

## **Code of Student Conduct**

Columbia Gorge Community College (CGCC) recognizes a duty to protect their educational purpose through setting standards of scholarship and standards of conduct for the students who attend the college. Each student, by the act of registering, agrees to abide by the rules and regulations of the college and the code of student conduct.

In developing responsible student conduct, disciplinary proceedings play a role substantially secondary to example, counseling, guidance and admonition. In the exceptional circumstances when the preferred means fail to resolve problems of student conduct, proper procedural safeguards shall be observed to protect the student from the unfair imposition of penalties and to ensure procedural fairness to an accused student.

If a student is charged or convicted of an off-campus violation of the law, the matter shall be no cause for disciplinary action by the college unless there is a reasonable possibility that the matter will materially or substantially disrupt the educational process of the college.

### Violations

Disciplinary action may result from the commission of any of the actions listed below, or any violation of civil or criminal law while on college property or at college-sponsored events:

1. Academic cheating or plagiarism or aiding or abetting cheating or plagiarism;
2. Furnishing false information to the college with the intent to deceive the college or any person or agency;
3. Forgery, alteration or misuse of college documents, records or identification cards whether in written or electronic form;
4. Physical abuse or harassment of another person as defined in ORS 166.065 (as now law or hereinafter amended);
5. Malicious destruction, damage or misuse of college or private property (including library materials);
6. Theft or conversion of college property;
7. Conduct which materially or substantially disrupts the educational process of the college;
8. Lewd or indecent conduct as defined by ORS 163.465 (as now law or hereinafter amended);

9. Disorderly conduct as defined by ORS 166.025 (as now law or hereinafter amended);
10. Failure to comply with the lawful directions of college personnel acting in performance of their duties;
11. Unwanted contact or communication of any nature with another student or a staff member after being advised by a college official that such contact or communication is unwelcome and disruptive to the education process of the college as determined by a college official;
12. Interference by force or by violence (or by threat of force or violence) with any administrator, faculty or staff member or student at the college who is in lawful discharge or conduct of his/her duties or studies;
13. Possession, consumption, being perceptibly under the influence or furnishing of alcoholic beverage (as identified by federal or state law) on college-owned or controlled property or at college or student organization functions;
14. Possession, consumption, being perceptibly under the influence or furnishing of any narcotic or dangerous drug, as defined by ORS Chapter 475 and ORS 167.203 to 167.252 (as now law or hereinafter amended), except when use or possession is lawfully prescribed by an authorized medical doctor or dentist;
15. Failure to disperse when an assembly is ordered to disperse by college officials;
16. Disobedience of the notice against trespass;
17. Failure to comply with the following rules regarding firearms and weapons:
  - a. The use, carrying, exhibiting or displaying of any weapon (such as a gun, rifle or other firearm) or any cutting or stabbing instrument (such as a dagger, sword or knife) or any club or weapon apparently capable of producing bodily harm and/or property damages is prohibited on or in college facilities;
  - b. Explosives, incendiary devices or any weapon facsimiles are prohibited on or in college facilities.

The above rules do not apply to equipment or materials owned, used or maintained by the college, used by the college or under college direction, nor to law enforcement officers or campus security personnel.

18. Violations of published college regulations, including those related to entry and use of college facilities, the rules in this section and any other college regulations which may be enacted.

## Sanctions

This policy establishes administrative rules to govern the college and its students and to administer disciplinary action, pursuant to ORS 341.290.

Each faculty member is responsible for conduct in class and is authorized to take such steps as are necessary when behavior of a student interrupts the normal class procedure. When behavior is so serious as to result in removal from the class, the faculty member may remove the student from class for one day and must report the infraction in writing to the Dean of Student Services at the earliest opportunity.

CGCC may apply sanctions for violations or take other appropriate action when student conduct substantially interferes with the college educational responsibility of ensuring the opportunity for all members of the college community to attain their educational objectives or subsidiary responsibilities, such as recordkeeping, providing miscellaneous services and sponsoring out-of-class activities.

Sanctions which may be imposed for the commission of college offenses include:

1. Expulsion from the college (i.e., removal of the privilege to attend CGCC);
2. Suspension from CGCC for a definite period of time;
3. Disciplinary probation with or without the loss of privileges for a definite period of time. The violation of the terms of the disciplinary probation or the breaking of any college rule during the probation period may be grounds for suspension or expulsion from the college;
4. Disciplinary admonition and warning.

Academic cheating or plagiarism or aiding or abetting cheating or plagiarism may also be punished at the discretion of a faculty member by the award of a grade of F for the project, examination or assignment, and/or the course.

The parents or guardian of any student under 16 years of age who is placed on disciplinary probation or suspended or expelled shall be notified.

## Disciplinary Due Process Hearings Procedures

In keeping with the educational purposes of the college, disciplinary actions other than those requiring expulsion are intended to be remedial rather than punitive. Often disciplinary proceedings will be conducted informally between the student and the Dean of Student Services.

Disciplinary charges may be initiated against a student by another student, faculty, staff member or a non-campus person. A complaint must be in writing, signed and presented to the Dean of Student Services who will investigate and take appropriate action. A student charged with violating a college policy shall be given notice in person or by certified, return receipt mail to meet with the Dean of Student Services or designee at a specific time, date and place for a conference regarding a charge of misconduct. In the case

of a minor student, such notice shall go to the parent or guardian. Failure on the part of the student to meet with the Dean of Student Services or designee, as requested, may result in a decision being made in the student's absence. The student shall be notified of the decision by certified mail.

1. During investigation of the charges, the status of the student shall not be altered nor shall his/her right to be present on the campus and to attend classes be suspended except for reasons related to the safety and well-being of student, faculty, staff or college property, or which relate to or interfere with the orderly operation of the college, as judged by the Dean of Student Services.
2. No disciplinary sanction as serious as expulsion, suspension, disciplinary probation or disciplinary warning shall be imposed unless the student has been notified of the charges against him/her and the nature and source of the evidence. A student subject to these sanctions will be allowed to present his/her case to an appropriate college official and to have an advisor of his/her choice present. Advisors are not permitted to present the case but may advise the student.
3. Both the college and the student may seek legal advice at their own expense, but to avoid an adversarial situation, neither the college nor the student will be represented by a lawyer during the college process. The student may withdraw from college of his/her own volition at any time during the disciplinary process.

### Informal Hearings

Informal hearings are held when alleged misconduct is of a less severe nature. The Dean of Student Services or designee shall conduct an informal hearing with the student. At such time the college official will:

1. Review the charges with the student;
2. Review the possible disciplinary action that may be taken if found to be true;
3. Provide the student an opportunity to respond to the charges.

The college official will inform the student of the decision within two school days of the conference. The decision of the college official can be appealed through the college grievance process. Examples of possible action include:

1. Dismiss the charge;
2. Reprimand the student;
3. Order restitution;
4. Place on disciplinary probation;
5. Order summary suspension prior to formal hearing;
6. Report the incident to local law enforcement officials.

### Formal Hearings

Formal hearings are held in cases where alleged misconduct could result in such disciplinary action as final expulsion, indefinite or long-term suspension from the college. The student's status pending the

hearing will be determined by the Dean of Student Services.

The written notice of the formal hearing shall inform the student of:

1. The policy or regulation alleged to have been violated in sufficient detail to allow the student to prepare a defense;
2. The possible disciplinary action to be taken;
3. The right not to be compelled to testify against oneself;
4. The right to a hearing as established under these disciplinary procedures;
5. The right to examine the evidence and to ask questions of witnesses appearing and testifying against him/her, and to offer witnesses and evidence in his/her behalf. Such evidence must be requested three school days before the hearing. The Dean of Student Services may determine under particular circumstances that written testimony and student witnesses will not be made available when issues of harassment/intimidation are involved;
6. The student may have an advisor of his/her choice. The name and address of the advisor shall be provided no later than three school days prior to the hearing. The advisor is not permitted to speak at the college hearing;
7. The right to enter a plea of “guilty” or “not guilty” within three school days after the charge;
8. A plea of “not guilty” shall be entered and a hearing date set if the student fails to enter a plea within three school days.

### Hearing Session

The purpose is to review all the facts and to consider both written and oral testimony in an effort to determine whether or not college policy has been violated and whether or not the student should be disciplined; and if so, what disciplinary action should be taken.

1. The hearing will not be open to the public or members of the college community except those asked to give testimony.
2. Those present in the hearing room will be the Dean of Student Services, who will act as the hearings officer, the student’s advisor and the student involved in the action. In addition, witnesses will be interviewed individually and be absent from the hearing room during the time of other witness testimony.
3. The hearings officer will ask questions in an effort to understand the facts and to determine the strength and credibility of testimony. The student against whom the disciplinary charges have been made may question the witness. The hearings officer may determine under particular circumstances

that written testimony and student witnesses will not be made available when issues of harassment and intimidation are involved.

4. After reviewing available information on the case, the hearings officer will afford the student an opportunity to make his/her final comments before a decision is made. The hearings officer will give his/her conclusions and decision in writing within five school days following the hearing.

END OF POLICY

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Legal Reference(s):

[ORS 341.290](#) (2)