

SUBJECT: Student Affairs

Policy 300 Student Conduct and Grievance

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Great Falls College Student Conduct Code

Introduction and Purpose:

The Associate Dean of Student Services will review the Great Falls College's Conduct Code and Title IX and Grievance Procedures for Students annually. As changes occur in the organizational, operational, educational, and legal environments, the policy is revised.

300.10 STUDENT RESPONSIBILITIES

300.11 ACADEMIC EXPECTATIONS

Students must:

- A. be prompt and regular in attending classes;
- B. be well prepared for classes;
- C. submit required assignments in a timely manner;
- D. take exams when scheduled;
- E. act in a respectful manner toward other students and the instructor and in a way that does not detract from the learning experience; and
- F. make and keep appointments when necessary to meet with the instructor. In addition to the above items, students are expected to meet any additional course and behavioral standards as defined by the instructor.

300.12 ASSISTANCE

Students should seek assistance from the instructor and from the appropriate College support services (e.g., tutors, study skills assistance, advising, career development, etc.), if the need for such services arises.

300.13 EVALUATION

Students should follow fair and appropriate procedures when evaluating their courses and instructors. Factors such as race, ethnicity, color, religion, sex/gender, sexual orientation or preference, age, national origin, disability, marital status, political beliefs, veteran status or personal relationships may not be considered.

300.14 ACADEMIC HONESTY

The integrity of the academic process requires credit be given where credit is due. Accordingly, it is academic misconduct to present the ideas or works of another as one's own work, or to permit another to present one's work without customary and proper acknowledgment of authorship. Students may collaborate with other students only as expressly permitted by the instructor. Students are responsible for the honest completion and representation of their work, the appropriate citation of sources and the respect and recognition of others' academic endeavors.

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300.20 INSTRUCTOR RESPONSIBILITIES

300.21 COURSE OUTLINE/SYLLABUS

The general content of a course or academic program must be described with reasonable accuracy in catalogs and other written documents available to students. Instructors must use the College's syllabus template, and ensure every student receives the syllabus either in paper form or by electronic means. This material must be given (or otherwise made available) to the students at the first class meeting.

300.22 COURSE EXPECTATIONS

A. Classroom Behavior

Instructors may establish reasonable rules for classroom behavior and must articulate such rules as part of the other course materials provided to the students. In the absence of any such written expectations, the expectations outlined in 300.40 and 300.70 shall apply.

B. Collaboration Among Students

Unless otherwise specified, students may not collaborate on graded material. Instructors are encouraged to provide collaborative learning opportunities but must state, in writing or by electronic means, the limits of assistance permitted between and among students in a course assignment or academic evaluation.

C. Instruction Responsibilities

Unless otherwise stated, students are expected to be prompt and regular in attending classes, turning in assignments on time and in taking exams when scheduled. Instructors may establish additional rules for attendance and make-up exams and must articulate these clearly in writing. Instructors must be prompt in meeting their scheduled classes, be available for appointments with students at designated times, be well prepared for classes, and be fair and prompt in grading class assignments and tests. The scheduled final examination period must be used for final examinations in the class or other instruction.

300.23 PERSONAL INFORMATION ABOUT STUDENTS

Factors such as race, creed, color, religion, sex, age, national origin, disability, political beliefs or personal relationships must not be considered in matters of academic evaluation, academic assignments, or classroom procedures. If an instructor learns personal information about the student (religious and political views, sexual orientation, etc.) during the progress of the course, he/she must not share such information with the other students nor should such knowledge influence the evaluation of the student. Additionally, all college employees—including faculty, instructors and staff—must abide by the Family Educational Rights and Privacy Act of 1974 (FERPA). This Act affords students certain rights with respect to their education records.

300.24 OFFICE HOURS

Instructors are required to make time available for student conferences preferably through regularly scheduled office hours. Office hours should be convenient to both students and the instructor with the opportunity provided for

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prearranged appointments especially when the instructor teaches online or is an adjunct (part-time) instructor. Online instructors may conduct such appointments via phone or live chat. Available office hours and a process for making appointments in cases of online or adjunct instructors should be communicated to students.

300.25 ABSENCE FROM CLASS

Instructors are required to meet with their classes regularly and at scheduled times. In case of illness or emergency, the department should be notified and arrangements should be made to have another staff member instruct the class or promptly notify students of cancellation. Classes may not be canceled for the convenience of the instructor. When an instructor knows in advance he/she will miss a class, arrangements must be made to have the work of the class continue, either by arranging for a substitute instructor, by scheduling an examination for that day, or by providing some alternate work assignment for the students.

300.26 GRADING

Instructors must specify in writing, as part of the syllabus, the specific grading policies for the class. Grading is the prerogative and responsibility of the instructor. Instructors are responsible for the assignment of the final course grade. The assigned grade must reflect the performance of the student in the course commensurate with the content and objectives of the course. If a student questions his/her grade, the instructor has a responsibility to discuss the matter with the student. If the instructor cannot satisfactorily resolve the matter, the student must be advised of the complaint (grievance) procedures, see section 300.30.

Should a grievance be filed, the instructor will provide assistance as necessary to process the grievance. Graded examinations, papers, and other sources of evaluation are to be available to the student for inspection and discussion. Ultimately, if the instructor chooses to retain these materials, they must be kept for a period of one year. If graded materials become the property of the student, then uncollected materials must be kept for one semester. Adjunct and part-time instructors should arrange for storage with the department in their absence. The grade records will be retained for at least one year to provide the opportunity for review and resolution of grade disputes.

300.30 INSTRUCTION COMPLAINT PROCEDURES

300.31 INFORMAL RESOLUTION

Students who have complaints about instructors who they believe have failed to meet their instructional responsibilities should first attempt to resolve the situation directly with the instructor. If the complaint is not resolved by meeting directly with the instructor, the student should contact the instructor's Division Director. If the student is uncomfortable doing this on his/her own, he/she may consult with his/her academic advisor for advice and for suggestions as to who he/she might ask to attend such a meeting (including the academic advisor). Informal resolution may also include meeting with the Program Director or Clinical Supervisor.

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300.32 FORMAL RESOLUTION

If the student is not satisfied after contacting the instructor and Division Director, the student may submit a Complaint Form to the instructor's Division Director (forms available at division office and/or the Associate Dean of Student Services' office). The complaint must be presented in writing to the Division Director no later than the fifteenth day of college instruction of the following term. The Division Director will address the matters raised in the complaint with the instructor and will advise the student and the instructor in writing of his or her determination regarding the complaint within ten (10) business days. If the Division Director fails to act or the student is dissatisfied with the Division Director's action, the student may forward the complaint, along with written explanation as to why the Division Director's decision was unsatisfactory, to the Associate Dean of Academic Affairs within five (5) business days of receipt of the Division Director's determination. The Associate Dean of Academic Affairs will submit a written decision to the student within ten (10) business days of the receipt of the appeal. If the Associate Dean of Academic Affairs fails to act or the student is dissatisfied with the Associate Dean of Academic Affairs' action, the student may forward the complaint, along with written explanation as to why the decision was unsatisfactory, to the CEO/Dean within five (5) business days of receipt of the Associate Dean of Academic Affairs' determination. The CEO/Dean will submit a written decision to the student within ten (10) business days of the receipt of the appeal. The CEO/Dean's decision is the final decision of the College. Timeframes may be altered to fit the situation, but must be agreed upon ahead of time.

300.40 ACADEMIC MISCONDUCT DEFINITIONS

The administration, faculty and students of Great Falls College MSU believe academic honesty and integrity are fundamental to the mission of higher education. The College has a responsibility to promote academic honesty and integrity and to assure the highest ethical and professional standards and behavior in the classroom. Accordingly, the College has developed procedures that address instances of academic dishonesty. Students who violate these standards commit academic misconduct and will be subject to academic and/or disciplinary sanctions.

300.41 ACADEMIC MISCONDUCT

Academic Misconduct includes cheating, plagiarism, forgery, falsification, facilitation or aiding academic dishonesty; multiple submission, theft of instructional materials or tests; unauthorized access to, manipulation of or tampering with laboratory equipment, experiments, or computer programs without proper authorization; alteration of grades or files; misuse of research data in reporting results; use of personal relationships to gain grades or favors, or otherwise attempting to obtain grades or credit through fraudulent means.

300.42 DESCRIPTIONS AND EXAMPLES

A description of some forms of academic misconduct and examples are provided to help the student understand his/her responsibilities for academic honesty. Academic misconduct includes, but is not limited to the following:

A. *Cheating*

Giving, using or attempting to use unauthorized materials, information, notes, study aids or other devices in any academic exercise including unauthorized communication of information. Examples of cheating include copying

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from another student's paper or receiving unauthorized assistance during a quiz, test or examination; using books, notes or other devices such as calculators, unless authorized; acquiring without authorization copies of tests or examinations before the scheduled exercise; or copying reports, laboratory work or computer programs or files from other students.

B. *Falsification / fabrication*

The invention or unauthorized alteration of any information or citation in an academic exercise. Examples of fabrication include inventing or counterfeiting data or research procedures to give the appearance of results being achieved from procedures that were not undertaken. Examples of falsification include the false citation of a source of information; altering the record of, or reporting false information about practicum or clinical experiences; altering grade reports or other academic records; submitting a false excuse for absence or tardiness; or altering a returned examination paper and seeking a better grade.

C. *Tampering*

Interfering with, altering or attempting to alter university records, grades, assignments, laboratory experiments or other documents without authorization. Examples of tampering include using a computer or false-written document to change or affect the grade recorded for a student; forging the signature of a university official on a drop/add sheet or other official university record; erasing or altering records or information of a student; unauthorized access to a university record by computer or unauthorized entry into an office or file; or obtaining information from the university without proper authorization.

D. *Plagiarism*

Presenting the work of another as one's own without proper acknowledgment. Examples of plagiarism include submitting as one's own work the work of another student, ghost writer or commercial writing service; directly quoting from a source without acknowledgment; paraphrasing or summarizing another's work without acknowledging the source; or using facts, figures, graphs, charts or information without acknowledging the source. Plagiarism may occur orally or in writing and may involve computer programs and files, research designs, distinctive figures of speech, ideas and images or any other information that belongs to another person and is not acknowledged as such. Inadvertent or unintentional misuse or appropriation of another's work (such as relying heavily on source material that is not expressly acknowledged) is still considered plagiarism.

E. *Facilitating academic misconduct*

Giving assistance or attempting to assist another in the commitment of academic misconduct.

F. *Multiple Submission*

Submitting the same paper or oral report for credit in two courses without the instructor's permission; making minor revisions in a paper or report for which credit has already been received and submitting it again as a new piece of work.

G. *Other Academic Misconduct*

Other examples of academic misconduct include allowing another student to copy from one's paper during an examination or test; distributing test questions or substantive information about the material to be covered on a

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test before the scheduled exercise; collaborating on work with the knowledge that the collaboration is not authorized or will not be reported; or taking an examination or test for another student or signing a false name on an academic exercise.

300.45 SANCTIONS

The following sanctions may be imposed for academic misconduct. The instructor imposed sanctions are limited to items A through E. Items F through I may be imposed as a result of repeated or recurrent offenses and formal investigation and ruling by the Associate Dean of Student Services:

- A. oral reprimand;
- B. written reprimand;
- C. an assignment to repeat the work or an alternate assignment;
- D. a lower or failing grade on the particular assignment or test;
- E. a lower grade or failing grade in the course;
- F. removal of the student from the course in progress;
- G. removal of the student from a major, or program;
- H. withdrawal of degree or academic credit previously bestowed; and
- I. any sanction that may be imposed for violation of the Student Conduct Code (reference 300.70), including disciplinary probation, suspension or expulsion from the College.

300.46 DISRUPTIVE STUDENT

The primary responsibility for managing the classroom environment rests with the faculty. Students who engage in any prohibited or unlawful acts that results in disruption of a class may be directed by the instructor to leave the class for the remainder of the class period. The term "prohibited acts" includes behavior prohibited by the instructor, including but not limited to, smoking in the classroom, persistently speaking without being recognized or called upon, refusing to be seated, and disrupting the class by leaving and entering the room without authorization.

Longer suspensions from a class or dismissal from a course on disciplinary grounds must be preceded by a charge of a violation of the Student Conduct Code and by an investigation by the Associate Dean of Student Services as set forth in Section 300.80 of the Student Conduct Code, if requested by the student or the instructor. A student dismissed from a class as the result of a Student Conduct Code violation will be assigned a grade of F (Failing). The student may register to re-take the course at a later date in accordance with existing College policy. It must be emphasized this provision is not designed to be used as a means to punish classroom dissent. The expression of disagreement with the instructor or classmates is not in itself disruptive behavior.

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300.50 ACADEMIC MISCONDUCT PROCEDURES

300.51 INSTRUCTOR IMPOSED ACADEMIC SANCTIONS

If an instructor has reason to believe that a student has engaged in academic misconduct, the following procedures apply:

300.51a Informal Meeting

The instructor should personally and privately advise the student that there is reason to believe that the student has committed an act that constitutes academic misconduct. The student should be allowed a reasonable opportunity to respond or explain. If, after hearing the student's response (if any is provided), the instructor continues to believe the student engaged in academic misconduct, he or she will inform the student in writing of his or her determination and of any intended sanction(s). An instructor is limited to imposing sanctions A through E of Section 300.45. The instructor will prepare the [Academic Misconduct Notification](#) and submit copies to the student, the Division Director, the Associate Dean of Student Services, and the Associate Dean of Academic Affairs. The instructor has the right to request the student not be allowed to drop the class in question through the Associate Dean of Student Services. The Academic Misconduct Notification form shall be kept by the Associate Dean of Student Services' Office for five years from the date of receipt of the Notification Form.

300.52 ADDITIONAL SANCTIONS UNDER STUDENT CONDUCT CODE

300.52a Referral by Instructor

In addition to the imposition of the academic sanctions, an instructor may request in writing the Associate Dean of Student Services sanction the student for violation of the Student Conduct Code pursuant to Section 300.70. If the student is found in violation of the Student Conduct Code, sanctions F-I of Section 300.45 may be imposed in addition to the academic sanctions.

300.52b Recurrence of Academic Misconduct

A student who has been sanctioned by instructors more than once at Great Falls College will be charged with a violation of the Student Conduct Code (Section 300.70) and will be subject to additional disciplinary sanctions through the Associate Dean of Student Services.

300.53 APPEAL OF INSTRUCTOR-IMPOSED ACADEMIC SANCTIONS

300.53a Right to Appeal

A student who receives an Academic Misconduct Notification under Section 300.50 may appeal the instructor's determination that academic misconduct occurred using the procedure outlined below. This appeal must be based on one of the following:

- The consequences imposed are unnecessarily harsh; and/or
- The Academic Misconduct charge is incorrect.

300.53b Instructor-Imposed Academic Misconduct Sanction Appeal Procedure

A. Division Director Review

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The student may present a formal appeal in writing to the instructor's Division Director no later than ten (10) business days after the student's receipt of the Academic Misconduct Notification. The student must provide evidence the instructor's determination of academic misconduct was incorrect or the consequences imposed were too harsh, and state the precise relief sought by the student. The student may attach copies of any relevant documents. The student shall send a copy of the appeal to the instructor and the Associate Dean of Student Services.

The instructor shall have ten (10) business days to respond in writing to the Division Director after receipt of the appeal. The instructor shall present his/her evidence the charged student committed academic misconduct. The Division Director shall send a copy of the instructor's response to the student and the Associate Dean of Student Services.

The Division Director will receive and review all evidence, interview each party, if possible, and other relevant individuals, and render a written decision with recommendations as to resolution within ten (10) business days of receipt of the instructor's response. The Division Director shall send a copy of his/her decision to the student, the instructor, and the Associate Dean of Student Services. If the appeal is not concluded within this time, the student may carry it forward to the Associate Dean of Academic Affairs for resolution. Timeframes may be altered to fit the situation, but must be agreed upon ahead of time.

B. Associate Dean of Academic Affairs' Review

Either party may appeal the Division Director's decision in writing to the Associate Dean of Academic Affairs, with copies to the instructor, student, the Division Director. Such appeal must be filed within five (5) business days of receipt of the Division Director's determination. The Associate Dean of Academic Affairs will submit a written decision to the student, instructor, the Division Director and the Associate Dean of Student Services' Office within ten (10) business days of receipt of the appeal.

C. CEO/Dean Review

Either party may appeal the Associate Dean of Academic Affairs' decision in writing to the CEO/Dean of the College, with copies to the instructor, student, Division Director, Associate Dean of Academic Affairs, and the Assistant Dean of Student Services. Such appeal must be filed within five (5) business days of receipt of the Associate Dean's determination. The CEO/Dean will submit a written decision to the student, instructor, Division Director, Associate Dean of Academic Affairs, and the Associate Dean of Student Services' Offices within ten (10) business days of receipt of the appeal. The decision of the CEO/Dean is the final decision of the College in the matter.

300.53c Grade Pending Resolution

If the student's appeal of the instructor's academic misconduct determination has not been resolved before the instructor submits final grades in the course, an incomplete grade ("I") will be assigned until the matter is concluded. A grade assigned before the instructor's knowledge of academic misconduct may be changed after it was assigned if the grade was obtained through academic misconduct or by fraud.

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300.53d Appeal of Additional Sanctions/Multiple Violations

Sanctions imposed by the Associate Dean of Student Services pursuant to Section 300.45 may be appealed in accordance with the provisions of the Student Conduct Code Section 300.70.

300.60 STUDENT ACADEMIC GRIEVANCE PROCEDURES

300.61 INTRODUCTION

Students who disagree with an academic decision made by an instructor or administrator, including the assignment of grades or decisions about program or degree requirements or eligibility, should first attempt to resolve the situation informally with a meeting with the instructor or administrator. If an attempt at informal resolution fails, the student may file a grievance under these procedures.

300.62 ACADEMIC DECISIONS REVIEWED

These procedures are available only to review allegedly unfair academic decisions and not mere differences of opinion regarding the professional judgment of the instructor in evaluating a student's work or making an academic decision. The academic decision, including the assignment of a grade, will be considered unfair if the decision is made:

- A. on some basis other than performance in the course and/or compliance with course assignments and requirements;
- B. by more exacting or demanding standards than were applied to other students in the same section;
- C. by a substantial departure from the instructor's, division's, or College's announced standards as articulated in the course syllabus, catalog descriptions and/or other written materials.

300.63 STUDENT ACADEMIC GRIEVANCES

A student who wishes to grieve an academic decision must proceed as follows:

300.63a Informal Meeting

The student should attempt to informally resolve the matter directly with the instructor or administrator through a personal conference as soon as possible after the academic decision is known.

300.63b Division Director Review

If the student and instructor cannot reach a mutually satisfactory resolution to the problem informally, the student may file a formal grievance. The grievance must be presented in writing to the instructor's Division Director no later than the fifteenth (15th) day of college instruction of the following term. The student must describe the grievance, the date(s) of occurrence, why the student believes the decision was unfair, the student's attempts to resolve the grievance informally and the precise relief sought by the student. The student may attach copies of any relevant documents.

The student shall send a copy of the grievance to the instructor. The instructor shall have ten (10) business days to respond in writing to the student and Division Director after receipt of the grievance.

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Once a student files a grievance, he/she will be assigned an incomplete grade ("I") until the matter is concluded. A grade assigned before the filing of the grievance may be changed by the Associate Dean of Academic Affairs, if, after the grievance procedures have been completed, the grade is found to be unfair or otherwise improper.

The Division Director will receive and review all evidence, interview each party, if possible, and render a written decision to the student and the instructor with recommendations as to resolution within ten (10) business days of receipt of the instructor's response. If the grievance is not concluded within this time, the student may carry it forward to the Associate Dean of Academic Affairs for resolution. Timeframes may be altered to fit the situation, but must be agreed upon ahead of time.

300.63c Associate Dean of Academic Affairs' Review

Either party may appeal the Division Director's decision in writing to the Associate Dean of Academic Affairs, with copies to the instructor, student and the Division Director. Such appeal will be filed within five (5) business days of receipt of the Division Director's determination. The Associate Dean of Academic Affairs will submit a written decision to the student, instructor, and the Division Director within ten (10) business days of receipt of the appeal.

300.63d CEO/Dean Review

Either party may appeal the Associate Dean of Academic Affairs' decision in writing to the CEO/Dean of the College, with copies to the instructor, student, the Division Director, and the Associate Dean of Academic Affairs. Such appeal will be filed within five (5) business days of receipt of the Associate Dean of Academic Affairs' determination. The CEO/Dean will submit a written decision to the student, instructor, the Division Director, and the Associate Dean of Academic Affairs within ten (10) business days of receipt of the appeal. The decision of the CEO/Dean is the final decision of the College in academic grievances.

STUDENT CONDUCT CODE

NOTICE: FOR TITLE IX COMPLIANCE AND VIOLATIONS OF SEXUAL HARASSMENT, SEXUAL MISCONDUCT AND/OR SEXUAL ASSAULT POLICIES, SEE POLICY 301.1, "Discrimination, Harassment, Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, and Retaliation" and POLICY 301.1.1, "Discrimination Grievance Procedures."

300.70 CONDUCT EXPECTATIONS

Great Falls College MSU expects all students to conduct themselves as honest, responsible and law-abiding members of the academic community and to respect the rights of other students, members of the faculty, staff, and the public to use, enjoy, and participate in the College's programs and facilities. Student conduct that disrupts, invades, or violates the personal and property rights of others is prohibited and may be subject to disciplinary action.

300.71 STUDENT CONDUCT JUDICIAL AUTHORITY AND JURISDICTION

- A. Student Conduct violations which occur on College-owned or College-controlled property or at College sponsored events are subject to College disciplinary jurisdiction. The College may also apply this code to student conduct, regardless of where it occurs, which adversely impacts or affects the overall mission, programs, and functions of the College or the health and safety of members of the College community.

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B. Students who commit offenses against the laws of the city, state or United States are subject to prosecution by those authorities and may be subject to disciplinary action under this code if the offenses are also violations of this code. College disciplinary proceedings may precede, follow, or take place simultaneously with criminal proceedings or investigations and will not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed or reduced. When a student has been charged by a civil authority for a violation of law, the College will neither request nor agree to special consideration for the student solely because of his or her status as a student.

300.72 PROSCRIBED STUDENT CONDUCT

Any student found to have committed a violation of the student conduct code is subject to disciplinary sanctions outlined in Section 300.45. The following offenses constitute violations of the Student Conduct Code and can lead to serious disciplinary action, including suspension or expulsion from the College.

300.72a Acts of Dishonesty

Acts of dishonesty include but are not limited to:

- A. Cheating, plagiarism or other breaches of academic integrity, such as fabrication, facilitating or aiding academic dishonesty; theft, unauthorized possession or use of instructional materials or tests; unauthorized access to or manipulation of laboratory equipment or experiments; alteration of grades or files; misuse of research data in reporting results; use of personal relationships to gain grades or favors, or otherwise attempting to obtain grades or credit through fraudulent means. (Refer to Academic Misconduct Procedures, 300.50 for additional definitions);
- B. Knowingly furnishing false information to any College official, faculty member or office;
- C. Forgery, alteration or misuse of College documents, records, instruments of identification, computer programs or accounts.

300.72b Harassment and Hazing

- A. Harassment includes but is not limited to verbal, psychological, graphic and/or written abuse directed at another, beyond a reasonable expression of opinion, which:
 - 1. is threatening or carries with it the intention to do bodily harm; or
 - 2. disrupts or undermines a person's exercise of his/her responsibilities as a student, faculty or staff member including unreasonably interfering with a person's educational or work performance.
- B. Harassment which is based upon discrimination as defined in MSU's [Discrimination, Harassment, Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking Policy](#) is also proscribed conduct, but that type of harassment is covered in Section 330.72h below; it is a separate offence from Harassment under this section and

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such conduct is addressed as provided in Sections 330.72h below.

- C. Hazing includes but is not limited to any conduct or method of initiation, admission or condition of continued membership in any student organization which:
1. endangers the physical or mental health or safety of any student or other person, including extended deprivation of sleep or rest; forced consumption of food, liquor, beverage, or drugs; beating or branding; involuntary confinement or imprisonment; or
 2. destroys, vandalizes or removes public or private property.

300.72c Assault

- A. Physical assault, which includes but is not limited to: physical contact of an insulting or provoking nature or physical interference with a person which prevents the person from conducting his/her customary or usual affairs, puts the person in fear for his/her physical safety, or causes the person to suffer actual physical injury.

NOTICE: FOR TITLE IX COMPLIANCE AND VIOLATIONS OF SEXUAL HARASSMENT, SEXUAL MISCONDUCT AND/OR SEXUAL ASSAULT POLICIES, SEE POLICY 301.1, "Discrimination, Harassment, Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, and Retaliation" and POLICY 301.1.1, "Discrimination Grievance Procedures." 300.72d Alcohol and Drug Offenses

- A. Use, possession, manufacture, distribution or sale of narcotics or dangerous drugs, except as expressly permitted by law or College policy.
- B. Use, possession or distribution of intoxicants, including alcohol, in the buildings or on the grounds of Great Falls College MSU except as expressly permitted by law or College policy.

300.72e Firearms, Explosives and Weapons Offenses

Illegal or unauthorized possession or use of firearms, explosives, weapons or dangerous chemicals on College premises, including:

- A. carrying a concealed weapon and/or firearm;
- B. discharging firearms on campus;
- C. possessing firearms or ammunition on campus; and/or
- D. possessing dangerous chemicals on campus, except as authorized by law and by College policy.

300.72f Illegal and Disruptive Conduct



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- A. Violation of federal, state or local law on College premises or at College sponsored activities; violation of published College policies, rules or regulations;
- B. Acting to impair, interfere with or obstruct the orderly conduct, processes and functions of the College, including but not limited to:
 - 1. Violence or threat of violence against self or any member or guest of the College community;
 - 2. Interference with the freedom of movement of any member or guest of the College;
 - 3. Interference with the rights of others to enter, use or leave any College facility, service or activity;
 - 4. Obstruction or disruption of teaching, learning, research, administration, disciplinary procedures or other College activities, or of other authorized activities on College premises;
 - 5. Use of public address systems on the campus outside of College buildings except with permission of the Office of Student Services;
 - 6. Failure to comply with directions of law enforcement officers, security personnel and College officials acting in the performance of their duties and/or failure to identify oneself to those persons when requested;
 - 7. Failure to comply with any authorized Student Conduct Code sanction(s)/condition(s); and/or
 - 8. Trespassing or unauthorized entry into College buildings or property.

300.72g Theft/Misuse of Property

- A. Theft, attempted theft, unauthorized possession, use, or removal of College property or the property of any member of the College community.
- B. Defacing, tampering, damaging or destroying College property or the property of any member of the College community.
- C. Unauthorized presence in or use of College grounds, facilities, or property.
- D. Theft or other abuse of computer facilities, capabilities and/or computer time, including but not limited to:
 - 1. Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose;
 - 2. Unauthorized transfer of a file;

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3. Unauthorized use of another individual's identification or password;
4. Use of computing facilities to interfere with the work of another student, faculty member or College official;
5. Use of computing facilities to send harassing or abusive messages;
6. Use of computing facilities to interfere with the normal operation of the computing system;
7. Unauthorized use of computer resources, or the unauthorized use or copying of computer data or software. Examples of unauthorized use or copying include: attempts to alter systems, unauthorized access or copying of data or software, attempts to release data, text, files or software in violation of copyright protection and the condoning, approving, or directing of unauthorized use or copying;
8. Unlawful downloading and distribution of copyrighted digital media via peer-to-peer (P2P) file sharing applications including, but not limited to video (movies) and sound (music) files;
9. Attempts to circumvent or defeat any University owned system firewall or any other mechanism put in place to manage the network; and/or
10. Failure to abide by or comply with Great Falls College Information Technology Policies 701.1-705.1.

330.72h. Violation of Great Falls College's Discrimination, Harassment, Sexual Misconduct, Dating Violent, Domestic Violence, and Stalking Policy

Violation of Great Falls College MSU's Policy on [Discrimination, Harassment, Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking and Retaliation Policy](#) (Discrimination Policy) is proscribed conduct under this Student Conduct Code. The definitions of discrimination, harassment, sexual misconduct, domestic violence, and stalking are contained in the Discrimination Policy. Violations of the Discrimination Policy include retaliation against an individual for taking any of the actions in support of this policy as defined in Section 128.00 of the Discrimination Policy.

300.80 STUDENT CONDUCT PROCEDURES

NOTICE: IF THE ALLEGED OFFENSE IS VIOLATION OF MSU'S POLICY ON DISCRIMINATION, HARASSMENT, SEXUAL, MISCONDUCT, DATING VIOLENCE, DOMESTIC VIOLENCE, AND STALKING POLICY, THE FOLLOWING PROCEDURES **DO NOT APPLY** AND SECTION 300.89 BELOW WILL APPLY INSTEAD.

On its own initiative or at the request of any student, faculty or staff member, the College, through the Associate Dean of Student Services' Office, may file appropriate accusations/complaints of misconduct against a student.

- A. Charges should be filed no later than four (4) months after the alleged violation of the Student Conduct Code, unless good cause is shown to justify the delay. When complaints are referred to the Associate Dean of Student Services for resolution, a preliminary investigation of the allegations will be conducted within (30) business days

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from the date the complaints were filed, unless good cause can be shown for delay.

B. If a student has withdrawn or withdraws from the College after complaints have been filed, the College may:

1. place a hold on the student's academic record and notify the student that disciplinary action will be initiated before the student's re-enrollment in the College; or
2. proceed with the disciplinary process, determining sanctions to be imposed if the student is readmitted.

C. The Associate Dean of Student Services may order College administrative services such as grades, registration, course drop/adds, fee payment, refunds, withdrawals, fee waivers, etc., be withheld to compel students accused of violation(s) of the Student Conduct Code to meet with the Associate Dean of Student Services as necessary to properly investigate the alleged violation(s). Unless otherwise ordered by the Associate Dean of Student Services, when the preliminary investigation indicates the need for a full investigation, all services will be withheld pending the outcome of the formal investigation, and any resulting sanctions and appeals.

300.82 PRE-INVESTIGATION PROCEDURES

Upon filing a complaint, the College may conduct a preliminary investigation and an informal meeting with the accused student(s) to discuss the nature of and responsibility for an alleged offense.

- A. The College shall notify the charged student(s) in the preliminary investigation and informal meeting of the complaint on file.
- B. The College staff member conducting the preliminary investigation may withdraw any charge determined to be without basis. The person who filed the complaint initially may appeal this decision under the appeal processes set forth in Section 300.53.
- C. After the conclusion of the preliminary investigation, an Administrative Agreement can be proposed between the Associate Dean of Student Services and the accused student(s) if the facts and any sanction(s) which may be imposed can be agreed upon. The Administrative Agreement will be prepared and signed by both the student and the Associate Dean of Student Services. By signing the Administrative Agreement, the student waives the right to any appeal and agrees to accept the sanction(s).
- D. If an Administrative Agreement is not signed within five (5) business days following the preliminary investigation, the matter shall be referred for formal investigation.

300.83 NOTICE

In the event of a formal investigation, the accused student shall be notified within three (3) business days that a formal investigation is being conducted. Such notice shall be in writing and shall include the following:

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- A. The specific complaint(s) citing the College policies or regulation(s) allegedly violated.
- B. A description of the alleged violation(s), including the time and place of the alleged act(s) (insofar as may reasonably be known) and a summary of the information upon which the complaints are based.
- C. The timeline expected for the conduct and conclusion of the investigation, and decision to be made as a result of the investigation.
- D. The procedures to be followed in communication with both parties of the complaint (complainant and respondent).

300.84 FORMAL INVESTIGATION PROCEDURES

- A. The formal Investigation will be conducted either by the Associate Dean of Student Services or designee, and when an employee is also involved in the complaint, the Executive Director of Human Resources. This investigation will be concluded within thirty (30) days of the date the matter was referred for formal investigation, unless there is good cause for delay.
- B. The Investigator(s) will identify all policies that apply to the situation, identify all witnesses and other persons to be interviewed in order to understand the matter fully.
- C. Interview of Complainant and Respondent. Both the Complainant and Respondent should be interviewed as part of the investigation, and given the opportunity to review the notes from their own interviews for accuracy. Legal counselors or advisors, if present, are not allowed to directly question the Investigator, and instead must confine their comments to their client only.
- D. The Investigator(s) will present his/her findings regarding any violation of policy or Student Conduct Code, and recommendation for addressing of the findings to the designated College official acting in the matter. The designated College official shall, within five (5) business days after receiving the findings and recommendations of the Investigator, determine what sanction(s), if any, will be imposed. The official shall send a copy of the decision and the sanction to be imposed to the Respondent and the Complainant.
- E. The decision of the designated College official and the sanctions imposed may be appealed to the CEO/Dean as set forth in Section 300.86.

300.85 SANCTIONS

- A. Individual Sanctions: In recommending or determining a sanction, a designated College official may consider the student's present and past disciplinary record, the nature of the offense, the severity of any damage, injury, or harm resulting therefrom, and other factors relevant to the matter. If the student is found to have violated the Student Conduct Code, the responsible College official may impose one or more of the following sanctions:

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1. Expulsion

Permanent separation of the student from the College. The student may also be barred from College premises.

2. Suspension

Separation of the student from the College for a specified period of time, but not less than the remainder of the semester. The student shall not participate in any College sponsored activity and may be barred from College premises.

3. Conduct Probation/Suspension Warning

A status which is imposed for a designated period of time and includes the probability of more severe disciplinary sanctions, including suspension or expulsion, if the student is found to have violated the Student Conduct Code during the period.

4. Disciplinary Reprimand

A formal reprimand, which may be imposed either in verbal or written form, a written reprimand for violation of the Student Conduct Code and a warning that further misconduct may result in more severe disciplinary action.

5. Restitution

Compensation for actual loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.

6. Other Sanctions

Other sanctions may be imposed instead of or in addition to those specified above, such as work requirements, restrictions, loss of privileges, withholding registration, limitation of access to College property, imposition of mandatory educational or counseling requirements or other sanction appropriate under the circumstances.

B. Group Sanctions – The following sanctions may be imposed upon student groups or organizations registered with the College:

1. Those sanctions listed in subparagraphs 3, 4, 5 and 6 of Section 300.85 above.

2. Deactivation - Loss of all privileges, including College recognition or registration or a specified period of time.

300.86 APPEALS

A. The Respondent may appeal the decision of the designated College official following a formal investigation by delivering a letter of appeal to the CEO/Dean within five (5) business days of the student's receipt of the official's decision. The letter of appeal shall specifically allege and factually support one or more of the following grounds:



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1. The student's rights as set forth in this procedure were violated (i.e., there was an error in the procedure or the interpretation of the Student Conduct Code which substantially affected the decision);
 2. The student has discovered new evidence, not previously available, which would have materially affected the decision; or
 3. The sanctions imposed are not appropriate given the nature of the violation.
- B. If a sufficient claim is presented under one or more of the specified grounds, the CEO/Dean shall request a copy of the record of the formal investigation. Within fifteen (15) business days from receipt of the record, the CEO/Dean shall review the entire record and render a written decision. The CEO/Dean may remand the case to the Investigator for further findings of fact or clarification. The decision of the CEO/Dean shall be based on the record only and is the final decision of the College. A copy of the decision shall be sent to the Respondent, the Complainant and included in the record, which shall be returned to the Associate Dean of Student Services' office for official record keeping. Grades will be withheld until the appeal has been decided.

300.87 INTERIM RESTRICTIONS

- A. The CEO/Dean or the Associate Dean of Student Services or their designee may impose interim restrictions or College suspension upon a student pending the resolution of disciplinary proceedings if there is reason to believe that the student's conduct poses an imminent and substantial threat of injury to or interference with persons or property.
- B. Interim restrictions may include, but are not limited to, the following:
1. College suspension;
 2. Limitation of access to College facilities, or College property in general;
 3. Restriction of communication with named individuals or groups within the College community; and/or
 4. The requirement to secure advance authorization to engage in a specified activity and/or professional evaluation, intervention and/or treatment.
- C. The College official imposing the interim restrictions shall notify the student in writing of the restrictions imposed and shall schedule a meeting with the student to be held within two (2) business days after the imposition of the interim restrictions. If the student is unable to attend for good cause, the meeting will be held as soon as the student is able to attend.
1. At the meeting, the student shall be informed of the basis of the allegations that led to the imposition of the Interim Restrictions and shall be offered the opportunity to explain his/her position regarding the charges and the imposition of the Interim Restrictions. If, after hearing the student's position, the College official believes the imposition of the Interim Restrictions was made in error or is too restrictive, he/she may rescind or modify the restrictions. Otherwise, the restrictions shall continue until the decision is

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rendered in the disciplinary proceedings.

2. The time limitations set forth in this section may be expanded upon the consent of the Complainant and by the College official.

300.88 RECORDS AND CONFIDENTIALITY

- A. The Associate Dean of Student Services' Office shall maintain disciplinary records, which shall include, but not be limited to, the student's name and related identifying information, applicable Student Conduct Code section(s), parties involved, description of the incident, sanction(s), expiration dates, agreements or restrictions, and any other data deemed relevant. Disciplinary records and related information shall be made available to Investigators and designated officials to assist in recommendation of an appropriate sanction, and to other College personnel who require such information to fulfill their official duties.
- B. Students may arrange to review their own disciplinary records and related information by contacting the Associate Dean of Student Services' Office.
- C. Except as provided elsewhere in this Code and/or as required by law, the College shall not communicate a student's disciplinary record to any person or agency without the prior written consent of the student or, when the student is a minor, the student's parents or legal guardian.
- D. Disciplinary records shall be maintained for seven (7) years from the last recorded entry, and then destroyed.

300.89 ADJUDICATION OF ALLEGATIONS OF DISCRIMINATION, HARASSMENT, SEXUAL MISCONDUCT, DOMESTIC VIOLENCE, DATING VIOLENCE AND STALKING POLICY VIOLATION OFFENSES

- A. Complaints against student(s) accused of violations of Great Falls College MSU's Discrimination, Harassment, Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking Policy (Policy Violations) will be referred to the Title IX Coordinator who will follow the procedures for reports and complaints of Policy Violation in accordance with Great Falls College MSU's discrimination [Grievance Procedures](#). The Student Conduct Procedures in Section 800.00 "STUDENT CONDUCT ADJUDICATION PROCEDURES" shall not apply in allegations of such Policy Violations and shall be replaced by MSU's Discrimination Grievance Procedures.
- B. When a student is found to have engaged in Policy Violations, the **Associate Dean of Student Services** will impose sanctions allowed by the Student Conduct Code in Section 300.85, including suspension or expulsion from the College. The **Associate Dean of Student Services** sanction decision is the final College decision and shall not be subject to the appeal right and procedures found in Section 300.86 of the Student Conduct Code.

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This policy replaces the following policies effective March 2012 and revised August 2012: 301.1 – Academic Integrity (Effective February 2007; Revised July 2010); 302.2 – Sexual Harassment Policy; 309.1 – Student Complaints (Revised June 2010); 309.2 – Student Conduct Complaints (Revised June 2010); 309.3 – Student Equal Opportunity Complaints (Revised June 2010).