

Sinclair Community College

Student Judicial Affairs
Code of Conduct
Handbook

2008 - 2009



Sinclair
Community
College

success starts here

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Additional College Policies

College Academic Policies—see Course Catalog or www.sinclair.edu

Disciplinary Process for Student Clubs—see Course Catalog or www.sinclair.edu

Employee Harassment Policy—see Course Catalog or www.sinclair.edu

Services for Students—see Course Catalog or www.sinclair.edu

Sinclair Acceptable Use of Info. Tech. Policy—see Course Catalog or <http://www.sinclair.edu/about/information/usepolicy/index.cfm>

Substance Abuse & Prevention Policy for Students—see Course Catalog or www.sinclair.edu

Student Records Policy—see Course Catalog or www.sinclair.edu

Welcome to Sinclair Community College!

Thank you for selecting Sinclair Community College as your college of choice. On behalf of the staff of the Student Leadership Development office, it is our pleasure to welcome you to Sinclair. Our goal is to promote student development by creating a supportive environment challenging to lifelong learning both in the classroom and beyond. If you want to get involved or find a supportive environment, visit the Student Leadership Development office. We hope that we will be able to positively contribute to your education. The experiences and skills you acquire at Sinclair will benefit you the rest of your life.

The *2008-2009 Student Judicial Affairs Code of Conduct Handbook* is a guide to the standards of conduct required for a learning community in which members pursue their goals. This handbook provides much of the detailed behavioral guidelines college community members are responsible for knowing. The policies included in this handbook and published on Sinclair's web site supersede all previously published policies. Read the contents and become familiar with the information; students are responsible for knowing the material in this handbook. Contact the Student Leadership Development office, Building 8, Room 8025, (937) 512-2509, with questions.

The *Student Judicial Affairs Code of Conduct Handbook* is a companion to the college catalog, which contains academic policies, financial information, and other policies. Sinclair reserves the right to change this document and the statements within as necessary and will provide appropriate notice to the students via the *Student Judicial Affairs Code of Conduct Handbook* on the Sinclair web site.

The senior director for Student & Academic Support Services (SASS) has designated the Student Leadership Development/Student Judicial Affairs manager as the principal administrator of this document, and students with questions or comments about these policies should consult with the manager.

We look forward to serving you. Best of luck with your studies!

Sincerely,

Gwendolyn Jones

Manager, Student Leadership Development (SLD)

Student Judicial Affairs (SJA)

Note: This handbook contains official information for the academic year 2008 - 2009. Students are held accountable for the information contained in this *Student Judicial Affairs Code of Conduct Handbook* as electronically published at www.sinclair.edu.

The college reserves the right to change, or modify the contents listed herein. Students should check the Sinclair Community College web site at my.sinclair.edu on a regular basis for updates to this document.

Find the Student Code of Conduct on the Student Leadership Development web page: <http://www.sinclair.edu/student/leader>

Check out the coupons for food, drink, discounts from Aramark on pages 37-39 courtesy of Student Leadership Development and Aramark!

Where to Go For Help

www.sinclair.edu		http://sinclair.edu
Admissions	512-3000	Building 10, Room 10112
Athletic & Sports Information	512-2860	Building 8, Room 8023
Bookstore	512-BOOK	Building 7, Room 7110
Call Center	512-3000	Building 10, Room 10413
Campus Police	512-2700	Building 7, Room 7112
Career Services	512-2772	Building 10, Room 10312
Cashier/Bursar	512-3000	Building 10, Room 10244
<i>The Clarion</i> Newspaper	512-2744	Building 8, Room 8027
College for Lifelong Learning	512-5184	Building 10, Room 10112
Counseling Services	512-2752	Building 10, Room 10424
Disability Services	512-5113	Building 10, Room 10421
English as a Second Language	512-4549	Building 10, Room 10445
Enrollment Center	512-2860	Building 10, Room 10444
Financial Aid	512-3000	Building 10, Room 10324
Honors Program	512-2517	Building 10, Room 10339
Leadership Sinclair, CEO	512-2778	Building 8, Room 8025
Library	512-2855	Building 7, Lower Level
National Society of Leadership & Success	512-2509	Building 8, Room 8025

Ombudsman	512-2205	Building 10, Room 10332
Parking Information	512-2397	Garage Lot A
Phi Theta Kappa	512-2970	TBA
Ponnie Kendell Leadership Development Center		Building 8, Lower Level
Prevention Education Resource Services	512-5110	Building 10, Room 10424
Registration & Student Records	512-3000	Building 10, Room 10231
Sinclair Central	512-2201	Building 10, Room 10242
Sinclair Ohio Fellows	512-2509	Building 8, Room 8025
Student & Academic Support Services	512-2291	Building 10, Room 10332
Student Leadership Development	512-2509	Building 8, Room 8025
Student Leadership Association	512-2509	Building 8, Room 8025
Student Success Planning Services	512-3032	Building 10, Room 10424
Teleport	512-2718	Building 7, Library
Testing Center	512-3076	Building 10, Room 10445
Tutorial Services	512-2792	Building 7, Library
Other Numbers	(937) 512-3000	

Student Code of Conduct & Disciplinary Policy

Introduction

The mission of the Sinclair Community College Code of Student Conduct is to educate students on their rights and responsibilities as college community members; to facilitate an understanding of the balance between individual and college rights; and to promote a safe and inclusive atmosphere conducive to student success.

The college established a Code of Student Conduct to ensure the safety and welfare of the Sinclair Community College community. Students admitted to the college agree to adhere to the rules, regulations and policies set forth in this code. Students are entitled to the same fundamental rights, privileges and immunities that are guaranteed to all citizens of the United States. In addition to their inherent rights and privileges as a Sinclair student, students voluntarily assume the obligation to fulfill the responsibilities of all citizens and bear personal responsibility for their actions. The college has the responsibility to develop policies, procedures and standards, which will ensure protection of the rights of each member of the college community.

Expectations of Students

Students are expected to:

- Be accountable for information contained in the college course catalog, *Student Judicial Affairs Code of Conduct Handbook*, and any other published regulations relating to student responsibilities.
- Be respectful of the rights of others.
- Comply with the verbal and written directions of college officials.
- Respect and comply with all the laws and rights of good citizenship.
- Respect the freedom to teach and the freedom to learn.

The Sinclair president has assigned responsibilities for implementation of the Code of Student Conduct to the senior director for Student & Academic Support Services (SASS) or designee.

Our Goals:

1. Educate students, faculty and staff on issues related to student conduct, responsibilities, and behavioral expectations in the Code of Student Conduct.
2. Protect the rights of students and the college community.

3. Provide fair and impartial review for students charged with violating the college's Code of Student Conduct.
4. Educate students who have violated the Code of Student Conduct by assigning purposeful sanctions that foster learning, ethical development, and personal integrity.
5. Encourage respect for members of the college community.

Desired Outcomes:

1. Students involved in the student conduct process will demonstrate knowledge of the Code of Student Conduct and the rights of others.
2. Students involved in the student conduct process will be able to identify their rights as students.
3. Students involved in the student conduct process will be able to analyze their responsibilities as college community members.
4. Students involved in the student conduct process will demonstrate a greater awareness of their own developing identity.
5. Students found in violation of the Code of Student Conduct will demonstrate insight into their abilities for ethical decision making.
6. Students found in violation of the Code of Student Conduct will be able to predict consequences for their actions.
7. Students found in violation of the Code of Student Conduct will demonstrate a change in their behaviors.

Jurisdiction

The following acts of misconduct are prohibited on campus, at any clinical or internship site, and at any college sponsored or college affiliated activity or event. The Code of Student Conduct shall apply to any and all lands owned or leased by the college, as well as to any location where a student is engaged in a college related activity. Including, but not limited to, activities such as college teams traveling to events off campus; Student Leadership Association and recognized clubs/organizations; any student or college-sponsored group engaging in an event or activity off campus; off-campus internships, community service, and study abroad. This code also applies to behavior that is a violation of city, state, federal or local laws and may have or has had an adverse impact upon the college community.

All formal complaints alleging a violation of this rule shall be subject to the student disciplinary procedures. Any student who is found to have committed an act of misconduct may be disciplined in accordance with the rules of the code. If the student is suspected of violating a state or federal law, the incident may be reported to the Sinclair Community College Police and appropriate law enforcement agency. Civil or criminal charges may occur concurrently with code of conduct charges.

Student Code of Conduct Prohibited Behaviors

The code is divided into three categories of prohibited behaviors.

Level I Prohibited Behaviors—First Time Misconducts or Minor Violations

Level I Prohibited Behaviors may include the following sanctions, or other appropriate sanctions as determined:

- Written warning
- Temporary loss of privileges
- Monetary restitution
- Referral to counseling
- Attendance at selected workshops
- An educational assignment, and/or
- Work/service restitution

A.1 Disruption of, or interference with, any college activity, including teaching, administration, or other public service functions on or off campus, or other authorized non-college activities, when the act occurs on college premises and does not involve bodily injury to any person;

A.2 Public intoxication or the use, possession, sale, attempted sale, barter, exchange, gift or distribution of alcoholic beverages except as expressly permitted by law and college regulations;

A.3 Attempted or actual theft of and/or damage to property of the college or property of a member of the college community or other personal or public property on campus, the total value which does not exceed \$100.00;

A.4 Gambling, including unlawful games of chance for money or anything of value and the sale, barter, or other disposition of a ticket, order, or any interest in a scheme of chance by any name;

A.5 Solicitation, distribution, selling or promotion of materials on Sinclair owned or controlled property. Exceptions include recognized student organizations after registering with the appropriate college official;

A.6 Distribution or placement of advertising flyers and related literature onto parked vehicles on campus, except if the vehicle is owned by the person distributing flyers or the person distributing flyers has the expressed consent of the vehicle owner to place the material on the vehicle;

A.7 Violation of any college policy, prohibited behavior, a city, county ordinance or a federal or state misdemeanor offense involving no bodily injury or threat of bodily injury to any person;

A.8 At least three or more incidents of violation of traffic rules while on college property;

A.9 Failure to comply with the directions of college officials or law enforcement officers acting in the performance of their duties, and/or failure to identify oneself to these persons when requested to do so;

A.10 Participation in a campus demonstration or unauthorized assembly that disrupts the normal operations of the college and infringes on the rights of other members of the college community; leading or inciting others to disrupt scheduled activities in any campus building or area; or intentional obstruction that unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus;

A.11 Permitting another to use his or her college identification card, impersonating another, or misrepresenting authorization to act on behalf of another;

A.12 Knowingly instituting a false charge against another person;

A.13 Unauthorized use, alteration or in any way tampering with fire equipment, safety devices or safety equipment;

A.14 Leaving minor children unattended while on campus or persons not officially enrolled and attending classes or participating in a college activity.

Level II Prohibited Behaviors—Repeat Misconducts or More Serious Misconduct

Level II Prohibited Behaviors may include the following sanctions, or other appropriate sanctions as determined:

- Written warning

- Temporary loss of privileges
- Written reprimand
- Monetary restitution
- Work/service restitution
- Referral to a counselor
- Educational assignment
- Withdrawal from current classes
- Probation
- Suspension (including specific conditions for readmission) and/or,
- Permanent loss of privileges

B.1 Physical abuse, verbal abuse, threats, intimidation, stalking, coercion and/or conduct that threatens or endangers the health and safety of any person;

B.2 Use, possession, sale, attempted sale, barter, exchange, gift or distribution of narcotic or other controlled substances, or drug paraphernalia, except as expressly permitted by law;

B.3 Attempted or actual theft of and/or damage to property of the college or property of a member of the college community or other personal or public property, the total value of which equals or exceeds \$100.00;

B.4 Acts of dishonesty, including, but not limited to, the following:

- a. Cheating, plagiarism, or other forms of academic dishonesty,
- b. Furnishing false information to a college official or faculty member,
- c. Forgery, alteration, or misuse of any college document, record, or instrument of identification,
- d. Tampering with the election of any college recognized student organization.

B.5 Hazing of any individual or organization as defined by the laws of the State of Ohio. Hazing is defined as an act that endangers the mental or physical health or safety of a student, or that destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition of continued membership in a group or organization, for which the acts do not result in bodily injury to any person;

B.6 Theft or abuse of computer time, including, but not limited to:

- a. Unauthorized entrance into a file to intentionally damage,

- disable, or impair computing or telecommunications equipment or software,
- b. Acquisition or use of software that does not adhere to applicable software licenses and copyright laws or is not consistent with college computer use policies,
 - c. Introduction of viruses or other destructive software in college computer facilities,
 - d. Use of computing facilities to interfere with the work of another student, faculty member, or college official,
 - e. Use of computing facilities to send or view obscene or threatening messages,
 - f. Use of computing facilities to interfere with the normal operation of the college computing systems.
 - g. Any violation of the Sinclair Community College acceptable use of Information Technology Policy ([http://www.Sinclair.edu/about/Information/Use Policy index.cfm](http://www.Sinclair.edu/about/Information/Use%20Policy%20index.cfm)) Copy or see address from Sinclair Acceptable Use of Technology Policy section.
 - h. Library: For more information see course catalog and web site <http://library.sinclair.edu>.

B.7 Unauthorized or fraudulent use of the college name, seal, emblem, nickname, or motto;

B.8 Unauthorized entry and/or occupancy of college facilities, including unauthorized possession, duplication, or use of keys to any college facility;

B.9 Harassment. Violations of this policy include, but are not limited to:

- a. Any act, display, or communication that would cause a reasonable person to fear for his or her personal safety. This includes, but is not limited to, physical coercion and/or restraint.
- b. Any act, display, or communication that causes substantial injury and/or distress on the part of the person or persons to whom it is specifically directed that results in the individual being deprived of educational activities or opportunities. This includes, but is not limited to, unwanted sexual advances and/or request for sexual favors.
- c. Any attempt to repeatedly make contact with a person over his/her stated objections, when such contact serves no legitimate purpose. This includes, but is not limited to, intentionally following another person in or about a public place or places.

B.10 Trespass on college grounds;

B.11 A second violation of any Level I Offense by the same student.

Level III Prohibited Behaviors—Major Misconducts

Level III Prohibited Behaviors may include the following sanctions, or other appropriate sanctions as determined:

- Temporary loss of privileges
- Written reprimand
- Educational assignment
- Monetary restitution
- Work/services restitution
- Referral to counseling
- Probation and permanent loss of privileges
- Withdrawal from current classes
- Suspension (including specific conditions for readmission), and
- Dismissal (no readmission permitted)

C.1 Use, possession, or carrying of firearms (including, but not limited to, pistols, rifles, shotguns, or ammunition), incendiary devices, smoke devices, dangerous knives, explosives or other dangerous weapons while on college owned or controlled property, or at college sponsored or supervised activities, except by college and other police officers and other persons specifically authorized by the college;

C.2 Any action that causes or attempts to cause a fire, explosion, including bomb threats, or any intentionally false reporting of a fire, or any tampering with the safety devices or the failure to leave college buildings during a fire alarm;

C.3 The denial of services or access to activities to an individual because of his or her race, religion, age, national origin, gender, marital status, or disability;

C.4 Battery or physical abuse of any person resulting in bodily injury;

C.5 Violation of a federal or state felony offense law;

C.6 A violation of the sexual assault policy on campus or at any college sponsored activity.

C.7 Sexual harassment of any person. (See Sexual Harassment Policy under College Policies).

C.8 Any Level I Offense or Level II Offense that results in death or bodily injury to any person;

C.9 A second violation of any Level II Offense by the same student;

C.10 A third violation of any Level I Offense by the same student.

Standard Designee

The senior director for Student & Academic Support Services (SASS) has authorized the student leadership development manager to act on his or her behalf for any Level I or Level II Offense. The (SASS) may choose to have the student leadership development manager act as his or her designee for any Level III Offense. The determination will be made on a case by case basis in consultation with the (SASS).

Student Conduct Hearing Panel

Members of the Student Conduct Hearing Panel will include:

- The senior director for (SASS) or designee.
- One member of the Hearing Panel will be designated by the (SASS) or designee to serve as the panel chairperson. The chairperson will not vote on a decision unless there is a tie. An alternate co-chairperson will be selected from the panel members.
- Three (3) students and three (3) alternates appointed by the Student Leadership Association and confirmed by the senior director for Student & Academic Support Services or designee for one (1) year term.
- Three (3) members and three (3) alternate members from the faculty appointed by the Faculty Senate Executive Committee, a student representative appointed by the (SASS), and a staff representative appointed by Staff Senate, will serve staggered terms.

Note: No hearing shall take place without a minimum of two (2) students, two (2) faculty members and the non-voting chairperson or co-chairperson present.

Disciplinary Policy

All allegations of violations of the Code of Student Conduct shall be investigated and determined in accordance with procedures established by the college and published in the *Student Judicial Affairs Code of Conduct Handbook*. The procedures established shall, at a minimum, ensure that the student is given an opportunity to be heard before a final determination regarding any allegations and shall provide the opportunity for appeal. Further, these procedures

shall detail the reporting and investigative process to be followed by college officials and the student. The senior director for Student & Academic Support Services (SASS) shall be authorized to provide for the immediate, temporary imposition of sanctions in appropriate circumstances.

Standard of Evidence

For Level I, II, and III Offenses, the standard of evidence used to determine responsibility is a “preponderance” (“more likely than not”) of evidence appropriate for an administrative hearing in an academic environment. This determination is based on the greater weight of evidence and does not require a standard beyond reasonable doubt.

Right to a Hearing

The student shall be entitled to an expeditious hearing of the case. In hearings involving more than one accused student, the manager for Student Judicial Affairs, in his or her discretion, may, at the student's request, permit the hearings concerning each student to be conducted jointly.

Due Process

In all situations students and student organizations will be assured of fair and equitable treatment through consistent adherence to the due process procedure as described herein:

1. Be notified of any complaint filed against the student.
2. Be heard in an unbiased non-threatening environment.
3. Know the identity of the complaining party (unless it will cause a clear and present danger to the complainant).
4. Be notified of any sanctions or actions in writing.
5. Be notified of the appeals process.

Disciplinary Procedures

Every formal complaint of a violation of the Code of Student Conduct shall be handled in accordance with the procedures described herein:

1. Any student, faculty member, staff member or college administrator may file a formal complaint against a student alleging a violation of the Code of Student Conduct. To be treated as a formal complaint, the complaint must be in writing and signed by the complainant. Any verbal complaint not placed in written form may be handled and disposed of by the senior

director for Student & Academic Support Services (SASS) or designee in any informal manner that they deem to be appropriate.

2. All formal complaints will be referred to the manager, student judicial affairs for investigation, mediation, and/or possible resolution. After interviewing the accused student and all appropriate witnesses to the matter, and reviewing documentary and other evidence related to the matter, the student judicial affairs manager may take the following actions:
 - Determine that no or insufficient grounds exist to believe that a violation occurred and dismiss the complaint.
 - Determine there are grounds to believe that a violation occurred, then discuss a resolution with the accused student, which may include the imposition of any or all Level I, II, or III sanctions.
 - Determine that sufficient grounds exist to believe that a violation occurred and forward the issue to the Student Conduct Hearing Panel to conduct a formal Hearing of the complaint. Prepare a report, including a summary of the complaint and the issues involved, and list of potential witnesses and other persons believed to have information about the complaint.
 - Students have the right to request a Hearing by the Student Conduct Hearing Panel for any student conduct charge. The manager of student judicial affairs may decline a student's request for a Student Conduct Hearing in order to provide increased due process.
3. If the manager of student judicial affairs was involved either in the alleged violation incident, or previously counseled the accused student or the complainant about the matter, the (SASS) may appoint a designee to hear the case.
4. If the matter is not resolved by the SLD/SJA manager in accordance with item 2, then the Student Conduct Hearing Panel will be convened within thirty (30) calendar days, following notification to the accused student.
5. The SLD/SJA manager shall schedule a date and time for the Hearing Panel to convene to hear the complaint, taking into consideration the class schedule of the accused student and the availability of potential witnesses and Hearing Panel members. If at all possible, the Hearing should take place within thirty (30) calendar days following the referral of the matter to the SLD/

SJA manager. The accused student will be sent, via certified and regular U.S. Mail:

- Notice of date, time and location of hearing;
- Summary of the complaint;
- Tentative list of potential witnesses;
- A copy of the *Student Judicial Affairs Code of Conduct Handbook* that contains information about the appeals process, student rights, and a list of possible sanctions.

The student will be informed that the college Ombudsman will be available to assist the student with understanding and following the college disciplinary procedures. While the Ombudsman will not represent the student at the hearing, the Ombudsman or designated counselor, with consent of the student, may attend the hearing to provide procedural assistance to the student. The student may also have any other person or an attorney present at the hearing, but this person shall be an observer only and shall not participate in the hearing.

6. The SLD/SJA manager who investigated the complaint initially will make arrangements for the presentation of witnesses and information to the Hearing Panel. Both the college and the accused student may identify witnesses or may present witness statements if good cause is provided that the witness cannot be present. The Hearing Panel members and the accused student will be permitted to question each witness and to inspect all documentary and other information. The accused student violator will be allowed to present any witness statements and any other information that the student believes to be relevant to the matter. The Hearing will be tape recorded and the tape shall remain the property of the college.
7. At the conclusion of Hearing and review of all the information, including testimony, the accused student will be given the opportunity to make a closing statement. After the closing statement, the Student Conduct Hearing Panel will decide, by majority vote, outside the presence of the accused student and any other non-Student Conduct Hearing Panel members, whether the student violated the college disciplinary code. At that time the manager (SLD/SJA) will provide information to the panel about any prior misconduct by the student. Based upon the panel deliberations and any additional information presented, the panel will decide on what appropriate sanctions will be imposed. The college Ombudsman may be included during the deliberation and voting process.

8. The Student Conduct Hearing Panel may recommend any sanction, up to suspension or dismissal, to the SLD/SJA manager.
9. A recommendation for suspension or dismissal of the student must be referred to the senior director (SASS) for approval and final disposition. The decision of the Hearing Panel shall be placed in writing, and the SLD/SJA manager shall send a copy to the senior director for (SASS). The SLD/SJA manager will provide documentation that due process has been followed.
10. The senior director for (SASS) has thirty (30) calendar days to uphold or deny the recommendation from the Hearing Panel. After the senior director for (SASS) has made a decision on the Hearing Panel's recommendation, the SLD/SJA manager will send the results to the student via certified and regular mail.
11. The Student Conduct Hearing Panel will decide on what appropriate sanctions will be imposed.
12. The Student Conduct Hearing Panel may recommend any sanction, up to suspension or dismissal, to the SLD/SJA manager.
13. A recommendation for suspension or dismissal of the student must be referred to the senior director for (SASS) for approval and final disposition. The decision of the Hearing Panel shall be placed in writing, and the SLD/SJA manager shall send a copy to the senior director for (SASS). The SLD/SJA manager will provide documentation that due process has been followed.
14. The senior director for (SASS) has thirty (30) calendar days to uphold or deny the recommendation from the Hearing Panel. After the senior director for (SASS) has made a decision on the Hearing Panel's recommendation, the SLD/SJA manager will send the results to the student via certified and regular mail.

Emergency Removal for Threatening or Disruptive Behavior

There will be occasions when, in the opinion of the instructor or other students, inappropriate classroom behavior by a student involves an imminent threat to safety or threatens to disrupt seriously the classroom education process.

In these circumstances the instructor should immediately contact Sinclair Community College Police and have the student removed from the class. The Sinclair Police will develop an incident report and if the behavior is non-criminal will forward the report to the Student Judicial Affairs office for Student Conduct Code review.

Threatening and/or disruptive behavior can be described in many ways. The definition that counts is that of the classroom instructor at the time of the incident. In cases of uncertainty it is recommended to err on the side of safety. When in doubt call the police. The incident will be immediately managed and the rights and safety of all will be protected.

Making a Student Conduct Referral

If the situation is non-threatening, the process as outlined in the *Faculty Handbook* should be followed (*Faculty Handbook*, Section 2.11.4.1). Following this, in cases where the behavior continues causing an obstacle to other students and is disrupting the learning environment a report should be made with the Student Judicial Affairs office or with the senior director for Student & Academic Support Services (SASS). This will initiate the Code of Student Conduct procedures outlined in this handbook.

In most circumstances, discipline for alleged violations of the Code of Student Conduct will not be imposed until the code's complaint, hearing, and appeals procedures (if any) are followed. However, where a student's behavior created the possibility of imminent danger to any person, or threatened to seriously disrupt the educational process, the senior director for (SASS), or designee, reserves the right to suspend or remove from class such student pending a hearing.

If the senior director for (SASS), or designee, has suspended a student pending a hearing, the student will be provided an opportunity to meet with the senior director for (SASS). The student may request holding suspension in abeyance pending a full due process hearing of the suspension, if requested.

Any faculty or staff member may contact campus police to have the student removed immediately from class and/or campus at the time of the incident which gives rise to the complaint or to file a complaint at any time with the police, the senior director for (SASS), or the office of Student Judicial Affairs.

Appeal Process

If the student should decide to appeal the decision of the Hearing Panel the process is:

1. Write and deliver or mail a letter of appeal to the senior director for Student & Academic Support Services (SASS) within thirty (30) calendar days after the student receives notification of the sanction.

2. The senior director for (SASS) will determine the finality of decisions to grant an appeal and any decision resulting from the appeal process.
3. Appeals are limited to the following reasons:
 - The decision was conducted in an arbitrary or unreasonable manner.
 - The decision was not reached in accordance with the facts presented.
 - The decision was reached through a procedure not in accordance with the Student Conduct Hearing guidelines that was substantially disruptive or not in accordance with the Student Code of Conduct.
 - The sanction is too severe for the conduct violation.
 - There was new information not available at the time of the hearing.
4. The letter of appeal must be postmarked or hand delivered within ten (10) days following the date the student received the decision of the Hearing Panel. The senior director for (SASS) shall review all of the materials submitted by the student, shall review the college file on the matter, may review the recording of the Hearing Panel, and may interview the student and/or other relevant parties.
5. The senior director for (SASS) may interview any witness or any other person who might have relevant information. At the conclusion of this review, the senior director for (SASS) shall make a determination as to whether the decision of the Hearing Panel was rendered in a fair and impartial manner and whether the decision is supported by the information provided.
6. The senior director for (SASS) shall review whether the sanction imposed is appropriate. The decision of the senior director for (SASS) shall be placed in writing and a copy shall be sent to the student via certified mail. The senior director for (SASS) shall complete the review within thirty (30) calendar days of the date of receipt of the student's letter, if at all possible. The decision of the senior director for (SASS) is final.

At the conclusion of the process, all records of the proceedings shall be returned to the office of the manager, Student Judicial Affairs for storage and retention in accordance with college policy and applicable laws.

Note: The appeal process may result in no change, a reduction in the sanction that is being appealed or the case may be remanded to the Hearing Panel for a re-hearing.

Failure to Appear

If a student fails to appear for a scheduled conduct conference or an appearance before the Student Conduct Hearing Panel, the case may be adjudicated and a sanction imposed. The manager, Student Judicial Affairs or Student Conduct Hearing Panel will consider the facts presented when making their decision. The student's absence will not be a factor in the determination. The SLD/SJA manager will then notify the student of the decision in writing. If the student is found in violation of the Student Code of Conduct and a sanction is applied, the sanction must be completed by the student in the allotted time or a HOLD will be placed on the student's academic record.

Failure to Complete a Mandatory Sanction

Failure to complete a required sanction is a serious offense at Sinclair Community College. It is considered an additional violation of the Code of Conduct, and will usually result in more serious sanctions being imposed.

Within two weeks of a student's failure to complete a sanction, a HOLD will be placed on the student's records, and any pre-registration that the student might have already conducted. Thus, it is very important for students to complete sanctions on time and avoid a HOLD being placed on their academic records or registration.

Students refusing to complete sanctions also place themselves at risk of being disciplinarily suspended or dismissed from the college.

Disciplinary HOLD on Student Record

A HOLD on a student's admission, registration, transcript access or financial aid is not an independent penalty, but may be utilized by the college as a means to either direct a student's attention to subsequent participation in a pending disciplinary (or grievance) proceeding or obtain the student's compliance with a sanction which has been imposed, or other action which has been taken, under the Code of Student Conduct.

Confidentiality

Disciplinary matters are kept confidential to the extent required by law.

Health Insurance Portability & Accountability Act of 1996 (HIPAA)

Students may be required to provide medical or psychological records to Sinclair Community College in order to document and receive certain specialized services. These records are confidential and protected under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) until they are provided to Sinclair Community College. At that point they become educational records and come under the protection of the Family Educational Rights and Privacy Act of 1974 (FERPA).

Family Educational Rights & Privacy Act of 1974 (FERPA)

FERPA affords students certain rights with respect to educational records. **Copies of educational records or personally identifiable information concerning students will not be released to anyone outside the college, except as required or allowed by law, without their written consent.** However, directory information may be released without their written consent. **Directory information includes:** the students' name, address, e-mail address, I.D., photo, telephone number, date and place of birth, major field of study, participation in Sinclair activities and sports, weight and height of members of athletic teams, dates of attendance at Sinclair, degrees, certificates and awards received, and the most recent previous educational institution attended. If the students do not want their directory information released, they must complete a form requesting it not be released and file the form with the director of Registration & Student Records.

The Sinclair Student Records Policy is available for review and inspection at the office of Registration & Student Records. A copy is available upon request. Problems or questions concerning the Sinclair Records Policy may be brought to the FERPA coordinator, director of Registration & Student Records. Students also have the right to file complaints with the U.S. Department of Education FERPA office. Both these acts have strict rules to protect personal confidential information. Questions regarding privacy and confidentiality issues should be addressed to the Registrar's office.

Expunging Records

1. A student or an alumna/alumnus, who has been suspended, may request that the senior director for Student & Academic Support Services or designee expunge the incident or incidents from his or her disciplinary records and files kept in the office

of Student Leadership Development/Student Judicial Affairs two years from the date of the incident or incidents that resulted in the suspension. The decision to expunge the record will be based on the offense, the person's disciplinary record, and evidence of good behavior since the offense occurred.

2. A student or an alumna/alumnus who has been dismissed may request that the senior director for Student & Academic Support Services (SASS) or designee expunge the incident or incidents from his or her disciplinary records and files kept in the office of Student Leadership Development /Student Judicial Affairs six years from the date of the incident or incidents that resulted in the dismissal. The decision to expunge either record will be based on the offense, the person's disciplinary record, and evidence of good behavior since the offense occurred. No student who has been dismissed from Sinclair Community College may enroll again as a student, even if his or her disciplinary record has been expunged.

Student Non-Academic Grievance Procedures

Students who have a non-academic grievance with the college should follow this process:

1. First, attempt to resolve grievances informally with the person who may be responsible for their dissatisfaction.
2. If no resolution, the next step would be to discuss the matter with the department supervisor or manager involved.
3. If unresolved, the student should take the problem to the dean or the director involved.
4. If steps 1-3 do not resolve the complaint, submit a written grievance to the senior director for Student & Academic Support Services (SASS), Building 10, Room 10332. This written grievance should include:
 - a. Names for all students involved.
 - b. Time and date of incident.
 - c. A description of the incident.
5. The senior director for (SASS) shall review all of the information submitted by the student, shall investigate the incident, to determine if the grievance is supported by the information provided. At the conclusion of the investigation the senior director for (SASS) will make a decision regarding the complaint.
6. A letter will be sent to the complainant informing him or her of the outcome.

The basis on which a grade was awarded may not be challenged under this grievance procedure (see course catalog and web site www.sinclair.edu). The student involved in this grievance resolution process may request assistance from the Ombudsman at any point during the process. The Ombudsman is not to represent the student grievant, but is only to aid the complainant in defining the issue(s) and in arranging appointments with campus officials. When such assistance is requested, the Ombudsman shall monitor the progress of the case to its conclusion.

Student Academic Grievance Procedures

If a student encounters a problem in a class and wishes to file a grievance, they should follow these guidelines:

1. Talk with the instructor and try to resolve the issue. If that does not work;
2. The next step is to contact the department chairperson;
3. Following this step the student may take the problem to the dean of the division. If the problem has not been resolved;
4. Schedule an appointment with the senior vice president/provost for Instruction (Building 7, Room 7330) to discuss the problem.

Student Petition Process

If a student has questions about a grade recorded for a course, he or she must discuss concerns with the instructor. Since grades are the responsibility of the instructor, generally only an instructor can change an earned grade. These changes must occur no later than two years following the term in which the grade was earned.

Academic Petition Process

Changes for an earned grade in any course—whether failing or not—can be made by the instructor involved. Students may also file a petition in the office of the Assistant Vice President for Instruction no later than two years following the term in which they earned the grade. Such requests usually involve emergency type situations which prevented the student from withdrawing by the deadline date or occurred subsequent to that date and which could be accepted as rendering the student unable to perform the withdrawal process. The student will be asked to submit documentation to verify the circumstances that prevented them from withdrawing by the deadline. For questions, contact the office of the Assistant Vice President for Instruction, Building 7, Room 7330, or call (937) 512-3044.

Ombudsman

The Ombudsman will provide assistance to any student faculty or staff member who seeks resolution to a college related problem/issue or concern that needs resolution. The Ombudsman's involvement may include conflict resolution, mediation, coaching or advocacy/support.

The Ombudsman can:

- Cut red tape
- Listen to problems
- Investigate, mediate, facilitate
- Clarify policies and procedures

Students who wish to contact the Ombudsman may do so by calling (937) 512-2205, or stopping by Building 10, Room 10332 during posted contact hours.

Safety & Security

Students may access the Sinclair Police web site at: <http://www.sinclair.edu/departments/campuspolice> for information on safety, crime reports/statistics, the department's annual report, and other services. For more information, contact the Sinclair Police department in Building 7, Room 7112 or call (937) 512-2534.

Jeanne Clery Act (Campus Security Act of 1990)

The federal Jeanne Clery Disclosure of the Campus Security Policy and Crime Statistics Act requires Sinclair's annual security report to include statistics for the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings owned or controlled by Sinclair Community College, and on the public property within, or immediately adjacent to and accessible from the campus. The public may obtain a copy of the report by contacting the Sinclair Police at (937) 512-2700 or by visiting: www.sinclair.edu/departments/police.

Student Success Policy

Students should treat classes as though they were desirable jobs. The instructor is a team leader and fellow students are co-workers. All must work together to complete learning objectives.

These behaviors are expected of students:

- Attend all classes on time;
- Respect the rights of others to contribute by listening attentively;
- Show consideration for students, instructors and other college employees;
- Participate appropriately and actively on topics presented in class;
- Complete assignments on time;
- Ask for feedback from instructors and peers to ensure progress toward learning objectives;
- Resolve problems by immediately discussing issues with instructors and/or peers.

Honor Code

The college has adopted the following Honor Code to help students, faculty and staff aspire to high standards.

As a member of the Sinclair college community of students, faculty and staff, I will uphold the values of citizenship, social-responsibility, and personal accountability. I will maintain the highest standards of professional and academic ethnics. I will uphold my personal integrity, dignity, and self-respect by being fair and honest at all times and by treating all individuals with respect. By honoring these ideals, I will be building a better future for myself, my college, and my local, regional, and global communities.

Key Concepts of the Honor Code

Citizenship—Participating actively in democracy through voting and community involvement and awareness and by protecting our own and other's rights.

Social responsibility—Acting in ways that promote the social good while recognizing the impact of one's behavior on others, maintaining professional ethics at all times, and providing service to the college and the community.

Personal accountability—Accepting responsibility for and answering for one's own behavior, accepting responsibility for one's own learning, and demonstrating academic integrity.

Respect of self and others—Valuing the diverse perspectives of others, appreciating others' ideas, and protecting the physical and intellectual property of self and others.

Academic Integrity Policy

Sinclair Community College is dedicated to the pursuit of truth. The pursuit of truth is grounded in certain core values, including diligence, civility, and honesty. Academic misconduct is defined as any activity which tends to compromise the academic integrity of the college and to subvert the process of education. Any form of academic dishonesty is subject to disciplinary action and could result in failure in a course. Academic dishonesty includes, but is not limited to, the following:

Cheating—Dishonest conduct on an exam or assignment in any of the following ways: use of textbooks or notes not authorized by the instructor; communication with any other student during an exam; looking at another student's paper; obtaining unauthorized copies of an exam prior to the exam time; having someone other than the student take an exam or complete an assignment.

Facilitating Academic Dishonesty—Intentionally or knowingly helping or attempting to help another to commit an act of academic dishonesty.

Plagiarism—Submitting an assignment as the student's original work that is wholly or in part the work of another without proper acknowledgement.

Administrative Withdrawal

Students may be administratively withdrawn from a class by their faculty member for nonattendance. Faculty must advise students in writing at the first class meeting what attendance record would constitute cause for administrative withdrawal. If students do not attend the first class, it is the student's responsibility to obtain a copy of all material distributed at the first class meeting.

Students may also be administratively withdrawn from classes as a result of a Due Process Hearing Procedure with either the manager of Student Judicial Affairs or the Student Conduct Hearing Panel. Administrative withdrawals may be made when it has been determined that the student's presence on campus is potentially detrimental to the college, faculty, staff, students or themselves.

Library Policies

Use of the Library is a privilege extended to Sinclair students to support learning and promote academic success. Through the Library, the college provides students with access to computers, laptops, books, periodicals, study space, tutors and other academic help, comfortable seating, and formal and informal learning spaces. Students are expected to follow college rules defined in the *Student Affairs Judicial Code of Conduct Handbook*, guidelines, and honor code. In order to maintain their good standing and continue to receive library privileges.

In the Library's course reserve program, college faculty place important readings and media in a special collection to assure all students have access to critical information in order to complete assignments. Most reserve materials are designated for "Library Use Only" and may not be removed from the Library. Library reserves are an extension of the classroom, and the faculty and librarians share information about students and borrowed library materials and work together to supervise their use.

General expectations:

- Students are expected to behave in a civil manner that does not interfere with other people using the facility. Excessive displays of affection, wrestling, and similar physical contact activities are considered a disturbance.
- Students are encouraged to use the facility for individual and group work, but students who participate in groups that become disruptive through excessive noise or other disruptive behaviors will be held accountable, individually and collectively, for the group's actions.
- Talking in a normal voice that does not disturb others or quiet cell phone use is permitted in all parts of the library except the Quiet Reading Room. Playing musical instruments as well as IPOD music and similar devices without headphones is considered a disturbance.
- Students are expected to leave the furniture, equipment, and facilities in good condition for the next person's use.
- Food and drink are permitted in the Library in disposable containers, and students are expected to clean up any resulting trash and notify staff of any spills. Trays and dishes from the Marketplace are not permitted.
- Students are expected to follow directions or instructions of library and college staff.

- Students borrowing materials (books, laptops, or media) are responsible for returning them on time and in the same condition as when borrowed.
- Students may not remove materials designated for Library Use Only from the facility. This includes laptops, course reserves, and any other library property so designated.
- Students are responsible for paying any fines incurred for overdue, lost, or damaged materials charged to their library and college accounts.
- Students are not permitted to share their Tartan Card with anyone or download or share information with non-Sinclair students.
- Students are expected to obey copyright laws and applicable software licenses.
- Students are expected to follow the policy on Appropriate Use of Information Technology.

Students who violate these guidelines may lose their library privileges, have an academic HOLD placed on future registration, and be referred to Student Conduct. Students who take library material without permission or do not return borrowed material can be charged with a crime.

General College Policies

Diversity Vision & Mission Statement

Sinclair Community College strives to create an inclusive environment in which all people are valued and supported. The goal within this environment is to recognize and acknowledge our similarities; to understand and respect our differences; and to prepare ourselves and our students to live, learn, and work together in a global community.

In pursuit of this vision, the mission of diversity at Sinclair is to:

- Recruit a diverse student population and engage them in an open, supportive, and responsive environment;
- Employ a diverse faculty and staff to reflect the diversity in Montgomery County and beyond;
- Use learning styles and strategies which are compatible with the needs of diverse students;
- Offer a curriculum which reflects the contributions and experiences of a multicultural society;
- Analyze continuously the diverse needs of our internal and external communities and endeavor to meet them;

- Offer education and development opportunities on diversity for all employees, and;
- Plan activities and special events on campus which promote diverse cultures.

Non-Discrimination Policy

Sinclair Community College is strongly committed to a policy of equal opportunity in its employment practices, educational programs and activities, and the many services it offers to the community. The college does not discriminate against applicants, employees or students on the basis of race, color, creed, religion, age, sex, marital status, veteran status, national origin, ancestry, citizenship, or non-disqualifying mental or physical disability.

Students: Inquiries and complaints concerning Title VI (race, color, and national origin), Title IX (sex/gender), or Section 504 (disability) should be referred to the senior director for (SASS) Room 10332, Sinclair Community College, 444 West Third Street, Dayton, Ohio 45402-1460, (937) 512-2291.

Sexual Assault Policy

Sinclair Community College does not tolerate sexual assault, coercion, exploitation, or other forms of sexual misconduct. Sexual assault, whether occurring on campus or at college sponsored activities, is a violation of the standards of the college. Individuals who believe they have been the victims of a sexual assault may pursue resolution on campus and/or criminal or civil action against an alleged perpetrator.

Student Harassment Policy and Procedure Involving Only Students

Sinclair Community College is committed to providing an educational environment free from harassment (including sexual harassment), and such conduct will not be tolerated in the academic environment and may constitute a violation of the Code of Student Conduct (hereafter known as the Code). Harassment on the basis of race, color, creed, religion, age, sex, marital status, veteran status, national origin, ancestry, citizenship, or disability, or any other protected status, is strictly prohibited.

Prohibited Conduct

Examples of prohibited conduct involving students include, but are not limited to:

- Harassment which has the purpose or effect of being so severe, pervasive or objectively offensive that the student is unable to

enjoy and access the educational opportunities and benefits provided by the college.

- Any type of physical contact, demeaning or abusive written or spoken language, or graphic communication that is unwelcome or unwanted by another person.
- Unwelcome sexual flirtations, advances or propositions; verbal abuse of a sexual nature; unnecessary touching of an individual; or physical assault.
- Slurs, jokes, posters, cartoons or gestures that are intimidating to a student, create a hostile learning environment, such that a student is denied educational benefits.

Reporting

A student who has a complaint of harassment against another student may report it to any of the following persons: senior director for Student & Academic Support Services (SASS), dean or department chairperson. If the complaint is brought to the attention of any person other than the senior director for (SASS), the senior director for (SASS) must be immediately informed of the complaint. Any questions about the policy can be answered by persons in any of the above listed positions.

Investigation

- The college will promptly investigate all allegations of harassment in as confidential manner as possible.
- The senior director for (SASS) will appoint a faculty or staff member to investigate and/or mediate the dispute. Otherwise, the senior director for (SASS) or his or her representative will conduct the investigation and/or mediation.
- Consultation on allegations of faculty and staff harassment involving students should be referred to the Ombudsman.
- If the matter is not resolved through investigation and/or mediation, a formal Student Conduct hearing may be convened.
- Each party may bring an advisor to the Student Conduct Hearing. The advisor may accompany the student but may not participate or provide representation.
- At the conclusion of the Hearing, the Student Conduct Hearing Panel will make a written recommendation to the senior director for (SASS) with respect to the resolution of the complaint. This might also include a recommendation for discipline.
- The Student Conduct Hearing Panel will consider the totality

of circumstances, including the nature and context of the alleged sexual assault and/or harassment, in determining the appropriateness of disciplinary action. A determination will be made based upon the facts, on a case-by-case basis.

Appeals from the Student Conduct Hearing Panel may be made to the senior director for (SASS) in writing. Appeals must be received no later than thirty (30) calendar days after receipt of the notification by the Student Leadership Development/Student Judicial Affairs office.

All persons involved in resolving a complaint of student harassment will preserve the confidentiality of the parties and witnesses involved to the greatest extent possible.

Retaliation & Discipline

The college will not retaliate against any student for reporting or assisting in the investigation of a complaint of harassment.

Any student who has been determined to have engaged in harassment in violation of this policy will be subject to appropriate disciplinary action, up to and including suspension or dismissal in accordance with the Sinclair Code.

Smoke Free Campus Policy

Policy Statement

Voters from the State of Ohio passed state law Issue 5 in November 2006, thus creating a statewide smoking ban. Sinclair Community College is committed to providing a healthful environment that is conducive to work and study. Therefore, to comply with state law, smoking is prohibited on the campus of Sinclair Community College except in officially designated locations. Additionally, Sinclair restricts the use of all tobacco products to these officially designated locations.

Scope

This policy applies to all employees, students and visitors to Sinclair facilities.

Provisions

Smokers are prohibited from smoking right outside the doorways and where in-take vents for the College ventilation system are located. Approved designated areas are identified by the presence of a smoking receptacle. Smokers and users of tobacco products

must use the receptacles provided for disposal of waste and for smoking materials. Smoking is prohibited in any other area of the campus. In addition, the use of smokeless tobacco is banned in all Sinclair buildings and is subject to the same designated areas as for smoking.

Enforcement

Repeated violations of the Tobacco Restriction policy are subject to action as follows:

Employees: administrative disciplinary measures

Students: invocation of provisions of the Student Code of Conduct

All: smoking restriction guidelines are governed by Ohio Revised Code 3794.01 – 3794.09 and the Ohio Department of Health.

Responsibility

Employees shall be knowledgeable of this policy and adhere to its provisions. The College Committee tasked with development and maintenance of this policy shall evaluate it annually.

References and Related Policies

Ohio Revised Code 3794.01 – 3794.09

Ohio Department of Health

Approved by the Board of Trustees—December 1995

Revised: March 2007

Designated Smoking Areas

Sinclair has designated smoking areas as listed below. Outside ashtrays can be found at these locations. Please note: smoking is restricted to the area immediately adjacent (within 10 feet) of the ashtray.

- Building 7, north Terrace area
- Building 7, south entrance east and west corners
- Center plaza
- West side Building 5, between 5 and 8
- Building 8, main entrance along south side of plaza
- Building 12, west plaza. Northwest side of plaza and also north of Room 12131 outside
- Building 12, northwest and southeast and corners along perimeter planter
- Building 16, south side near air handler unit
- Building 14, east plaza at east most point
- Building 20, near west art work
- Building 20, east side. Southeast corner of walk

Health Insurance Portability & Accountability Act of 1996 (HIPAA)

Students may be required to provide medical or psychological records to Sinclair Community College in order to document and receive certain specialized services. These records are confidential and protected under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) until they are provided to Sinclair Community College. At that point they become educational records and come under the protection of the Family Educational Rights and Privacy Act of 1974 (FERPA). Both these acts have strict rules to protect personal confidential information. Questions regarding privacy and confidentiality issues should be addressed to the Registrar's office.

Definitions

Alcoholism and drug/substance dependence—This condition is defined as a disease in which an individual's consumption of alcohol or any other mood-altering drug definitely and repeatedly interferes with a student's academic performance.

Appeal—The process that provides a student with the opportunity to challenge the fairness of a decision made by a conduct officer or a Student Conduct Hearing Panel. All appeals of decisions made by judicial conduct officer or the Student Conduct Hearing Panel will be made to the senior director for Student & Academic Support Services (SASS).

College member—Any person associated with Sinclair Community College through enrollment in classes or employment.

Complaint—An allegation of a violation of a prohibited behavior.

Conduct Conference—A process in which the facts of an alleged violation of the Code are presented to a conduct officer to determine if a violation(s) took place and what sanction(s) are appropriate.

Conduct Officer—Professional staff trained to adjudicate violations of the Code of Student Conduct. The student conduct officer, Student Leadership Development manager, participates in training that involves diversity, student development theory, and due process.

Confidentiality—The college will make every effort to maintain confidentiality in addressing complaints of harassment. There may be times, however, when the identity of parties involved in an incident must be revealed to appropriate parties during an investigation. All persons involved with a complaint of harassment should treat the matter with discretion, respect and confidentiality.

Consensual—Any act or pattern of behavior between two parties that is conducted with mutual agreement.

Consensual Romantic and/or Sexual Relationships—No person involved in a consensual romantic and/or sexual relationship shall have direct responsibility for evaluating the employment or academic performance, or for making decisions about the promotion, tenure, or compensation of the other party in the relationship.

Consensual romantic and sexual relationships between a supervisor and an employee or an employee and student, including faculty and student, are strongly discouraged. Relationships between supervisor/employee and/or employee/student present concerns about the validity of consent, conflicts of interest, and unfair treatment of other students or employees. These relationships can undermine the atmosphere of trust essential to the educational process and the employment relationship.

Disciplinary Probation—A limitation is placed upon selected privileges for a specified period of time. During the probationary period, a student may be excluded from utilizing campus facilities, denied program funding, have a HOLD placed on their records, excluded from participation in co-curricular activities, and may not participate in any college sponsored events. Additional stipulations that are consistent with the nature of the offense shall also be imposed. A violation of disciplinary probation may lead to suspension or dismissal.

Dismissal—The immediate termination of student status. A dismissed student may never return to the college.

Discipline/Termination—When it has been determined that an individual has engaged in unlawful harassment, the college will take prompt, remedial action to stop the harassment. Violation of this policy will be grounds for discipline, up to and including termination of employment.

Discipline may also be imposed for any management official of the college who fails to respond appropriately to a complaint of harassment. An “appropriate response” is one which is consistent and in accordance with the Sinclair Community College Harassment Policy and Procedure.

Educational Assignment—A sanction designed to promote self-awareness of behavior, awareness of appropriate/inappropriate behavior, awareness of institutional expectations, and to educate the student in the specific area of their violation.

False Accusations—It is a violation of this policy for anyone knowingly to make false accusations of harassment and will result in disciplinary action. Failure to prove a claim of harassment is not equivalent to a false accusation.

Grievance—A disagreement with a decision, policy or action.

Harassment—The college prohibits discrimination and/or harassment on the basis of race, color, creed, religion, age, sex, marital status, veteran status, national origin, ancestry, citizenship, or disability, or any other protected status. This policy covers harassment on any of these bases.

An allegation of harassment may be reported to an appropriate official of the college, including the employee's supervisor, supervisor's superior, Equal Opportunity officer, director of Human Resources, department chairperson, dean, or senior director for Student & Academic Support Services (SASS).

Illegal or illicit substances—Any mood-altering chemical for which the use is prohibited by any federal or state laws or local ordinances.

Impairment of functioning—Refers to observable behavior related to a mood-altering drug where an individual's use interrupts one's ability to think and act appropriately and results in behavior which is quite atypical from one's normal level of functioning.

Judicial Body—Any person or panel member authorized by the college to determine whether a student has violated the Code of Student Conduct and to assign appropriate sanctions.

Legal drug—Prescribed drugs, over-the-counter medications or other consumer-sold drugs, which are legally obtained and are being used for their intended purpose.

Level "I" Prohibited Behaviors—A relatively minor violation that is usually heard by the conduct officer.

Level "II" Prohibited Behaviors—A more serious or repeat of a violation that may warrant a more severe sanction. Level II misconducts may be heard by the conduct officer or the Student Conduct Hearing Panel.

Level "III" Prohibited Behaviors—Are more serious violations that may be immediately referred to the Student Conduct Hearing Panel.

Minor—In regard to child endangerment, under the Ohio Revised Code: a minor is a child under eighteen years of age or a mentally or physically handicapped child under twenty-one years of age.

Mood-altering drug/substance/chemical—Includes a legal or illegal drug (including alcohol) that alters the emotional or mental state of an individual. For the purpose of this policy statement, commonly used legal substances such as caffeine and nicotine are not classified as "drugs."

On-campus event—A college sponsored event that is held on campus or at a site location.

Parties—Both the person lodging a complaint of harassment, and the person about whom the complaint is made.

Personal violence—Refers to physical, mental or emotional abuse directed at any individual.

Preponderance of Evidence—A standard of proof in which it is established that something is more likely than not to have taken place.

Prohibited conduct—Any behavior that is inconsistent with the standards of the college community as outlined in the *Student Judicial Affairs Code of Conduct Handbook*.

Prohibited Conduct—Offensive conduct and/or harassment that is of a sexual nature, or based on race, color, creed, religion, age, sex, marital status, veteran status, national origin, ancestry, citizenship, or disability, or any other protected status is strictly prohibited. Examples of prohibited conduct, including specific examples of sexual harassment, are listed below:

- Any type of physical contact, demeaning or abusive written or spoken language, or graphic communication that is unwelcome or unwanted by the recipient. This includes, but is not limited to, physical assault that is sexual in nature.
- Slurs, jokes, posters, cartoons or gestures that are offensive, hostile or intimidating to an individual.
- Unwelcome sexual advances, requests for sexual favors and/or other verbal, physical, or nonverbal offensive conduct when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of the individual's employment (work status, promotion, etc.) or the student's academic performance (better grades, letters of recommendation, etc.), (2) submission to or rejection of the conduct by an individual is used as a basis for employment decisions or the student's academic performance affecting that individual, or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or academic environment.
- A pattern of conduct (not legitimately related to the subject matter of a course) that has the purpose or effect of creating an embarrassing, uncomfortable, hostile, intimidating, or offensive environment including:
 1. discriminatory comments based upon race, color, sex, age, religion, disability, or any other protected status;
 2. sexually explicit or otherwise discriminatory statements, questions, jokes, or anecdotes;
 3. touching, patting, hugging or brushing against a person's body;

4. repeated or unwanted provocative staring;
5. remarks about sexual activity, experience or orientation; and
6. possession and/or display of inappropriate sexually oriented materials in the work place.

Provisions—Employees may report any harassing act(s) or pattern of conduct to any of the following persons: his or her supervisor or the supervisor's superior, the Equal Opportunity officer, or the director of Human Resources. Students may also report any harassing act(s) or pattern of conduct by an employee to any of the following persons: senior director for Student & Academic Support Services (SASS), department chairperson, or dean. Any witnesses or others who have credible information about the alleged harassment may also report the action to these parties in a timely manner.

Relationships Between an Employee and a Minor Student—Under Ohio Revised Code Section 2907/03(A)(8), it is a third degree felony for a teacher, administrator, coach, or other person in authority employed by or serving in an institution of higher education to engage in sexual conduct with a minor who is enrolled at the college. Such conduct is strictly prohibited and will result in immediate termination of the person's employment, and referral for prosecution.

Restitution—A written directive to replace, repair or make specific compensation for property of the college or member of the college community which was destroyed, damaged, misused or lost.

Retaliation—The college will not retaliate against any individual for protesting, reporting and/or participating in a complaint and/or investigation of harassment. Retaliation is a serious violation that can subject the offending person to corrective measures, independent of the merits of the case of harassment.

Sanction—An outcome imposed for the violation of the Code of Student Conduct. Generally, sanctions are educational in nature and intended to modify the student's behavior and build an awareness of personal responsibility and community standards.

Student—Anyone enrolled in a credit or non-credit course at Sinclair Community College.

Suspension—The termination of the right to register or attend classes for a period of one (1) to four (4) quarters, after which the student may return. A violation of suspension may lead to dismissal.

Under the influence—When a person is affected by alcohol or other drugs in a noticeable and detectable manner.

Warning—An admonition that the student's behavior has violated the Code of Student Conduct and notice to the student that continuation or the repetition of specified conduct may be cause for other disciplinary action.

Aramark and Student Leadership Development want to welcome you to campus by providing coupons you may use at Aramark locations across campus throughout the year.

Winter Quarter Coupons 2009

Tartan Sports Cafe

Skyline Chili
Buy 1 Chili Cheese Coney,
Get One FREE!

Accepted ONLY at Tartan Sports Cafe,
Building 8, Basement
One coupon per transaction.
Coupon has no cash value.
Expires 2/27/2009

Tartan Snack Shoppe

Building 13, Fourth Floor
FREE 16 oz. Fountain Soda
With Soft Pretzel Purchase

Accepted ONLY at Tartan Snack Shoppe,
Building 13, Third Floor
One coupon per transaction.
Coupon has no cash value
Expires 2/27/2009

Tartan Sub Shoppe

FREE Frito Lay Chips
With purchase of any Large Sub
Accepted ONLY at Tartan Sub Shoppe,
Building 3, Third Floor
One coupon per transaction.
Coupon has no cash value
Expires 2/27/2009

Main Street Café

FREE Regular Coffee
With Breakfast Sandwich Purchase
Accepted ONLY at Main Street Café
Building 10, Third Floor
One coupon per transaction.
Coupon has no cash value
Expires 2/27/2009

Tartan Marketplace

FREE Regular Coffee
With Breakfast Sandwich Purchase
Accepted ONLY at Tartan Marketplace,
Building 7, Basement
One coupon per transaction.
Coupon has no cash value
Expires 2/27/2009

Tartan Marketplace

AFTER 5 p.m. SPECIAL
FREE bag of chips with wrap
and fountain drink purchase at the
Green Pickle Deli
Accepted ONLY at Tartan Marketplace,
Building 7, Basement
One coupon per transaction.
Coupon has no cash value
Expires 2/27/2009

Tartan Marketplace

AFTER 5 p.m. SPECIAL
Buy any two slices of pizza at the
Italian Oven and get a
FREE 16 oz. fountain soda
Accepted ONLY at Tartan Marketplace,
Building 7, Basement
One coupon per transaction.
Coupon has no cash value
Expires 2/27/2009

Tartan Marketplace

AFTER 5 p.m. SPECIAL
FREE Regular French Fries
With Philly Cheese Steak Purchase
Accepted ONLY at Tartan Marketplace,
Building 7, Basement
One coupon per transaction.
Coupon has no cash value
Expires 2/27/2009

Aramark and Student Leadership Development want to welcome you to campus by providing coupons you may use at Aramark locations across campus throughout the year.

Spring Quarter Coupons 2009

Tartan Sports Cafe

Skyline Chili: Buy 1 Chili Cheese Coney,
Get One FREE!

Accepted ONLY at Tartan Sports Cafe,
Building 8, Basement

One coupon per transaction.

Coupon has no cash value.

Expires 4/27/2009

Tartan Snack Shoppe

FREE 16 oz. Fountain Soda

With Soft Pretzel Purchase

Accepted ONLY at Tartan Snack Shoppe,
Building 13, Third Floor

One coupon per transaction.

Coupon has no cash value

Expires 4/27/2009

Tartan Sub Shoppe

FREE Frito Lay Chips

With purchase of any Large Sub

Accepted ONLY at Tartan Sub Shoppe,
Building 3, Third Floor

One coupon per transaction.

Coupon has no cash value

Expires 4/27/2009

Main Street Café

FREE Regular Coffee

With Breakfast Sandwich Purchase

Accepted ONLY at Main Street Café
Building 10, Third Floor

One coupon per transaction.

Coupon has no cash value

Expires 4/27/2009

Tartan Marketplace

FREE Regular Coffee

With Breakfast Sandwich Purchase

Accepted ONLY at Tartan Marketplace,
Building 7, Basement

One coupon per transaction.

Coupon has no cash value

Expires 4/27/2009

Tartan Marketplace

AFTER 5 p.m. SPECIAL

FREE bag of chips with wrap and
fountain drink purchase at the Green
Pickle Deli

Accepted ONLY at Tartan Marketplace,
Building 7, Basement

One coupon per transaction.

Coupon has no cash value

Expires 4/27/2009

Tartan Marketplace

AFTER 5 p.m. SPECIAL

Buy any two slices of Pizza at the
Italian Oven and get a

FREE 16 oz. fountain soda

Accepted ONLY at Tartan Marketplace,
Building 7, Basement

One coupon per transaction.

Coupon has no cash value

Expires 4/27/2009

Tartan Marketplace

AFTER 5 p.m. SPECIAL

FREE Regular French Fries

With Philly Cheese Steak Purchase

Accepted ONLY at Tartan Marketplace,
Building 7, Basement

One coupon per transaction.

Coupon has no cash value

Expires 4/27/2009