided that they follow the requirements for use of HCC facilities, and provided that the event is compatible with the policies of the College, with prior approval of the Director for Student Life and the RSO's advisor. The RSO must make 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.

V. Prohibited Conduct

Students found to have committed or attempted to commit any of the following types of misconduct are subject to disciplinary action. This list of violations is intended to provide students with general notice of the types of behavior prohibited by this Student Code, and it is not meant to be an all-inclusive list of every possible violation.

- A. Failure of students to possess HCC student identification card; failure to furnish said identification upon the request of a College official; or forgery, alteration, or misuse of said identification (including possessing and/or using or attempting to use another student's ID card). Failure of community education students to possess photo identification or failure to furnish said identification upon the request of a College official, or a forgery, alteration, or misuse of said identification (including possessing and/or using or attempting to use another student's ID card);
- B. Failure to comply with directions of College officials acting in the performance of their duties;
- C. Intentionally providing false information to a College official, which includes lying, or on any College application, transcript, or other records; or forgery, alteration, or misuse of any College record, regardless of when the College learns of such forgery, alteration, or misuse.
- D. Academic dishonesty, such as:
 - 1. Cheating, which includes but is not limited to knowingly using or attempting to use:
 - a. any form of unauthorized assistance in taking quizzes, tests, or examinations,
 - b. any unauthorized materials, equipment, devices, information, sources, or study aids in carrying out any assignment; and
 - c. behavior specifically prohibited by the Instructor in the course syllabus or class discussion;
 - 2. Fabrication, which means intentional and unauthorized falsification or invention of any information or citation in any assignment or 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 includes but is not limited to knowingly representing the work of another as one's own; or
 - 5. Copyright infringement, which means copying or downloading the work of another and distributing or displaying to others without the creator's permission, unless such copying is determined to be permissible fair use within the meaning of the Technology, Education and Copyright Harmonization Act of 2002 ("The TEACH Act");
- E. 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;
- F. Participating in an on-campus or off-campus demonstration, riot, or activity that disrupts the normal operations of the College, adversely affects the College, and/or infringes on the rights of other members of the College community; and leading or inciting others to disrupt scheduled and/or normal activities on the HCC campus and at College-sponsored and College-supervised functions;
- G. Obstructing or restraining the movement and passage of persons and/or vehicles;
- H. All forms of violence; threatening or seriously intimidating behavior; verbal/non-verbal harassment; physical abuse; verbal abuse; bullying (including cyber-bullying); harassment based upon an actual or perceived characteristic including race, color, religion, sex, national origin, age, status as an individual with a disability, veteran, sexual orientation, gender identity, marital status or any other characteristic protected by law or by the policies and practices of HCC; sexual assault, coercion, domestic violence, dating violence, stalking; and/or other conduct that threatens or endangers the health or safety of any persons;
- I. Intentional conduct including unwanted verbal, physical, or written conduct or intentional electronic communication that creates a hostile educational environment by substantially interfering with a student's educational benefits, opportunities, or performance, or with a student's physical or psychological well-being. The conduct is motivated by an actual or a perceived personal characteristic including race, national origin, marital status, sex, sexual orientation, gender identity, religion, ancestry, physical attributes, socioeconomic status, familial status, or physical or mental ability or disability or is threatening or seriously intimidating;
- J. Stealing, concealing, defacing, damaging, or misusing College property; or any property associated with a College activity; or the property of a member of the College community or campus visitor; or unauthorized possession of College property;
- K. 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 a College official;
- L. Attending an instructional session without properly registering or without the express permission of the Instructor, or bringing unregistered visitors, including children, to an instructional setting;
- M. Leaving a child for whom you are responsible (ages 12 and under) unattended at anytime while on campus or at a College-sponsored or College-supervised event;
- N. Possession, consumption, sale, and serving of alcoholic beverages on campus or at any College-sponsored or College-supervised activity, except as expressly permitted in writing by the College;
- O. Sale, distribution, use, or possession of illegal drugs or controlled dangerous substances as defined by Maryland law except as expressly permitted by law, including cannabis. Although Maryland state law permits the use of medical marijuana by persons possessing lawfully issued medical marijuana cards and the use and possession of a certain quantity of cannabis by an individual who is at least 21 years old; federal laws, including The Drug-Free Schools and Communities Act Amendments of 1989, prohibit marijuana use, possession, and/or cultivation at educational institutions;
- P. Being under the influence of alcohol or illegal drugs, including cannabis. Although Maryland state law permits the use of medical marijuana by persons possessing lawfully issued medical marijuana cards and the use and possession of a certain quantity of cannabis by an individual who is at least 21 years old; federal laws, including The Drug-Free Schools and Communities Act Amendments of 1989, prohibit marijuana use, possession, and/or cultivation at educational institutions;
- Q. Gambling, disorderly conduct, or lewd or obscene conduct or expression;
- R. Possession or use of firearms, explosives, knives, or any other dangerous or deadly weapon [including multi-tools], or

dangerous chemicals on campus or at any College-sponsored or College-supervised function, except as expressly permitted in writing by the College. An item designed to look like a weapon, or an item that is used by a student in a manner that harms, threatens, or causes fear to others, is included within the definition of weapon;

- S. Use of any type of any tobacco product, smoking device or equipment, or any item that simulates smoking is prohibited in all buildings and areas of the campus and off-campus sites supervised by the College (including parking lots and personal vehicles);
- T. Using electronic or other devices to audio or video record any person, while on HCC campus or at College-supervised or College-sponsored activities, without his/her prior knowledge or effective consent. This prohibited conduct includes secretly taking pictures of another person in a locker room or restroom and audio recording or filming classroom activities, including lectures without the Instructor's permission and lectures shall not be republished or posted without an Instructor's consent;
- U. No student may recklessly or intentionally participate in, do an act or create a situation that subjects a student to the risk of serious bodily injury initiation into any student organization, regardless of whether such organization is sponsored by HCC.
- V. Violation of any College policy, rule, or regulation.
- W. Violation of any federal, state, or local law.

VI. Student Code Procedures

(In cases involving Title IX or other discrimination allegations, the Title IX Coordinator and/or the Director of Human Resources and Employee Development will be part of the investigation and decision making process. The Sexual Misconduct Procedures will be followed in cases involving Title IX allegations.)

- A. **Filing a Complaint:** Any member of the College community may file a complaint against any student for violation of the Student Code. The complaint should be filed online via the *Referral Form for Code of Conduct Violation* on OwlNet as soon as possible after the event, preferably within ten (10) work days of the incident giving rise to the Complaint. Anonymous complaints will not be processed. The Complainant is encouraged to submit any supporting documentation as an attachment to the online *Referral Form for Code of Conduct Violation*.
- B. **Investigation:** The Student Conduct Official (SCO) will investigate the allegations through interviews and documentation, including examination by HCC's IT department of digital information provided to him/her, in order to determine if there is a reasonable basis to believe that a violation may have occurred. If there is no basis for the Complaint, it will be dismissed. If the case is not dismissed, then the SCO will proceed with an Administrative Conference.
- C. **Notification:** If after an investigation the SCO, based on reasonably reliable information, believes the Student may have violated one or more provisions of the Student Code, the SCO shall issue written notice to the Student, thereafter referred to as Respondent. The notice will be sent to the Respondent via his/her College email account, via a personal email address provided to the College, or via certified mail to his/her address of record when necessary. Students are expected to check their email/mail on a frequent and consistent basis as certain communications from the College may be time-critical. Failing to read your email or mail does not negate your responsibility.

Notice will be provided at least two (2) work days prior to the Administrative Conference. The notice will describe the alleged violation(s), directions for the Respondent to schedule a meeting, and consequences for failing to respond to the notice.

- D. **Administrative Conference:** The SCO, who may be assisted by another College official, shall conduct an Administrative Conference with the Respondent. This conference is the opportunity to review the alleged violation(s) and evidence against the Respondent, provide an explanation of the disciplinary process, review the Respondent's history at the College, review the Respondent's account of the situation and any relevant facts, and discuss the options for resolution.
- E. **Failure to Comply:** Failure to attend the Administrative Conference will result in an additional violation (i.e., failure to comply with directions of College officials acting in the performance of their duties); and/or may result in a decision about the Complaint and sanction without the Respondent's input; and/or a dean's hold will be placed on the Respondent's account. The dean's hold will prevent the Respondent from further records and registration transactions with the College. A Respondent who has been charged with an alleged violation(s) and who withdraws from the College or stops attending before the disciplinary process is completed will be required to complete the disciplinary process upon re-enrollment to the College or before obtaining any education records, including transcripts.

F. Violation of Law:

1. The Department of Public Safety may charge or arrest students and/or report possible violations of the law (including, but not limited to, violence or threats of violence) 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 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.
2. 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.
3. If a student is arrested for committing or threatening to commit an act of violence (<https://mgaleg.maryland.gov/mgaweb/Laws/StatuteText/?article=gcr§ion=14-101&enactments=false>), he/she will immediately be placed on Interim Suspension.

G. Decision:

1. Student Conduct Official (SCO)
 - a. In cases where the SCO determines that the Respondent did not violate the Student Code, the Respondent will receive written notice that s/he is found not responsible, no further

action is needed, and no official disciplinary file will be maintained.

- b. In cases where the SCO determines that it is more likely than not, using the preponderance of evidence standard, that the Respondent did violate the Student Code, s/he will also decide the appropriate sanction. The severity of the violation, prior disciplinary history, and other relevant circumstances will be considered in determining the appropriate resolution. If it is determined that the Respondent is responsible for the violation, the SCO will notify the Respondent in writing.

2. Student Conduct Review Board (SCRB)

- a. In cases where the SCO determines that the sanction for the violation may be suspension from the College, expulsion, revocation of admission, credit or degree, or withholding a degree, the SCO will refer the case to the SCRB for review and action. The SCRB shall be comprised of three (3) voting members to include: the Associate Vice President for Human Resources and Employee Development, or designee; the Director for Financial Aid, or designee; and the Vice President for Academic Affairs, or designee. The SCO will provide the student with information, in writing, regarding the date, time, and location of the SCRB hearing, as well as his/her rights and responsibilities during the SCRB hearing. If the SCRB determines that the Respondent did violate the Student Code, it will recommend sanction(s) to the SCO, who will notify the Respondent of the sanction in writing.

H. Appeals:

1. If the Respondent chooses to appeal the decision in the case and/or the assigned sanction as a result of the student code violation, the respondent must appeal by submitting the Student Conduct Appeal Form to the Vice President for Student Success (VPSS), or designee, within ten (10) workdays of the date of issuance of the outcome letter. The Student Conduct Official's (SCO) decision is considered final if an appeal is not submitted within the specified 10-workdays time frame. Once submitted, the appeal gets routed to the Vice President for Student Success, or designee. The VPSS, or designee, will submit the decision within 15 workdays of receipt of the Student Conduct Appeal Form.
2. An appeal is not a rehearing of the case or a new Administrative Conference. The VPSS, or designee, will only review to determine whether there were procedural irregularities that significantly affected the outcome, whether the sanctions(s) imposed were appropriate, and/or whether new information should be considered by the VPSS, or designee. Minor deviations from designated procedures will not be

a basis for supporting an appeal unless there is adverse effect on the outcome of the Administrative Conference.

3. While an appeal is pending, the Respondent must comply with all sanctions from the SCO's decision, unless otherwise specified by the SCO.
4. The VPSS's, or designee's, decision is final.

I. Files and Records:

1. Complaints will result in a disciplinary file in the name of the Respondent. If the Respondent is found not responsible for the charges, no official disciplinary record will be maintained. The files of Respondents found responsible for 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 as a permanent record.

The disciplinary record includes notice of charges, evidence of the charges, notice of administrative conference date and/or Student Conduct Review Board date, notice of sanctions, copy of complaint, appeal correspondence, and transcript of hearing (if applicable). The disciplinary record will be maintained in accordance with Family Educational Rights and Privacy Act ("FERPA") guidelines. A Student shall have the right to appeal the placement of information in his/her record pursuant to the rights afforded the Student under ("FERPA"), specifically 20 U.S.C. Section 1232g(a) (2). This means the right to contest the information being placed in his/her student record through an appeal to the Registrar, which shall be limited to the issue of whether the contested record is inaccurate, misleading, or otherwise in violation of the privacy rights of the student. Also in accordance with FERPA, students (or parents, as the case may be) shall have the opportunity to insert into such record(s) a written explanation regarding the content of such record(s).

2. The College may release information to parents or legal guardians of a Student under age 21 when the College determines that the Student has violated any local, state, or federal laws or campus policy regarding the use of alcohol or other drugs.
3. The College may disclose the decision of disciplinary proceedings to the victim(s) when a Student is found responsible for a crime of violence (<https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText/?article=gcr§ion=14-101&enactments=false>). The disclosure will include the name of the Student, the violation committed, and any sanction imposed by the College against the Student who committed such violation.
4. The College may report general discipline information or disclose records of disciplinary proceedings to parents or legal guardians of dependent Students (within the meaning of the federal Internal Revenue Code) for any Student Code violation.

5. A student may request that his or her disciplinary record be expunged one year after the date of the incident, but prior to the automatic three (3) year purge date. In order to request to have a record expunged, the student must have completed any/all sanction requirements and not have had any subsequent violations. To request the expungement of a disciplinary record, a Student must complete the Student Request for Expungement of Disciplinary Record Form. If the request is granted by the Vice President for Student Success, the disciplinary record is destroyed and the student is deemed to have no disciplinary record with the College. Students who have been expelled from the College may not request to have a disciplinary record expunged.

VII. Sanctions

The following formal disciplinary actions may be imposed upon Students. More than one of the sanctions below may be imposed for any single violation.

A. Sanctions

1. *Warning:* Notice, orally or in writing that a Student is violating or has violated any College policy, rule, or regulation.
2. *Educational Project:* This sanction requires a Student to complete a specific educational assignment as determined by the Student Conduct Official or his/her designee.
3. *Campus and/or Community Service:* This sanction requires a Student to perform a specified number of service hours. The Student Conduct Official or his/her designee shall determine the specific assignment.
4. *Restitution:* Reimbursement for loss, damage or injury. This may take the form of appropriate service and/or monetary material replacement.
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. *Loss of Privileges:* The Student is excluded from participation in privileged or extracurricular institutional activities, including intercollegiate athletics, registered student organizations, access to campus facilities, and loss of campus employment opportunities for a specified period of time.
8. *Suspension from Course(s):* Separation of the Student from participation in particular course(s) for a period of time not to exceed one semester.
9. *Suspension from the College:* Separation of the Student from the College for a specified period of time, after which the student is eligible to return. Conditions for readmission may be specified.
10. *Expulsion from the College:* Permanent separation of the Student from the College.
11. *Revocation of Admission, Credit, and/or Degree:* Admission to, credit earned, or a degree awarded

from the College may be revoked for fraud, misrepresentation, or other violation of College standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.

12. *Withholding Degree:* The College may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Code, including the completion of all sanctions imposed, if any.

B. Interim Suspension

The College retains the authority to impose an interim suspension, prior to a resolution of the charges against the Respondent, if such action is necessary to

- a. to preserve the safety of persons or property and/or
- b. if the student poses an ongoing threat of disruption of, or interference with, the normal operations of the College.

During the interim suspension, a Respondent 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 Respondent may be otherwise eligible, as the Vice President for Student Success (VPSS) or his/her designee, may determine to be appropriate. The Respondent will immediately be notified of the interim suspension and may request an interim suspension review within two (2) work days of the effective date of the interim suspension notice. The interim suspension notice will contain instructions for how to request a review. During the review, the Respondent will be given an opportunity to demonstrate why his or her continued presence on campus does not constitute a threat to the campus community or to the continuance of normal College functions. Following the interim suspension review, the VPSS will make an administrative decision to either continue or cancel the interim suspension. An interim suspension will remain in effect until:

1. a final decision has been made concerning the alleged Student Code violation(s), and/or
2. the VPSS determines that the reasons for imposing the interim suspension no longer exist.

As part of the interim suspension process, the Respondent may be required to submit to an immediate medical evaluation.

A Respondent placed on interim suspension that is unable to complete course work for the semester in which the interim suspension was issued may be withdrawn and assigned a grade of "W".

VIII. Procedures for Academic Dishonesty and Disruptive Behavior During Instructional Time

A. Academic Dishonesty

The administration and faculty take a firm stand and maintain a united commitment to eliminating and preventing academic dishonesty among students. Each instructor must state in the syllabus consequences of academic dishonesty to provide students with knowledge of the nature of the penalties. Before penalties are imposed, there should be clear evidence of a violation of academic dishonesty. At any point, the faculty member and/or the division dean may consult with the Student Conduct Official concerning the facts of the situation. The

instructor must notify the student in writing of the incident and the associated academic penalty(ies), the student's right to appeal via the Student Academic Dishonesty Appeal Form, and notify the division dean in writing of the violation and associated academic penalty(ies).

After the appeal period, if the student does not appeal the allegation or the student was found responsible for engaging in academic dishonesty, the instructor must submit the Referral Form for Code of Conduct Violation (https://cm.maxient.com/reportingform.php?HarfordCC&layout_id=14). For the first offense of academic dishonesty, the student will receive official notification from the Student Conduct Official of the violation. That notification will warn the student that any future acts of academic dishonesty will go through the Student Conduct Process, which may result in disciplinary sanction(s) in addition to any academic penalty(ies) assigned by the instructor and will inform the student of the right to appeal the disciplinary sanction.

All files and/or disciplinary records will be maintained in accordance with the Files and Records section of this Code of Conduct.

A. Disruptive Behavior During Instructional Time

The College 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.

The College further acknowledges that Students can best learn in an atmosphere free of disruption, distraction, or misconduct and instructors shall address behavioral issues as they arise. In situations where a Student continues to exhibit disruptive behavior despite Instructor intervention or a Student exhibits behavior that seriously disrupts the learning environment, the Instructor has the prerogative to dismiss the Student for one instructional session when in the Instructor's judgment such action is warranted in the best and immediate interest of instruction.

In cases where the Student willingly leaves the instructional setting without further incident, the Instructor notifies the Division supervisor of the incident in writing within twenty-four (24) hours and submits referral to the Student Conduct Official for record keeping purposes. The Division supervisor, with or without the Instructor, meets with the Student to discuss the situation and review expectations.

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 Student Conduct Official in writing of this recommendation and the Instructor will complete and submit an additional referral online via the *Referral Form for Code of Conduct Violation* on OwlNet. The Student Conduct Official 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 Student Conduct Official, who will conduct an administrative conference for the purpose of reaching a resolution. The Student Conduct Official will notify the Student of the sanction in writing, or refer the matter to the SCRB, with a copy to the Division supervisor.

If the Student refuses to leave the instructional setting, the Instructor shall call the Department of Public Safety immediately and a student conduct violation will result. Law enforcement authorities may be notified if the Student does not comply with the

Department of Public Safety. The Instructor will notify the Division supervisor of the disruptive behavior in writing within twenty-four (24) hours of the incident and submit a referral via the *Referral Form for Code of Conduct Violation* on OwlNet. The SCO will begin the Student Code process and if warranted, the Division supervisor may assign the Student to another section of the course or provide another instructional format.

IX. Interpretation and Review

- A. Any question of interpretation regarding the Student Code shall be referred to the Student Conduct Official or his or her designee for final determination.
- B. The Student Code shall be reviewed periodically under the direction of the Vice President for Student Success, or her/his designee.
- C. Any recommendations for modifications of this Student Code shall be given to the Student Conduct Official and shall go through the College's governance process for input before being put into effect, when applicable.

Adapted from Stoner, II, E.N. (2008). Revising Your Student Conduct Code. In Student Conduct Practice: The Complete Guide for Student Affairs Professionals (pp. 46-70). Sterling, VA: Lancaster and Waryold. Adapted from Stoner, E. (2008). A Twenty-First Century Model Student Conduct Code. Sterling, VA: Stylus Publishing. Adapted from The NCHERM Group Model Code Project, September 2013.

Student Grievance Process

Student Concerns About Athletic Programs and Activities

I. PURPOSE: The purpose of the Athletic Grievance Policy for Students is to affirm a clearly stated, confidential, timely, and accessible method of recourse for students who feel that a particular action or series of actions on the part of the Harford Community College Fighting Owls Athletics program has violated reasonable, accepted, or stated program or institutional practices and standards. Any form of retaliation or discrimination against students who file a grievance related to this policy is strictly prohibited by Harford Community College and the Fighting Owls Athletics program. Student grievances appropriate to this policy include, but are not limited to:

- Concerns regarding ethical or professional behavior of Fighting Owls Athletics program coaches, staff, administrators, athletes, or related personnel;
- Concerns regarding arbitrary or unreasonable applications of the current program or institutional policies; and
- Concerns regarding perceived violations of accepted rights of students at institutions of higher learning (such as the right to free expression and the right to assemble) by Fighting Owls Athletics program coaches, staff, administrators, athletes, or related personnel.

II. POSTING AND DISTRIBUTION OF POLICY: This policy and associated procedures will be posted in the academic catalog on the College's website (harford.edu), in the student portal (OwlNet), in the Student Athlete Handbook, and on the website for the Athletics Department (harfordathletics.com). The College will inform all students who participate in athletic programs or activities about this policy and ensure they have access to an electronic or paper copy of the policy.

III. REPORT TO THE MARYLAND COMMISSION ON HIGHER EDUCATION: As required by the Maryland State Code, beginning on or before August 1, 2020, and every year thereafter, the College will report to the Maryland Commission on Higher Education the number of students who shared concerns under the College's policy during the immediately preceding fiscal year.

IV. QUESTIONS ABOUT THE POLICY: Questions about the policy can be addressed to the Associate Vice President for Student Development by calling 443-412-2142 or emailing studentaffairs@harford.edu.

Complete and submit the Student Concerns about Athletic Programs and Activities (https://cm.maxient.com/reportingform.php?HarfordCC&layout_id=7) form. This written documentation allows for clarity and consistency in reviewing each particular situation.

Student Grievance Process

The purpose of the Student Grievance Policy 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 Harford Community College or its employees has violated reasonable, accepted, or stated institutional practices and standards. Student grievances appropriate to this policy include, but are not necessarily limited to:

- concerns regarding ethical or professional behavior of employees;
- arbitrary or unreasonable application of current College policies; and
- 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; and,
- Perceived denial of reasonable academic accommodations to practice sincerely held faith-based or religious beliefs.

The process associated with this policy 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 and Discrimination Policy, Nondiscrimination Policy, Change of Final Grade, or to appeal other institutional actions/policies which possess their own appeal process. Refer to the HCC College Catalog for these procedures. Students may consult with the Associate Vice President for Student Development (443-412-2142) to clarify issues involved and identify the appropriate system for redress of the grievance.

Complete and submit the Student Grievance Process (https://cm.maxient.com/reportingform.php?HarfordCC&layout_id=4) form. This written documentation allows for clarity and consistency in reviewing each particular situation.

Student Grievance Process for Out-of-State Students

Harford Community College is committed to providing clearly stated, timely, and accessible methods for resolving student grievances. Students who attend Harford Community College, but reside outside of Maryland should follow Harford Community College's established student grievance process (<https://catalog.harford.edu/student-rights-responsibilities-conduct/>) in order to file a grievance. Students should file a complaint with the NC-SARA State Portal Entity for Maryland (<http://nc-sara.org/content/state-portal-entity-contacts/>) in the event that the College's grievance process has been exhausted and the student remains unsatisfied with the outcome. The NC-SARA Complaint Process (http://mhcc.maryland.gov/institutions_training/Pages/acadaff/sara.aspx) for Maryland can be downloaded from the Maryland Higher Education Commission website. Complaints regarding student grades or conduct violations are governed by the institution and the laws of the institution's

home state. The NC-SARA process does not affect grading policies or conduct violations appeals. For more information about NC-SARA, please visit the NC-SARA website.

To file complaints or make other contact with applicable regulatory agencies, contact the Maryland Attorney General's Office (<http://www.marylandattorneygeneral.gov/>).

Students who are residents of California, a non-NC-SARA state, and who are engaged in distance education with Harford Community College should contact their home state's educational agency (<http://www.sheeo.org/>) for information on how to file a complaint.

Student Privacy Information

It is the policy of Harford Community College to protect the confidentiality of student education records by complying with the Family Educational Rights and Privacy Act (FERPA) of 1974, as amended, in addition to all other relevant local, state, and federal privacy guidelines and regulations. The Board appoints the College Registrar as the custodian of records, who will develop, implement, and maintain the relevant processes and procedures, including defining directory information that may be shared without the written consent of students. The College shall:

- I. Document these processes and procedures in the Academic Catalog;
- II. Provide annual disclosure to students; and
- III. Train College employees on current policies, processes, and procedures related to student privacy.

Family Education 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.

- 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. The name and address of the office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Ave., S.W.
Washington, D.C. 20202-5920

Exceptions that may permit disclosure without written consent are:

- To school officials with legitimate educational interests. A school official is a person employed by the College in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel); a person or company with whom the College has contracted (such as an attorney, auditor, collection agent, or psychological service); a person serving on the Board of Trustees; organizations conducting studies in order to improve instruction; or a student serving on an official committee or assisting another school official in performing his or her tasks.
- 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, is already currently enrolled, or has previously been 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

Solomon Amendment

The Solomon Amendment is a federal law that mandates that institutions receiving federal funding must give military recruiters access to campus and to lists of students, including personally identifiable student information. The Solomon Amendment supersedes FERPA.

For more information regarding FERPA, please contact the Registration and Records Office at 443-412-2222.