



NPRC-3235: Behavioral Code of Conduct for Students
Origination: 6-21-2018
Approved: 09-21-2018
Effective: 09-21-2018
Reviewed:
Updated:

Subject: Behavioral Code of Conduct for Students

1. PURPOSE

The purpose of the Behavioral Code of Conduct for Students is to communicate the expectations for personal conduct and behavior to the college community and to students in their interactions with other students, instructors, staff, and administrators of Northern Pennsylvania Regional College.

2. SCOPE AND APPLICABILITY

This policy is applicable to all students of Northern Pennsylvania Regional College, all visitors of the College or its instructional sites, and all guests who are present at any college-related activity.

3. REFERENCES

3.1 INDX-0010 Master Policy Index

3.2 NPRC-3225 Academic Code of Conduct for Students

3.3 NPRC-3230 Drug and Alcohol Use

3.4 Community College of Allegheny County,
<https://www.ccac.edu/search/?searchtext=student+code+of+behavioral+conduct>

3.5 U.S. Equal Employment Opportunity Commission, Sexual Harassment,
https://www.eeoc.gov/laws/types/sexual_harassment.cfm

4. DEFINITIONS

4.1 A student is any individual enrolled in any course(s) of instruction offered by Northern Pennsylvania Regional College.

- 4.2 Hazing is the imposition of any task or behavior on an individual that causes physical or emotional distress to that individual to gain acceptance into a group or activity sanctioned by the College. Hazing includes, but is not limited to, physical abuse; exposure to extreme temperatures; forcible consumption of liquids or solids; excessive mental stress; sleep deprivation; verbal abuse; or subservience.
- 4.3 Stalking is repetitive, menacing pursuit, following, harassment, or interference with the peace or safety of a member of the community or any of the immediate family members of the community through face-to-face or electronic means, including, but not limited to, text messaging or use of social media.
- 4.4 A Hostile Environment includes any situation in which there is harassing conduct that is sufficiently severe, pervasive, and objectively offensive that it alters the conditions of the college environment or its activities, from the perspective of an alleged victim's and a reasonable person's viewpoint.
- 4.5 Sexual misconduct includes sexual harassment; non-consensual sexual intercourse or sexual contact or attempts to commit same; and sexual exploitation.
- 4.5.1 Sexual harassment is unwelcome, verbal or physical conduct related to the sex or gender-identity of a person which is sufficiently severe, pervasive, and objectively offensive that unreasonably interferes with or deprives someone of access, benefits, or opportunities provided by the College. Sexual harassment includes, but is not limited to, unwelcome sexual advances or requests for sexual favors.
- 4.5.1.1 Quid Pro Quo exists when there are unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature and submission to or rejection of such conduct results in action which adversely affects the outcome of the college environment or activity.
- 4.5.1.2 Retaliatory Sexual Harassment is any action taken against a person because of the person's participation in a complaint or investigation of discrimination or sexual misconduct such that the action adversely affects the outcome of the college environment or activity.
- 4.5.2 Non-consensual Sexual Intercourse is any sexual intercourse (anal, oral or vaginal), however slight, with any object, by a man or a woman upon a man or a woman, without consent.
- 4.5.2.1 Consent is informed, knowing, and voluntary. Consent is active; silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, provided those words or actions create mutually

understandable permission regarding the conditions of sexual activity. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. Previous relationships or consent does not imply consent to future sexual acts. Consent may not be procured by use of physical force, compelling threats, intimidating behavior or coercion. Consent may not be granted by someone you know to be or should be able to know to be mentally or physical incapacitated by alcohol or drug use.

- 4.5.3 Non-consensual Sexual Contact is any intentional sexual touching, however slight, with any object, by a man or a woman upon a man or a woman, without consent.
- 4.5.4 Sexual Exploitation occurs when a student takes non-consensual or abusive sexual advantage of another for his or her own advantage or benefit, or to the benefit or advantage of anyone other than the one being exploited, and the behavior does not otherwise constitute another form of sexual misconduct. Examples include, but are not limited to prostituting another student; non-consensual video or audio-recording of sexual activity; going beyond the boundaries of consent (such as permitting a friend to hide in a closet to watch you having consensual sex); engaging in voyeuristic behavior; or knowingly transmitting a sexually transmitted disease to another student.

5. POLICY

- 5.1 NPRC students are expected to uphold and abide by standards of conduct that reflect and edify the College's mission, values, vision, philosophy, and goals. Any conduct which deviates from these standards of conduct may result in disciplinary action.
- 5.2 Violations of federal, state, and local laws are contrary to the behavioral expectations of NPRC students and are considered as infractions of the behavioral code of conduct. If an alleged offense occurs over which the College has jurisdiction, or an alleged offense occurs which may impact the safety of other students, staff, faculty, or administrators, disciplinary consequences may be imposed upon the alleged offender through the college's student conduct proceedings. The College reserves the right to refer any suspected criminal activity to the appropriate law enforcement agency and to suspend the conduct process until any outside investigation has been completed. While the conduct process is suspended, the accused student may be placed on temporary suspension and may lose access to college services and activities. Upon resolution of the outside investigation, the conduct process shall resume under the timeline as outlined in the policy statement. The College reserves the right to consider information gathered by outside authorities and any actions that result from criminal or civil litigation or investigation as part of the conduct process.

- 5.3 NPRC students are to exemplify honesty and integrity in their interactions with fellow students, instructors, staff, and administrators. Behaviors that demonstrate a lapse of honesty and integrity include, but are not limited to,
 - 5.3.1 Acts contrary to NPRC-3225 Academic Code of Conduct for Students.
 - 5.3.2 Action or inaction in collusion with a wrongdoer or which fails to discourage a known or obvious violation of college policy or law.
 - 5.3.3 Knowingly furnishing false, falsified, or forged information to any member of the college community, including falsification or misuse of documents, accounts, records, identification or financial instruments.
 - 5.3.4 Violations of positions of trust or authority within the college community.
 - 5.3.5 Tampering with the election of any college-recognized student organization.
- 5.4 NPRC students are to honor and value their college community. Behavior that violates this value includes, but is not limited to,
 - 5.4.1 Misuse of access privileges to any facility or space in which academic or business processes of the College occurs.
 - 5.4.2 Abuse or fraudulent use of the College's name, identity, or image.
 - 5.4.3 Intentional and unauthorized taking of college property or personal or business property of a member of the college community at any facility or space in which academic or business processes of the College occurs.
 - 5.4.4 Knowingly taking possession of stolen property.
 - 5.4.5 Intentional and unauthorized destruction of college property or personal or business property of a member of the college community at any facility or space in which academic or business processes of the College occurs.
 - 5.4.6 Misuse of college equipment, technology resources, network, passwords, account or information, including, but not limited to,
 - 5.4.6.1 Use of technology resources to send harassing or abusive messages.
 - 5.4.6.2 Use of technology resources to interfere with the work of other members of the college community.

- 5.4.6.3 Unauthorized access to a file or personal or group account.
- 5.4.6.4 Interference with the normal operation of the College's technology resources.
- 5.4.6.5 Use of technology resources to promote points of view contrary to the mission and values of the College.
- 5.4.6.6 Unauthorized transfer of data.
- 5.4.6.7 Use of another individual's identification and password.
- 5.4.7 Gambling in any form, including, but not limited to, the use of playing cards, dice, or online gaming sites. Exceptions (subject to local and state statutes) may be granted by the President or designee for raffles or drawings that benefit recognized college organizations.
- 5.4.8 Possession of firearms, explosives, and other weapons, including, but not limited to, BB/pellet guns, slingshots, sharp-edged instruments (such as swords or knives), and dangerous chemicals, is prohibited at any facility or space in which academic or business processes of the College occurs except as permitted by law.
- 5.4.9 Violations of state or local fire or emergency policies, including, but not limited to, failure to evacuate any facility or space in which academic or business processes of the College occurs during a fire or other emergency alarm; improper use of fire safety or other emergency equipment at any facility or space in which academic or business processes of the College occur; or tampering with or improperly engaging a fire or other emergency alarm at any facility or space in which academic or business processes of the College occurs.
- 5.5 NPRC students are expected to adhere to the values of social justice, equality and respect for difference and diversity. Behaviors that demonstrate a violation of this expectation include, but are not limited to,
 - 5.5.1 Discrimination, intimidation, harassment, or bullying.
 - 5.5.2 Malicious, callous or reckless disregard for the welfare of another human being.
 - 5.5.3 Disruption of college operations, including, but not limited to, obstruction of teaching, administration, or other college activities.

- 5.5.4 Obstruction of freedom of movement by community members or visitors.
- 5.5.5 The knowing failure of any organized group to exercise preventive measures relative to violations of this Behavioral Code of Conduct for Students by members.
- 5.5.6 Abuse, interference, or failure to comply in college processes, including conduct hearing or abuse of the conduct system, including, but not limited to,
 - 5.5.6.1 Failure to attend meetings scheduled for conduct code administration purposes.
 - 5.5.6.2 Falsification, distortion, or misrepresentation of information.
 - 5.5.6.3 Failure to provide information or destruction or concealment of information during an investigation of an alleged policy violation.
 - 5.5.6.4 Attempting to discourage an individual's proper participation in, or use of, the conduct system.
 - 5.5.6.5 Harassment or intimidation of a member of a conduct body prior to, during, or after a conduct proceeding; failure to comply with the sanctions imposed by the conduct system; or influencing or attempting to influence another person to commit an abuse of the Behavioral Code of Conduct for Students.
- 5.5.7 NPRC students are expected to show respect for each other, for property, and for the community. Behavior that violates this value includes, but is not limited to,
 - 5.5.7.1 Threatening or causing physical harm, verbal abuse, or other conduct which threatens or endangers the health or safety of any person.
 - 5.5.7.2 Hazing.
 - 5.5.7.3 Violence between those in an intimate relationship with each other.
 - 5.5.7.4 Stalking.
 - 5.5.7.5 Sexual misconduct, including, but not limited to, sexual harassment, non-consensual sexual contact, non-consensual sexual intercourse, or sexual exploitation.

- 5.5.7.6 Unauthorized use of video or audio recording devices at an instructional or administrative site or while attending college-related functions.
 - 5.5.7.7 Failure to comply with directions of college officials, law enforcement officers, or emergency responders during the performance of their duties or failure to identify oneself to these persons upon request.
 - 5.5.7.8 Use of all tobacco products, including cigarettes, pipes, cigars, smokeless or vapor cigarettes, chewing tobacco or snuff, at any instructional or administrative site or at any college function except as permitted in designated outside areas.
- 5.6 NPRC students are awarded and accept a high level of responsibility as role models. Behavior that violates this value includes, but is not limited to,
- 5.6.1 Use, possession, or distribution of alcoholic beverages, except as expressly permitted by law and NPRC-3230 Drug and Alcohol Use, including possession or consumption by those under the age of 21; providing alcohol to those under the age of 21, possession of a common source container (empty or full) for alcohol; driving under the influence; or public intoxication.
 - 5.6.2 Use, possession, or distribution of narcotics or other controlled substances or drug paraphernalia, except as permitted by law.
 - 5.6.3 Abuse or misuse of prescriptions or over-the-counter medications.
 - 5.6.4 Assisting in the violation of college policies or public laws.
 - 5.6.5 Violations of federal, state, or local laws which affect the interests of the college community.
 - 5.6.6 Violations of other published college policies or rules.
 - 5.6.7 Intentionally or recklessly causing a fire which damages instructional or administrative sites or personal property or which causes injury to any member of the college community.
- 5.7 In most cases, the College will treat attempts to commit any violations listed in the Behavioral Code of Conduct for Students as if those attempts had been completed.

- 5.8 The College will not tolerate intentional false reporting of violations of the Behavioral Code of Conduct for Students. Intentional false reporting shall be considered a violation of the Behavioral Code of Conduct for Students and is subject to the same conduct processes and possible consequences as any other violation.
- 5.9 Violations of the Behavioral Code of Conduct for Students conducted through electronic means are subject to the same conduct processes and possible consequences as any other violation.
- 5.10 The outcome of a conduct hearing is part of the educational record of the accused student and is protected from release under the Federal Educational Right to Privacy Act except as required or permitted by federal or state law or through legal action by subpoena.

6. RESPONSIBILITIES AND TIMELINES

- 6.1 Whenever a complaint is made against any student for misconduct, the College shall investigate the allegations in alignment with the following procedure and timeline:
- 6.1.1 An initial investigation concerning the allegations presented shall be made within five working days of the complaint by the Director of Enrollment Management and Student Success or designee.
- 6.1.1.1 If the investigation results in a recommendation against proceeding, the Director of Enrollment Management and Student Success or designee shall provide the Vice President for Academic and Student Affairs with a written summary of the complaint and recommendation for resolution within three days of the conclusion of the investigation.
- 6.1.1.2 If the investigation results in a finding of cause to proceed, additional information, including, but not limited to, documents or testimony may be gathered and a written summary of the complaint, information collected, and recommendation for a hearing shall be provided to the Vice President for Academic and Student Affairs within seven working days of the complaint. In this case, a written notice of the complaint will be delivered to the accused student in person in a meeting with the Director of Enrollment Management and Student Success; by mail to the home address of the accused student; and/or electronically to the accused student's college-assigned email address. The letter of notice will include a brief description of the incident alleged, cite the policy or policies the accused student is alleged to have violated, and identify possible consequences if the accused student is found in violation, and communicate the relevant procedures for resolution of the complaint. The letter of notice will direct

the accused student to contact the Director of Enrollment Management and Student Success within three working days of receipt to respond to the complaint, meet with the Director of Enrollment and Student Success or designee (virtually or in person) to discuss the nature of the complaint and the conduct process, and indicate in writing to the Director of Student Enrollment and Student Success whether the accused student admits or denies the allegations of the complaint.

- 6.1.1.2.1 If the accused student admits to the violation, the Director of Student Enrollment and Student Success or designee will impose appropriate sanctions and notify the student in writing by mail to the student's home address or electronically to the accused student's college-assigned email address. Such a disposition will be final; there will be no subsequent proceedings, unless the sanctions include suspension or expulsion. In that case, the accused may request a meeting with the Vice President for Academic and Student Affairs on the issue of sanctions only. Such a meeting must be requested in writing by the student within three working days of receipt of notice of suspension or expulsion. The resulting meeting shall be held within ten working days of receipt of the accused student's request. Notice of the meeting shall be provided by mail to the student's home address or electronically to the accused student's college-assigned email address. The Vice President for Academic and Student Affairs shall issue a ruling in writing to the student by mail to the student's home address or electronically to the student's college-assigned email address within ten days of the meeting. The student may appeal the decision by following the appeals process outlined in the policy statement.
- 6.1.1.2.2 If the accused student does not admit to the violation(s), the complaint shall be referred for a hearing by the Vice President for Academic and Student Affairs. Notice of the hearing shall be provided to the accused student through mail or their college-assigned email account within three working days of receipt of the accused student's written response to the complaint. The hearing shall be held within seven working days of receipt of the referral. After the hearing, the Vice President for Academic and Student Affairs will notify the accused student of his or her decision in writing including any sanctions imposed as a result. Such notice will be provided by mail to the student's home address or electronically to the accused student's college-assigned email address within three working days of the hearing. The student may appeal the decision of the Vice President for Academic and Student

Affairs by following the appeals process outlined in the policy statement.

- 6.1.2 The student may appeal the decision of the Vice President for Academic and Student Affairs as outlined in 6.1.1.1 and 6.1.1.2 by providing written notice to the President's office within five days of receipt of the written decision. As a result, the President shall, within five days, appoint a conduct hearing board. For all matters other than those addressing Title IX action, the Conduct Hearing Board shall be composed of the Dean of Curriculum and Instruction, the Director of Enrollment Management and Student Success, a currently enrolled student, the Chief of Staff or Registrar, and a Student Success Specialist. For allegations related to Title IX actions, the Conduct Hearing Board shall be composed of the Director of Enrollment Management and Student Success, the Dean of Curriculum and Instruction, and the Chief of Staff or Registrar. In coordination with the members of the hearing board, the Director of Enrollment Management and Student Success, who shall be designated as Chair of the Conduct Hearing Board, shall convene the board and conduct a hearing within ten days of the board's formation. Notice of the hearing shall be provided to the student by mail to the student's home address or electronically to the student's college-assigned email address at least three working days prior to the conduct hearing. Upon conclusion of the conduct hearing, the Chair of the Conduct Hearing Board shall communicate the board's ruling. The ruling shall be by simple majority and shall be communicated by letter by mail to the student's home address or electronically to the accused student's college-assigned email address within three working days of the hearing. A copy of the ruling shall be provided to the offices of the President and the Vice President of Academic and Student Affairs. Such a disposition will be final; there will be no subsequent proceedings.
- 6.2 The Vice President for Academic and Student Affairs or designee shall be responsible for training of employees who may be appointed to the Conduct Hearing Board. Training shall take place annually prior to the first day of class for the fall academic term.
- 6.3 If an accused student fails to respond to notice at any stage of the hearing process, a ruling shall be issued and any applicable consequences enforced by the notifying person or board. The ruling shall be communicated by mail to the student's home address or electronically to the accused student's college-assigned email address within three working days of the ruling. A copy of the ruling shall be provided to the offices of the President and the Vice President of Academic and Student Affairs. Such a disposition will be final; there will be no subsequent proceedings.

- 6.4 Notice shall be issued to all parties to a complaint by the same timeline and by the same personnel or board as that of the accused student.
- 6.5 An accused student and any complainant(s) shall have the right to have a representative present at any stage of the hearing process. The accused student and any complainant(s) must provide the notifying personnel or board with the full contact information of the representative at least 72 hours prior to any conduct hearing or meeting. The College assumes no responsibility for providing any individual involved with a representative and no responsibility for any financial obligation incurred by the accused student or any complainant(s) in association with the representation or any other costs associated with the hearing process.
- 6.6 An accused student and any complainant(s) shall have the right to respond to an allegation of misconduct by written statement. The accused student's response must be provided to the Director of Enrollment Management and Student Success at least 72 hours prior to any conduct hearing or meeting.
- 6.7 An accused student and any complainant(s) shall have the right to request witnesses be called by the College for any conduct hearing or meeting. Such a request must be made in writing to the notifying personnel or board at least 72 hours prior to the conduct hearing or meeting. The request must include full contact information for the requested witnesses.
- 6.8 An accused student and any complainant(s) shall have the right to present or request items of physical information to be used at any conduct hearing or meeting. The accused student and any complainant(s) are required to submit a list of these items and the source from which they must be procured if not in the student's possession. This list must be provided by the accused student and any complainant(s) to the notifying personnel or board at least 72 hours prior to the conduct hearing or meeting.
- 6.9 The College reserves the right to request that its legal representative be present at any conduct hearing or meeting.
- 6.10 At any stage of the conduct process, members of the conduct hearing board or other personnel may consider previous allegations of conduct violations and their resolutions if they indicate a possible pattern of behavior in the current case.
- 6.11 The Director of Enrollment Management and Student Success, Conduct Hearing Board, or Vice President of Academic and Student Affairs (referred to as the conduct body) may impose any of the following sanctions upon any student found to have violated the Behavioral Code of Conduct for Students:

- 6.11.1 A Written Warning may be issued to the accused student that the accused student has been found in violation of the Behavioral Code of Conduct for Students. The notice shall inform the accused student that continued misconduct will result in further conduct action. The notice shall be communicated by mail to the student's home address and electronically to the accused student's college-assigned email address and shall become part of the student's educational records as maintained by the Registrar.
- 6.11.2 A Written Reprimand for violation of the Behavioral Code of Conduct for Students may be issued to the accused student. The Written Reprimand shall place the accused student on probation for a designated time not less than one academic term and not more than three academic terms and includes the probability of more severe sanctions if the accused student is found to be in violation of any institutional policies during the probationary period.
- 6.11.2.1 An accused student who is on probation is ineligible to hold any office or leadership role in any college organization or activity or represent the College at any event.
- 6.11.2.2 An accused student who is on probation may be restricted from attendance at specific events, enrollment in specific courses or at specific instructional sites, or denied use of specified equipment or instructional technology.
- 6.11.3 The separation of a student from courses, programs, and all college privileges for a definite time may be imposed by the conduct body through Suspension. A student under Suspension is ineligible to be present at any event, function, or class provided by the College other than a meeting or hearing related to the Suspension imposed by the conduct hearing body. In cases where the suspension prevents coursework, the College shall issue a grade of W indicating administrative withdrawal from course(s) in which the student was enrolled. A student under Suspension shall be ineligible for any refund of tuition or fees. A student under Suspension must meet any conditions for readmission stated in the order of Suspension by the conduct body.
- 6.11.4 The permanent separation of a student from courses, programs, and all college privileges and a barring of a student from being present at any college event or instructional activity may be imposed by the conduct body through Expulsion. A student under Expulsion is ineligible to be present at any event, function, or class provided by the College other than a meeting or hearing related to the Expulsion imposed by the conduct hearing body. A student under Expulsion is ineligible for readmission. A student under an order of Expulsion shall receive

a grade of W indicating administrative withdrawal from course(s) in which the student was enrolled and shall be ineligible for any refund of tuition or fees.

6.12 Suspensions and/or Expulsion shall become part of a student’s permanent educational record and shall be released to any institution to which the student requests their NPRC official transcript or educational record be sent.

7. REVIEW STATEMENT

This policy shall be reviewed on a regular basis at least once every five years per the Policy Review Schedule established by the President or his designee. A review of the policy may be requested prior to the timeframe outlined by the policy review schedule by any student, faculty, staff, administrator, or board member. Such a request must be submitted in writing to the office of the President and must address specific concerns. Upon receipt of such a request, a complete review of the policy will be conducted within three months. Upon review, the President or President’s designee may recommend to the Board of Trustees that the policy be amended or repealed.

8. SIGNATURES

Signature on file

Chair, Board of Trustees	Date
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Signature on file

President	Date
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Attachments: None

Distribution: Board of Trustees; regionalcollegepa.org

Revision Notes: Policy in Origination