

# STUDENT CODE OF CONDUCT 2009-10

MID-PLAINS COMMUNITY COLLEGE

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BROKEN BOW, IMPERIAL, OGALLALA &  
VALENTINE EXTENDED CAMPUSES

Stevie Swedberg  
2009 MPCC Graduate



# MPCC Student Code of Conduct

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## ARTICLE I: DEFINITIONS

1. The term College means Mid-Plains Community College.
2. The term “student” includes all persons taking courses at any Mid-Plains Community College location including extended campuses, either full-time or part-time, as are persons who are living in MPCC college residence halls. This Student Code of Conduct does apply at all locations of Mid-Plains Community College.
3. The term “faculty member” means any person hired by Mid-Plains Community College to conduct classroom or teaching activities or who is otherwise considered by Mid-Plains Community College to be a member of its faculty.
4. The term “Mid-Plains Community College official” includes any person employed by Mid-Plains Community College performing assigned administrative or professional responsibilities.
5. The term “member of Mid-Plains Community College community” includes any person who is a student, faculty member, Mid-Plains Community College official or any other person employed by Mid-Plains Community College. A person’s status in a particular situation shall be determined by the President of Mid-Plains Community College or his/her designee.
6. The term “Mid-Plains Community College premises” includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the college (including adjacent streets and sidewalks).
7. The term “organization” means any number of persons who have complied with the formal requirements for College recognition and registration.
8. The term “Student Conduct Review Panel” means any person or persons authorized by the Area Dean of Student Life to determine whether a student has violated the Student Code of Conduct and to recommend sanctions that may be imposed when a rules violation has been committed.
9. The term “Student Conduct Administrator” means a College official authorized on a case-by-case basis by the Area Dean of Student Life to impose sanctions upon any student(s) found to have violated the Student Code of Conduct. The Area Dean of Student Life may authorize a Student Conduct Administrator to serve simultaneously as a Student Conduct Administrator and the sole member or one of the members of the Panel. The Area Dean of Student Life may authorize the same Student Conduct Administrator to impose sanctions in all cases.
10. The term “College Hearing Panel” means any person or persons authorized by the Area Dean of Student Life to determine whether a student has violated the Student Code of Conduct or from the sanctions imposed by the Student Conduct Administrator.
11. The term “Panel” shall mean either the College Hearing Panel or the Student Conduct Review Panel.

12. The term “shall” is used in the imperative sense.
13. The term “may” is used in the permissive sense.
14. The “Area Dean of Student Life” is that person designated by the MPCC College President to be responsible for the administration of the Student Code of Conduct.
15. The term “guidelines” means the written regulations of the College as found in, but not limited to, the Student Code of Conduct, Residence Life Handbook, the College web page and computer use policy, and College Catalogs.
16. The term “cheating” includes, but is not limited to:
  - a. use of any unauthorized assistance in taking quizzes, tests, or examinations;
  - b. use of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments;
  - c. the acquisition, without permission, of tests or other academic material belonging to a member of the College faculty or staff
  - d. engaging in any behavior specifically prohibited by a faculty member in the course syllabus or class discussion.
17. The term “plagiarism” includes, but is not limited to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.
18. The term “Complainant” means any person who submits a charge alleging that a student violated this Student Code of Conduct. When a student believes that s/he has been a victim of another student’s misconduct, the student who believes s/he has been a victim will have the same rights under this Student Code of Conduct as are provided to the Complainant, even if another member of the College, community submitted the charge itself.
19. The term “Accused Student” means any student accused of violating this Student Code of Conduct.

## **ARTICLE II: STUDENT CODE OF CONDUCT AUTHORITY**

1. The Area Dean of Student Life shall determine the composition of Student Conduct Review Panel and College Hearing Panel and determine which Panel shall be authorized to hear each matter.
2. The Area Dean of Student Life shall develop policies for the administration of the student conduct system and procedural rules for the conduct of Panel Hearings that are consistent with provisions of the Student Code of Conduct. Decisions made by a Panel and/or Student Conduct Administrator shall be final, pending the normal appeal process.

## **ARTICLE III: PROSCRIBED CONDUCT**

### **A. Jurisdiction of the Mid-Plains Community College Student Code of Conduct**

The Mid-Plains Community College Student Code of Conduct shall apply to conduct that occurs on College premises, at College sponsored activities, and to off-campus conduct that adversely affects the College Community and/or the pursuit of its objectives. Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if their conduct is not discovered until after a degree is awarded). The Student Code of Conduct shall apply to a student's conduct even if the student withdraws from school while a disciplinary matter is pending. The Vice Presidents and/or Area Dean of Student Life shall decide whether the Student Code of Conduct shall be applied to conduct occurring off campus, on a case by case basis, at their discretion.

### **B. Conduct—Rules and Regulations**

Any student found to have committed or to have attempted to commit the following misconduct is subject to the disciplinary sanctions outlined in Article IV:

1. Acts of dishonesty, including but not limited to the following:
  - a. Cheating, plagiarism, or other forms of academic dishonesty.
  - b. Furnishing false information to any MPCC College official, faculty member, or office.
  - c. Forgery, alteration, or misuse of any MPCC College document, record, or instrument of identification.
2. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other MPCC College activities, including its public service functions on or off campus, or of other authorized non-College activities when the conduct occurs on College premises.
3. Physical abuse, verbal abuse, threats, intimidation, harassment, coercion, and/or other conduct which threatens or endangers the health or safety of any person.
4. Attempted or actual theft of and/or damage to property of MPCC or property of a member of the College community or other personal or public property, on or off campus.
5. Hazing, defined as an act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property. The express or implied consent of the victim will not be a defense. Apathy or acquiescence in the presence of hazing are not neutral acts; they are violations of this rule.
6. Failure to comply with directions of MPCC College officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
7. Unauthorized possession, duplication or use of keys to any MPCC College premises or unauthorized entry to or use of MPCC College premises.

8. Violation of any MPCC College policy, rule, or regulation published in hard copy or available electronically on the MPCC College website.
9. Violation of any federal, state or local law.
10. Use, possession, manufacturing, or distribution of marijuana, heroin, narcotics, or other controlled substances except as expressly permitted by law.
11. Use, possession, manufacturing, or distribution of alcoholic beverages (except as expressly permitted by MPCC College regulations), or public intoxication. Alcoholic beverages may not, in any circumstance, be used by, possessed by or distributed to any person under twenty-one (21) years of age.
12. Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on MPCC College premises or use of any such item, even if legally possessed, in a manner that harms, threatens or causes fear to others.
13. Participating in an on-campus or off-campus demonstration, riot or activity that disrupts the normal operations of the College and/or infringes on the rights of other members of the College community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area.
14. Obstruction of the free flow of pedestrian or vehicular traffic on MPCC College premises or at MPCC College sponsored or supervised functions.
15. Conduct that is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on MPCC College premises or at functions sponsored by, or participated in by, the College or members of the academic community. Disorderly conduct includes but is not limited to: Any unauthorized use of electronic or other devices to make an audio or video record of any person while on MPCC College premises without his/her prior knowledge, or without his/her effective consent when such a recording is likely to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room, or restroom.
16. Theft or other abuse of computer facilities and resources, including but not limited to:
  - a. Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
  - b. Unauthorized transfer of a file.
  - c. Use of another individual's identification and/or password.
  - d. Use of computing facilities and resources to interfere with the work of another student, faculty member or MPCC College Official.
  - e. Use of computing facilities and resources to send obscene or abusive messages.
  - f. Use of computing facilities and resources to interfere with normal operation of the MPCC College computing system.
  - g. Use of computing facilities and resources in violation of copyright laws.
  - h. Any violation of the MPCC Student College Computer Policy.

17. Abuse of the Student Conduct System, including but not limited to:

- a. Failure to obey the notice from a Panel or MPCC College official to appear for a meeting or hearing as part of the Student Conduct System.
- b. Falsification, distortion, or misrepresentation of information before a Panel.
- c. Disruption or interference with the orderly conduct of a Student Conduct Review Panel proceeding.
- d. Institution of a student conduct code proceeding in bad faith.
- e. Attempting to discourage an individual's proper participating in, or use of, the student conduct system.
- f. Attempting to influence the impartiality of a member of a Panel prior to, and/or during the course of, the Panel proceeding.
- g. Harassment (verbal or physical) and/or intimidation of a member of a Panel prior to, during, and/or after a student conduct code proceeding.
- h. Failure to comply with the sanction(s) imposed under the Student Code of Conduct.
- i. Influencing or attempting to influence another person to commit an abuse of the student conduct code system.

18. Students are required to engage in responsible social conduct that reflects credit upon the MPCC College community and to model good citizenship in any community

**C. Violation of Law and MPCC College Discipline**

1. College disciplinary proceedings may be instituted against a student charged with conduct that potentially violates both the criminal law and this Student Code of Conduct (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under this Student Code of Conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of Area Dean of Student Life. Determinations made or sanctions imposed under this Student Code of Conduct shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of College rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant.
2. When a student is charged by federal, state, or local authorities with a violation of law, the College will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also being processed under the Student Code of Conduct, the College may advise off-campus authorities of the existence of the Student Code of Conduct and of how such matters are typically handled within the College community. The College will attempt to cooperate with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators (provided that the conditions do not conflict with campus rules or sanctions). Individual students and other members of the College community, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

## ARTICLE IV: STUDENT CONDUCT CODE PROCEDURES

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### A. Charges and Panel Hearings:

1. Any member of the MPCC College community may file charges against a student for violations of the Student Code of Conduct. A charge shall be prepared in writing and directed to the Student Conduct Administrator. Any charge should be submitted as soon as possible after the event takes place, preferably within 10 college/class days.
2. The Student Conduct Administrator may conduct an investigation to determine if the charges have merit and/or if they can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the Student Conduct Administrator. Such disposition shall be final and there shall be no subsequent proceedings. If the charges are not admitted and/or cannot be disposed of by mutual consent, the Student Conduct Administrator may later serve in the same matter as the Panel or a member thereof. If the student admits violating institutional rules, but sanctions are not agreed to, subsequent process, including a hearing if necessary, shall be limited to determining the appropriate sanction(s).
3. All charges shall be presented to the Accused Student in written form. A time shall be set for a Panel Hearing, not less than five nor more than fifteen calendar days after the student has been notified. Maximum time limits for scheduling of Hearings may be extended at the discretion of the Student Conduct Administrator.
4. Panel Hearings shall be conducted by a Panel according to the following guidelines except as provided by article IV(A)(7) below:
  - a. Panel Hearings normally shall be conducted in private.
  - b. The Complainant, Accused Student and his or her parents, and one (1) advisor, if any, shall be allowed to attend the entire portion of the Panel Hearing at which information is received (excluding deliberations). Admission of any other person to the Panel Hearing shall be at the discretion of the Panel and/or its Student Conduct Administrator.
  - c. In Hearings involving more than one Accused Student, the Student Conduct Administrator, in his or her discretion, may permit the Hearings concerning each student to be conducted either separately or jointly.
  - d. The Complainant and the Accused Student have the right to be assisted by an advisor they choose, at their own expense. The advisor must be a member of the MPCC College community and may not be an attorney. The Complainant and/or the Accused Student is responsible for presenting his or her own information, and therefore, advisors are not permitted to speak or to participate directly in any Hearing before a Panel. A student should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the Hearing because delays will not normally be allowed due to the scheduling conflicts of an advisor.
  - e. The Complainant, the Accused Student and the Panel may arrange for witnesses to present pertinent information to the Panel. The College will try to arrange the attendance of possible witnesses who are members of the College community, if reasonably possible, and who are identified by the

Complainant and/or Accused Student at least two weekdays prior to the Hearing. Witnesses will provide information to and answer questions from the Panel. This method is used to preserve the educational tone of the hearing and to avoid creation of an adversarial environment. Questions of whether potential information will be received shall be resolved in the discretion of the chairperson of the Chief Justice of the Panel. At the discretion of the Chief Justice, the Accused Student and the Complainant may ask questions of a witness.

- f. Pertinent records, exhibits, and written statements (including Student Impact Statements) may be accepted as information for consideration by a Panel at the discretion of the chairperson.
  - g. All procedural questions are subject to the final decision of the Chief Justice of the Panel. The Hearing may be adjourned from time to time and reconvened if in the sole discretion of the Chief Justice, such temporary adjournment is necessary.
  - h. After the portion of the Panel Hearing concludes in which all pertinent information has been received, the Panel shall determine (by majority vote if the Panel consists of more than one person) whether the Accused Student has violated each section of the Student Code of Conduct which the student is charged with violating.
  - i. The Panel's determination shall be made on the basis of whether it is more likely than not that the Accused Student violated the Student Code of Conduct.
  - j. Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in Student Code of Conduct proceedings.
5. There shall be a single verbatim record, such as a tape recording, or video taped recording of all Panel Hearings before a Panel (not including deliberations). Deliberations shall not be recorded. The record shall be the property of Mid-Plains Community College.
  6. If an Accused Student, with notice, does not appear before a Hearing, the information in support of the charges shall be presented and considered even if the Accused Student is not present. Failure to appear means the sanctions may stand as recommended.
  7. The Panel may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the Complainant, Accused Student, and/or other witness during the hearing by providing separate facilities, by using a visual screen, and/or by permitting participation by telephone, videophone, closed circuit television, video conferencing, videotape, audio tape, written statement, or other means, where and as determined in the sole judgment of Area Dean of Student Life to be appropriate.

## B. Sanctions

1. The following sanctions may be imposed upon any student found to have violated the Student Code of Conduct:
  - a. **Warning**—A notice in writing to the student that the student is violating or has violated institutional regulations.

- b. **Probation**—A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to violate any institutional regulation(s) during the probationary period.
- c. **Loss of Privileges**—Denial of specified privileges for a designated period of time.
- d. **Fines**—Previously established and published fines may be imposed. See appendix 1.
- e. **Restitution**—Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement this involves the assignment of specific tasks or hours of work/service in various capacities across the campus and in either the McCook or North Platte communities. Examples of CR include work within the food service, library, residence halls, buildings and grounds, maintenance, or other areas of the College, or in specific civic projects in McCook or North Platte. CR will normally be assigned in all conduct cases.

**NOTE: Failure to complete CR hours assigned by the established date will result in an additional monetary fine equivalent to the current Nebraska minimum wage rate for the number of CR hours assigned for the violation.**

- f. **Discretionary Sanctions**—Work assignments, essays, service to the College or other related discretionary assignments.
- g. **Residence Hall Suspension**—Separation of the student from the residence halls for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
- h. **Residence Hall Expulsion**—Permanent separation of the student from the residence halls.
- i. **Recommendation to the Campus Vice President for College Suspension**—Separation of the student from Mid-Plains Community College for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
- j. **Recommendation to the College President for Mid-Plains Community College Expulsion**—Permanent separation of the student from the College.
- k. **Recommendation to the College President for Revocation of Admission and/or Degree**—Admission to or a degree awarded from Mid-Plains Community 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.
- l. **Recommendation to the College President for Withholding Degree**—The College may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Conduct Code, including the completion of all sanctions imposed, if any.

2. More than one of the sanctions listed above may be imposed for any single violation. See Appendix # 1 for the table of fines and sanctions.
3. Other than College expulsion or revocation or withholding of a degree, disciplinary sanctions shall not be made part of the student's permanent academic record, but shall become part of the student's disciplinary record. Upon graduation, the student's disciplinary record may be expunged of disciplinary actions other than residence hall expulsion, College suspension, College expulsion, or revocation or withholding of a degree, upon application to the Student Conduct Administrator. Cases involving the imposition of sanctions other than residence hall expulsion, College suspension, College expulsion or revocation or withholding of a degree shall be expunged from the student's confidential record five (5) years after final disposition of the case.
  - A. In situations involving both an Accused Student(s) (or group or organization) and a student(s) claiming to be the victim of another student's conduct, the records of the process and of the sanctions imposed, if any, shall be considered to be the education records of both the Accused Student(s) and the student(s) claiming to be the victim because the educational career and chances of success in the academic community of each may be impacted.
4. The following sanctions may be imposed upon groups or organizations:
  - a. Those sanctions listed above in article IV(B)(1)(a)–(e).
  - b. Loss of selected rights and privileges for a specified period of time.
  - c. Deactivation. Loss of all privileges, including College recognition, for specified period of time.
5. In each case in which a Panel determines that a student and/or group or organization has violated the Student Code of Conduct, the sanction(s) shall be determined and imposed by the Student Conduct Administrator. In cases in which persons other than, or in addition to, the Student Conduct Administrator have been authorized to serve as the Panel, the recommendation of the Panel shall be considered by the Student Conduct Administrator in determining and imposing sanctions. The Student Conduct Administrator is not limited to sanctions recommended by members of the Panel. Following the Panel Hearing, the Panel and the Student Conduct Administrator shall advise the Accused Student, group and/or organization (and a complaining student who believes s/he was the victim of another student's conduct) in writing of its determination and of the sanction(s) imposed, if any.

### **C. Interim Suspension**

In certain circumstances, MPCC Vice President's and/or Area Dean of Student Life, or their designee, may impose a College or residence hall suspension prior to the Panel Hearing before a Panel.

1. Interim suspension may be imposed only to ensure the safety and well-being of members of the MPCC College community or preservation of MPCC 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 Mid-Plains Community College.

2. During the interim suspension, a student shall be denied access to the residence halls and/or to the campus (including classes) and/or all other MPCC College activities or privileges for which the student might otherwise be eligible, as the MPCC Vice Presidents and/or Area Dean of Student Life or their designee may determine to be appropriate.
3. A decision to Suspend by a Campus Vice President, or to Expel, Revoke Admission and/or Degree, or withhold Degree by the College President, may be made by such Administrator regardless of the recommendations of the Panel and regardless of whether a Panel hearing has ever been held.
4. The interim suspension does not replace the regular process, which shall proceed on the normal schedule, up to and through a Hearing, if required. However, the student should be notified in writing of this action and the reasons for the suspension. The notice should include the time, date, and place of a subsequent hearing at which the student may show cause why his or her continued presence on the campus does not constitute a threat and at which time they may contest whether a campus rule was violated.
5. A student who is required by any Panel or College Administrator to move off campus shall do so immediately at the student's cost and with no right to any refund or other compensation.

#### **D. Appeals**

1. A decision reached by the Panel or a sanction imposed by the Panel may be appealed by the Accused Student(s) or Complainant(s) to the Area Dean of Student Life within five (5) school days of the decision. Such appeals shall be in writing and shall be delivered to the Office of the Area Dean of Student Life or his or her designee.
2. Except as required to explain the basis of new information, an appeal shall be limited to a review of the verbatim record of the Hearing and supporting documents for one or more of the following purposes:
  - a. To determine whether the Hearing was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures giving the complaining party a reasonable opportunity to prepare and to present information that the Student Code of Conduct was violated, and giving the Accused Student a reasonable opportunity to prepare and to present a response to those allegations. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.
  - b. To determine whether the decision reached regarding the Accused Student was based on substantial information, that is, whether there were facts in the case that, if believed by the fact finder, were sufficient to establish that a violation of the Student Code of Conduct occurred.
  - c. To determine whether the sanction(s) imposed were appropriate for the violation of the Student Code of Conduct which the student was found to have committed.

- d. To consider new information, sufficient to alter a decision or other relevant facts not brought out in the original hearing, because such information and/or facts were not known to the person appealing at the time of the original Hearing.
3. If a decision is reversed by the Area Dean of Student Life, the matter shall be returned to a new Panel and Student Conduct Administrator for re-opening of the Student Hearing to allow reconsideration of the original determination and/or sanction(s). If a decision is upheld, the matter shall be considered final and binding upon all involved.

## **ARTICLE V: INTERPRETATION AND REVISION**

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- A. Any question of interpretation or application of the Student Code of Conduct shall be referred to the Area Dean of Student Life or his or her designee for final determination.
- B. The Student Code of Conduct shall be reviewed every 3 years under the direction of the Area Dean of Student Life.

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This document was drafted from April 2007 to June 2007 by a representative committee of MPCC Area Personnel and MPCC Faculty.

Resources include:

The Model Student Code of Conduct, developed by Edward N. Stoner II and John Wesley Lowery utilizing Navigating the Past The “Spirit of Insubordination”: A Twenty-First Century Model Student Conduct Code with a Model Hearing Script by Edward N. Stoner II and John Wesley Lowery.



## Appendix # 1

### Sanctions/Fines of the MPCC Student Code of Conduct

All students of Mid-Plains Community College are subject to the MPCC Student Code of Conduct and may be referred to the “Hearing Panel” by the Area Dean of Student Life.

#### PRINCIPLE – RESPECT FOR OTHERS

Consistent with the Mission of Mid-Plains Community College, members of the College community are expected to demonstrate respect for others and an appreciation for the worth of every person. All members of the College community share responsibility for maintaining a quality campus environment. Ignoring actions or activities that disrupt or violate community guidelines damages our environment and infringes upon the rights of individuals. All students share responsibility for upholding these College guidelines. Students are in violation if they are present during the violation of a College guideline, but choose not to act. **If a student is present when others violate a specific guideline, all students present share responsibility for that guideline violating behavior.**

Students present during a College guideline violation have several options:

- 1. To be actively involved in the incident, which is a violation of the guideline.**
- 2. To choose to remain in the presence of the violation and take no action, this also is considered to be a violation of the guideline.**
- 3. Or to avoid involvement in the violation by taking the following action(s):**
  - a. stopping the violation or eliminating the cause
  - b. immediately leaving the premises upon realizing a violation has occurred or is about to occur, or
  - c. seek the help of a third party (any College Personnel ) to help resolve the violation.



## **1. HARASSMENT, INTIMIDATION, PROVOCATION, HAZING, AND FIGHTING**

- a. Harassment: Verbal or written acts of abuse via any means of communication, including but not limited to telephone, telegraph, mail, or electronic mail (e-mail), are regarded as serious violation of human rights and are prohibited.
- b. Intimidation: Threatening another person via any means of communication, including but not limited to telephone, telegraph, mail, or electronic mail (e-mail), is regarded as a serious violation of state law.
- c. Provocation: Reckless and/or intentional conduct likely to provoke a reasonable person to commit battery is a violation of state law.
- d. Hazing/Initiation: Forcing or requiring another person to perform an act that creates a substantial risk of bodily injury or emotional stress, with or without the consent of that person, as a condition of association with a group or organization is considered a violation of human rights and is prohibited.
- e. Physical Violence: Acts of physical violence or participation in a physical encounter that a reasonable person would consider aggressive to another or self is prohibited.

**2. EXPRESSIONS OF HATE:** Mid-Plains Community College maintains a policy of zero tolerance toward any expressions of hate. Such expressions as defined herein are any gestures, words, or other actions of a physical or mental nature against another human based on race, gender, age, sexual orientation, or religious preference.

## **3. DISORDERLY CONDUCT:**

- a. Obstruction or disruption of normal College activities by any means, including physical or psychological methods, disturbing the peace, dropping or throwing objects, sports in hallways, or inappropriate behavior on College property is not permitted.
- b. Reasonable quiet is required in or near sleeping, study, and class areas of the campus; actions that interrupt the study, rest or activities of others are not permitted. (Quiet hours are established in each residence hall and are to be observed by all those present in the hall.)

Note: MPCC recognizes the right of members of the College community to engage in lawful protests, or other forms of demonstration. Forms of protest that do not interfere with the freedom of members or guests of the College community to engage in usual and scheduled activities are permitted.

## **4. GUESTS:**

- a. Members of the College community who bring guests/visitors to the campus assume responsibility for the behavior of those persons and are expected to make them aware of College policies, including vehicle rules and regulations.

*Clarification: Students hosting guests on campus who violate College policy will be held accountable for the actions of their guests. Guests who violate residence hall handbook guidelines repeatedly or whose violations are of an extremely serious nature are subject to eviction from College property and may be barred from future visits.*

- b. Guests attending College-sponsored events and activities must be accompanied by their student host. Guests 16 years or older must be prepared to provide a picture ID (i.e. driver's license) when requested.
- c. Established community hours are to be followed in all residence halls.

**5. DISCRIMINATION:** Discrimination on the basis of such factors as national or ethnic origin, race, color, age, gender, sexual orientation, marital status, religion, disability, or veteran status in any program, service, activity, or aspect of the College is prohibited.

*Clarification: All persons admitted to or employed by Mid Plains Community College have the same rights and privileges. The College follows a strict policy of nondiscrimination in administering its educational policies, recruitment and admissions policies, loan and scholarship programs, employment practices, athletic, and other College-sponsored programs.*

**6. COMPLIANCE WITH COLLEGE OFFICIALS:** Students must comply with verbal or written instructions of College officials acting in the performance of their duties.

*Clarification: All employees of Mid-Plains Community College are considered College officials. This includes but is not limited to vice presidents, directors, deans, student employees including but not limited to, activity event staff, (acting at the time of an incident in their line of duty) and all members of the faculty and staff. Students are to comply with directions from College officials. This includes any request to present an ID card, or to gain entrance to an area when a violation of campus regulations is suspected. Members of the faculty have full authority in their respective classes and any such activities related to the instructional process. Verbal and/or physical abuse directed toward any College official will not be tolerated and will be subject to disciplinary action.*

Note: If students believe the authority of a College official is being misused, the situation should be discussed with the official's supervisor or brought to the attention of the Area Dean of Student Life or other senior College official.

**7. SOLICITING AND SALES**

- a. Soliciting of any kind and selling of merchandise on campus is not permitted. Violators are subject to eviction from College property and/or disciplinary action.
- b. Students, staff, faculty, and registered campus organizations may solicit or sell merchandise for charitable causes in specific locations on campus, in campus buildings, and in residence halls. The College official responsible for the area where the solicitation will occur is the individual authorized to give permission.

*Note: Permission must be obtained from the Area Dean of Student Life for canvassing or soliciting for sales or gifts by people not affiliated with the College.*

- c. The selling of homemade foods (i.e. bake sales), except under conditions established by the Nebraska Board of Health, is not permitted.

*Note: MPCC Food Service has exclusive catering rights for on-campus events; plans for serving food at such events must be arranged through either MCC or NPCC Food Service.*

## **Principle – Safety And Security Of Campus And Community Members**

A primary responsibility of all members of the College community is to act in ways which enhance the safety and security of the campus and of others in the environment. Policies in this section are designed to ensure the safety and security of campus and community members.

### **8. FIRE SAFETY ASSOCIATED GUIDELINES**

- a. Any open flames or open flame devices, or the igniting of materials, including incense, constitute potential fire hazards and may not be lit in campus buildings, this also includes pot warmers/stickers.
- b. Disregard or refusal to obey fire/tornado alarms and procedures is a violation of College policy
- c. Tampering with fire and safety equipment (including smoke detectors and pull stations) is a violation of state law and College policy.
- d. Knowingly initiating or circulating a false report or warning of an impending bombing, fire alarm, activating emergency phones, or other such calamity, is a violation of both state law and College policy. (The blowing of security whistles on campus without just cause is classified as “a false report.”)
- e. Possession and/or use of fireworks, incendiary devices, and other types of explosives are prohibited.
- f. Cooking in students’ rooms is limited. Details are outlined in the Residential Life section.
- g. Any holiday decoration that could be deemed as a hazard must be approved. No cut evergreens may be used in campus buildings. Exceptions to this policy must be granted by the appropriate college officials. Note: Exceptions to the open flame policy may be made for religious observances, recreational fires (bonfires, cooking fires, etc.) and other special events. Such permission must be obtained in advance from the Director of Housing/Student Activities and/or the Area Dean of Student Life.

- 9. **WEAPONS:** The possession on campus of any instrument that could be perceived as a dangerous and/or deadly weapon, including but not limited to knives, guns, bb and pellet guns, bows and arrows, martial arts weapons, etc., is not permitted. This prohibition extends to any vehicle parked on College property and to any decor items which, though intended for display only, could be considered potentially dangerous. (Any exception to the above policy must be approved in advance by the Director of Housing/Student Activities and/or Area Dean of Student Life.)

*Clarification A: This policy is not intended to prohibit the possession of small pocket knives or kitchen utensils; however, if such items are used in a threatening or dangerous manner, such behavior will constitute a violation of this policy.*

*Clarification B: Hunting equipment brought to the campus must be registered with and stored with the Director of the Physical Plant at either MCC or NPCC.*

**10. THEFT:** Unauthorized taking of individual or College property is not permitted.

**11. PROPERTY DAMAGE AND LITTERING:**

- a. Damage, destruction, or littering of College property or the personal property of others is not permitted.

*Clarification: Payment for damages to property will be assessed along with appropriate disciplinary sanctions.*

- b. Removal of screens from any window within the residence halls or other College buildings is not permitted.

**12. PETS/OTHER ANIMALS:** In accordance with public health regulations, no pets/other animals, with the exception of fish, are allowed in residence halls. Fish may not be left unattended in residence halls over scheduled holidays except when permitted by the Director of Housing/Student Activities.

**Principle – Community Expectations**

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In addition to respect for others and safety and security issues, the MPCC community endorses policies which uphold positive standards of behavior and contribute to the effective management of the College. The guidelines in this section describe appropriate behavior and responsibilities of community members.

**13. ALCOHOLIC BEVERAGES, TOBACCO, AND OTHER DRUGS**

- a. Possession, consumption, sale, or transfer of alcoholic beverages or their containers (including providing alcohol to minors) on College property or in College-owned vehicles is prohibited.  
*Note: Students, faculty, and staff, while involved in any College related activity away from campus, are expected to exhibit behavior related to alcohol use that is legally, socially and culturally responsible.*

*Clarification: Possession, consumption or distribution of beverages labeled “nonalcoholic” (such as O’Douls and Sharps) will be viewed as a violation of this guideline.*

- b. The use, possession, sale, or transfer of any narcotic, hallucinogen, or other drug or drug paraphernalia, except as permitted by law, is prohibited.

*Clarification: Bongs and other similar devices are not permitted.*

- c. No person while under the influence of alcohol or other drugs shall engage in conduct or create a condition that represents a risk of physical harm to self or another, or results in damage to property, or is likely to be offensive or cause inconvenience, annoyance, or alarm to others.

Clarification: “Under the influence of alcohol or other drugs” is defined by behaviors or attitudes that include, but are not limited to, slurred or incoherent speech, unstable balance, vomiting, poor coordination, glazed or non-focusing eyes or dilated pupils, perceptible odor on clothes or breath, and disruptive or belligerent behavior. In the absence of detection devices, such as breathalyzers, etc., observation of behavior by those bringing the charges will be considered grounds for charges. Consumption of alcoholic beverages off campus that influences behavior on campus is subject to disciplinary action under this guideline. **Note: *Disorderly conduct in the absence of any evidence of alcohol or other drug use should be classified under Guideline 4a/b, Disorderly Conduct.***

- d. The use of smoking or smokeless tobacco in any form is not permitted in College-owned buildings, vehicles, during classes, athletic practices or events, or at any College-sponsored activity.

*Clarification A: Evidence of smoking shall be defined to include the fresh smell of smoke from tobacco products in the room, and/or the presence of previously smoked materials, such as cigarette butts, ashes, etc., in receptacles (ashtrays, cans).*

*Clarification B: Spit, plugs, and other evidence of smokeless tobacco use will be treated as vandalism, resulting in a fine, including a malicious damage charge. Charges will be assessed against any individual or group (including athletic teams or organizations using facilities) that can be identified as responsible.*

#### **14. HONESTY**

- a. Intentional falsification of information or misrepresentation by persons associated with the College is not permitted.

*Clarification: This includes but is not limited to statements made to any investigating official, statements made during a College disciplinary hearing, statements made on any College form or document, or the unauthorized and/or improper use of College forms, documents, or records.*

- b. Plagiarism (academic theft) is not permitted. Plagiarism is the presentation of information (written or oral) as one’s own when in reality some or all of the information was derived from some other source.
- c. Note: Acts of plagiarism will be ordinarily dealt with as a disciplinary matter through the Area Vice President for Education Services and Student Development.

#### **15. APPROPRIATE USE OF COLLEGE PROPERTY**

- a. Unauthorized use, entry, or occupancy of any College facility, structure (including roofs, building ledges, and special facilities), equipment, or property is not permitted. Clarification A: Placement of unwanted room furnishings or personal belongings in hallways or any room other than storage rooms is not permitted.

*Clarification B: Placement of furniture from lounges, study rooms, etc., in residence hall rooms is not permitted and subject to sanctions and/or disciplinary actions.*

*Clarification C: Tampering with devices that aid in the function of college security (security cameras, media equipment, fire alarms, etc) will not be tolerated. Students found to be in violation of this guideline will be sanctioned and subject to disciplinary action.*

- b. The blocking or propping of outside doors, or otherwise interfering with the closing or locking devices on doors or windows necessary for the security of College buildings, is not permitted.

**16. DISPLAYS ON WINDOWS, DOORS, AND IN ROOMS:** While privacy of the individual's residence hall room is respected, it is recognized that the decorations and furnishings of that room should reflect positively on the policies, standards, commitments and philosophy of the College and should reflect respect for others.

- a. Signs, containers, trademarks, and other displays on windows and doors that advertise or represent products (such as alcoholic beverages), behaviors, or philosophies not compatible with College policies or commitments are not permitted.
- b. The possession or display in College buildings of signs or other facsimile that appear to be the property of municipalities or private business (without proof of ownership) is not permitted and will be turned over to Security.

**17. IDENTIFICATION CARDS:** Identifications cards are issued to all students who are enrolled in classes for credit. Students are expected to carry their ID cards and present them to College officials, or be able to produce them within a reasonable amount of time, whenever such a request is made.

## **18. VEHICLE REGULATIONS**

- a. All members of the Faculty, staff, and student body must register their motor vehicles and obtain and display registration decals.
- b. Each vehicle registered on campus must be covered by the state-required minimum of liability insurance for the state in which the vehicle is registered.
- c. Moving vehicle and parking violations on campus are subject to enforcement.

*Note: See Vehicle Regulations and Procedures for additional guidelines.*

**19. SKATEBOARDING:** Skateboarding is not allowed on any part of the College campus. In-line and quad skating is permitted providing it is done in a safe manner.

**20. ELECTRONIC DEVICES:** Cellular phones, pagers, and other electronic devices shall not be used in a manner that causes disruption in the classroom, library, or within any College-owned or College-operated facilities. This includes abuse of cellular devices with photographic capability. Utilizing these devices for the purpose of photographing test questions or other forms of academic misconduct or illegal activity is prohibited, as is photographing individuals in secured areas such as lavatories or locker rooms. Taking photographs of any individuals against their will is strictly prohibited.

**21. STATE AND FEDERAL LAWS:** Any behavior that is a violation of Nebraska state or U.S. federal law is also a violation of College policy.

The College reserves the right to take necessary and appropriate action to protect the safety and well-being of the campus community. Such action may include pursuing disciplinary action for any violation of state or federal law — on or off campus — that affects the College’s educational interests. Students may be accountable both to civil authorities and to the College for acts that constitute violations of law and of this Code of Conduct. Disciplinary action at the College will normally proceed during the pendency of criminal proceedings, and will not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed or reduced.

22. **UNAUTHORIZED REMOVAL OF COLLEGE FURNISHINGS OR COLLEGE**

**PROPERTY:** The removal of College community furniture located within the residence halls such as lounge furniture, DVD Players, VCRs, TVs, etc, is not permitted with out prior approval and consent from the Director of Housing/Student Activities. These community furnishings are for communal usage.

23. **UNAUTHORIZED ROOM CHANGE:** Changing assigned housing space is not approved, will not be tolerated, and is subject to both monetary and disciplinary sanctions. If you are in need of a change of assigned housing space speak directly with your Director of Housing/Student Activities at either McCook Community College or North Platte Community College.



## Conduct System Sanctions

CR = Community Restitution  
 W = Warning  
 R = Reprimand  
 SS = Social Suspension  
 DP = Disciplinary Probation

Violation	Guideline	1 <sup>st</sup> Violation Sanction	2 <sup>nd</sup> Violation Sanction
Harassment	1a	5-20 CR + \$50-\$200 + DP	DP and/or Suspension/Expulsion
Intimidation	1b	10-20 CR + \$50-\$200 + DP	Suspension
Provocation	1c	10-20 CR + \$50-\$200	DP or Suspension
Hazing/Initiation	1d	5-20 CR + \$50-\$200 + R	DP
Acts of Physical Violence	1e	10-20 CR + \$50-\$200 + DP	Suspension and or Expulsion
Expressions of Hate	2	5-20 CR + \$10-\$200 + DP	Suspension and or Expulsion
Disorderly Conduct	3a	5-10 CR + \$0-\$100 + W	\$100 + R
Reasonable Quite	3b	0-5 CR + W + (0 - \$50)	\$50 + R
Guest Conduct	4a	5-20 CR + \$0-\$100 + R	\$100-\$200 + DP
Guests Attending Events	4b	0-10CR + W	\$50 + R
Visitation & Escort	4c	0-10 CR +\$25+ W	\$50 - \$100 + R
Nondiscrimination	5	0-10 CR + R	\$50 + DP
Compliance w/College Officials	6	5-10 CR + R	\$50-\$200 + DP
Soliciting & Sales	7	0-10 CR + W	\$50 + R
High Fire Threat	8	5-20 CR + \$100-\$200 + R and/or DP	Suspension and/or Expulsion
Incense, Open Flames	8a	5-20 CR + \$100-\$200 + R and/or DP	Suspension and/or Expulsion
Failure to Evacuate or Move to Safety	8b	10 CR + \$50 + DP	\$50-\$200 + Suspension
Tampering with Fire Equipment	8c	15-25 CR + \$200 + R and/or DP	\$200 - \$500 + DP and/or Suspension
False Report of Bomb or Fire	8d	10-25 CR + \$100 + R	\$100-\$200 + DP and/or Suspension
Fireworks	8e	10-25 CR + \$100 + R	\$100-\$200 + DP and/or Suspension
Unauthorized Cooking	8f	0-20 CR + W and or (0 - \$50)	\$50 + R
Weapons	9	10-25 CR + R + \$100	\$100 - \$200 + DP and/or Suspension
Theft	10	5-20 CR + \$50-\$200 + DP	Suspension and/or Expulsion
Property Damage	11a	5-25 CR + R +(\$0 - \$\$) (Damages will be assessed & charged according.)	\$50-\$200 + DP and/or Suspension
Removal of Screens	11b	0-5 CR + 10-50 + R	\$50-\$200 + DP
Pets and/or Animals	12	0-10 CR + W	10-25 CR + R + \$100
Alcoholic Beverages	13a	\$125 + R + Alcohol Seminar (plus \$1 per ounce found on site)	\$ 175+ DP (plus \$1 per ounce found on site)
Illegal Drugs	13b	\$250 + DP	Suspension and/or Expulsion
Disorderly Conduct While Under the Influence	13c	0-20 CR + \$75-\$200 + R	\$100-200 + Alcohol Seminar + DP
Smoking & Smokeless Tobacco	13d	5-10 CR + \$50 + R	DP + \$50-100 + DP
Honesty	14	0-20 CR + (0 - \$100) + R	0-20 CR + (0 - \$200) +DP
<b>** Academic Dishonesty**</b>			
<b>Sanctions imposed by VP of Education Service &amp; Student Development Office could result in immediate dismissal from course with a grade of "F". Two such course dismissals make the student subject to expulsion from Mid Plains Community College</b>			
Unauthorized Use of College Property	15	0-10 CR + \$10-100 + R	CR + \$100 + DP
Displays on Windows, Doors, and in Rooms	16	\$25 + W	\$50 + R and or DP
Identification Cards	17	0-10CR+W	10-25CR+0-50+R
Vehicle Regulations	18	5-20 CR + \$10-100 + R	\$150 + R and/or Suspension of Parking Privileges
Skateboarding	19	\$10 - \$100 + W	\$50 -\$175 + DP
Electronic Devices	20	W	DP
Statewide and Federal Laws	21	DP/Suspension and/or Expulsion	DP/Suspension and or Expulsion
Unauthorized Removal of College Furnishings or College Property	22	0-20 CR + \$10-50 + W	0-30 CR + \$100 + R
Unauthorized Room Change	23	\$125 + R	\$200 + DP or Removal From College Housing

# MID-PLAINS COMMUNITY COLLEGE INCIDENT REPORT

Person(s) Involved \_\_\_\_\_

Resident Hall Student  Yes  No Contact Info \_\_\_\_\_

Date \_\_\_\_\_ Time \_\_\_\_\_

Witnesses \_\_\_\_\_

**Incident(s)**

- |   |   |  |                                    |
|---|---|--|------------------------------------|
| <input type="checkbox"/> Alcohol              | <input type="checkbox"/> Disorderly Conduct           | <input type="checkbox"/> Disorderly Conduct under the Influence  | <input type="checkbox"/> Littering |
| <input type="checkbox"/> Visitation/Escort    | <input type="checkbox"/> Noise                        | <input type="checkbox"/> Illegal Drugs                           |                                    |
| <input type="checkbox"/> Smoking/Tobacco      | <input type="checkbox"/> Vehicle Regulations          | <input type="checkbox"/> Weapons                                 |                                    |
| <input type="checkbox"/> Theft                | <input type="checkbox"/> Pets                         | <input type="checkbox"/> Compliance w/ College Official          |                                    |
| <input type="checkbox"/> Reasonable Quiet     | <input type="checkbox"/> Property Damage              | <input type="checkbox"/> Unauthorized Use of College Property    |                                    |
| <input type="checkbox"/> Identification Cards | <input type="checkbox"/> Incense, Open Flames, Candle | <input type="checkbox"/> Removal of College Furnishings/Property |                                    |

Other (Please Explain) \_\_\_\_\_

**Description of Incident (Who, What, Where, How, Etc.):**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

*Please use another sheet of paper if necessary.*

Prepared by: \_\_\_\_\_ Date: \_\_\_\_\_

*Person(s) Involved MUST Circle One*

**PLEA ENTERED:    ADMIT            DENY**

I understand that a plea of **ADMIT** means that I am forfeiting my right to a Conduct Review Board Hearing, and understand that I will be sanctioned accordingly.

**Printed Name** \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

I am **DENYING** these charges as presented above and request a Conduct Review Board Hearing.

Signature \_\_\_\_\_ Date \_\_\_\_\_



*You will be notified in writing of the date, time, and location of your hearing. Failure to appear will result in being found in contempt and further sanctions may be assessed.*

*Rev 8/07*