Student
Code of Conduct Handbook
(Revised November 9, 2015)
Welcome to Sinclair Community College!

Thank you for selecting Sinclair Community College as your college of choice. On behalf of the staff of the Director of Student Affairs office, it is our pleasure to welcome you to Sinclair. Our goal is to promote student development by creating a supportive environment conducive to lifelong learning both in the classroom and beyond. If you want to get involved or find a supportive environment, visit the Student and Community Engagement 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 Student Code of Conduct is a guide to the standards of conduct required for a learning community in which members pursue their goals. This book provides much of the detailed behavioral guidelines college community members are responsible for knowing. The policies included in this book 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 book. For more information contact the Director of Student Affairs Office, Building 10, Room 10-332, (937) 512-2291.

The Student Code of Conduct 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 Code of Conduct on the Sinclair Web site.

The Director of Student Affairs is designated as the principal administrator of this document. Students with questions or comments about these policies should consult with the Director of Student Affairs.

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

Student Affairs

Note: This document contains official information for the academic year. Students are held accountable for the information contained in this Student Code of Conduct as electronically published at www.sinclair.edu

The college reserves the right to change or modify the contents listed herein. 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 Judicial Affairs web site: http://www.sinclair.edu/student/judicial
CAMPUS MINISTRY
Building 10, Room 10310 | (937) 512-2768
The office of Campus Ministry is a multi-faith center for spiritual life that encourages interfaith dialogue and spiritual deepening. The Interfaith Campus Ministers work together to provide pastoral care and educational opportunities, and programs related to religious and spiritual life. Students, staff, faculty and administrators from all religious traditions and spiritual practices, as well as those who have no affiliation, are welcome.

COUNSELING SERVICES
Building 10, Room 10424 | (937) 512-3032
Counselors provide academic and/or personal counseling through individual appointments. Counselors also develop a Student Action Plan with students to assist them with defining goals and action steps for academic and personal success.

DISABILITY SERVICES
Building 10, Room 10424 | (937) 512-5113
Disability Services provides reasonable academic accommodations, auxiliary aids, assistive technology, support services and access to qualified individuals with disabilities in accordance with the ADA and Section 504 of the Rehabilitation Act of 1973.

MULTICULTURAL STUDENT SUPPORT
Building 10, Room 10425 | (937) 512-2749
Multicultural Student Support provides multicultural students with a supportive educational environment that helps to define their purpose. Students are provided assistance in setting short-term and long-term goals, sharpening and/or developing academic skills, locating mentors and finding tutoring and other academic support services. Students are also connected to cultural enhancing workshops, clubs, organizations and other activities. The office fosters growth in developing cultural, economic and social awareness. Assistance in scholarship search is available as well.

ombudsman
Building 10, Room 10424 | (937) 512-2205
Provides assistance to the students who indicate they have problems, issues or concerns that need resolution. The office serves as a quick link for those needing immediate help.

To file an Ombudsman report:
- Log into our.sinclair.edu
- Choose the Tools section
- Click on Student Behavior/Conduct
- Select Reporting Forms
- Select Ombudsman

STUDENT & COMMUNITY ENGAGEMENT
Building 8, Room 8025 | (937) 512-2509
Student and Community Engagement provides students with a wide variety of resources ranging from leadership development opportunities to resources for connecting to local employment opportunities. The office is also responsible for a variety of student activities, campus clubs and other organizations. The department serves as a resource for employers who are seeking to connect with and recruit students through job postings, career fairs or other on-campus activities.

STUDENT SUPPORT SERVICES
Building 11, Room 11342 | (937) 512-3550
Student Support Services administers the grant funded TRIO program for eligible students. Services include; holistic counseling, professional tutoring, Academic Success Assist Program, textbook loan bank, cultural/social events, student progress monitoring, and college adjustment assistance.

TUTORIAL SERVICES
Building 7, Room 7L07 (Library) | (937) 512-2792
Tutorial Services provides free individual as well as open lab tutoring assistance to any Sinclair student who is enrolled in a class for academic credit.

VETERAN SERVICES
Building 10, Room 10323 | (937) 512-2586
Assist veterans and military family members with accessing and using VA Education Benefits. Provides support for veterans both at Sinclair and with community partners.

STUDENT JUDICIAL AFFAIRS
Building 10, Room 10332 | (937) 512-2291
is charged with upholding the Student Code of Conduct, which identifies behavioral expectations for all students on Sinclair campuses and all regional learning sites. The Student Code of Conduct can be found on Sinclair’s website. The Academic Integrity Policy can also be found in the Student Code of Conduct handbook.

TITLE IX
Building 7, Room 7340 | (937) 512-2514
It is the policy of Sinclair to comply with Title IX of the Educational Amendments of 1972 (Title IX) which states, No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any educational program or activity receiving federal financial assistance.
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Student Code of Conduct & Disciplinary Policy

Introduction, purpose and disciplinary authority of Sinclair Community College

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

2. The college established a Student Code of 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 the code. Students voluntarily assume the obligation to fulfill the responsibilities set forth in the handbook and to bear personal responsibility for their actions. The college has developed policies, procedures, and standards which endeavor to protect the rights of each member of the college community.

3. The President has assigned responsibility for the implementation of the Student Code of Conduct to the Director of Student Affairs or his or her designee.

4. Students should be aware that the student conduct process is different from criminal and civil court proceedings.

Student Honor Code

The college has adopted the following Student 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 ethics. 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 Student Creed

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.

Expectations of Students

Students are expected to:

- Be accountable for information contained in the college course catalog, Student Code of Conduct, 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.

Our Goals:

1. Educate students, faculty and staff on issues related to student conduct, responsibilities, and behavioral expectations in the Student Code of 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 Student Code of Conduct.
4. Educate students who have violated the Student Code of 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 Student Code of 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 Student Code of Conduct will demonstrate insight into their abilities for ethical decision making.
6. Students found in violation of the Student Code of Conduct will be able to predict consequences for their actions.
7. Students found in violation of the Student Code of Conduct will demonstrate a change in their behaviors.
Definitions
1. "Advisor." "Advisor" includes anyone assisting or supporting a student during his or her involvement in a student conduct and community standards proceeding, including but not limited to, an attorney, parent(s), guardian, social worker, student advocate, professor, acquaintance, or friend.
2. "Code." "Code" or “Code of student conduct” refers to this rule of the administrative code which outlines the expectations for student behavior and the procedures through which the department of student affairs addresses student misconduct.
3. "College." "College" means Sinclair Community College and all of its campuses, centers, or other locations on which it operates.
4. "College official." "College official" includes any person employed or appointed by the college and performing administrative or professional responsibilities within the scope of his/her authority.
5. "College policy." "College policy" generally means the written regulations of the college as found in, but not limited to, the code of student conduct, departmental operating manuals, the college web page, college rules, and the undergraduate bulletin. College policy also includes unwritten policies that are commonly applied and utilized consistently with written policies or in order to carry out the effect of written policies.
6. "College premises." "College premises" includes all land, buildings, facilities, and other property in the possession of or owned, leased, used, or controlled by the college or its foundations, including adjacent streets and sidewalks.
7. "Complainant." "Complainant" means any person who submits a report alleging that a student has violated this code of student conduct.
8. "Dating Violence.” The term “dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of the relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
9. “Domestic Violence.” The term “domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction of which the person is a resident, by a person who is or was cohabiting with a victim who is or was married to a person, or by any other person against an adult or youth victim who is or was married to a person, or by a person who is or was cohabiting with a victim who is or was married to a person, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction of which the person is a resident. (42 U.S.C. 13925(a)). Domestic violence is defined in Ohio Revised Code §2919.2 which states, in part*: No person shall knowingly cause or attempt to cause physical harm to a family or household member. No person shall recklessly cause serious physical harm to a family or household member. No person, by threat of force, shall knowingly cause a family or household member to believe that the offender will cause imminent physical harm to the family or household member. *The full text of Ohio Revised Code §2919.25 is available at http://codes.ohio.gov/orc/2919.25.
10. "Faculty member." "Faculty member" means any person hired by the college to conduct classroom or teaching activities, research activities, or who is otherwise considered by the college to be a member of the faculty.
11. "Member of the college community." "Member of the college community" includes students, college employees, and persons lawfully present on college premises.
12. Stalking: The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress. Ohio’s criminal code has a similar definition of stalking. Ohio Revised Code §2903.211 (Menacing by Stalking) states* that: (A)(1) No person by engaging in a pattern of conduct shall knowingly cause another person to believe that the offender will cause physical harm to the other person or cause mental distress to the other person. (A)(2) No person, through the use of any electronic method of remotely transferring information, including, but not limited to, any computer, computer network, computer program, or computer system, shall post a message with purpose to urge or incite another to commit a violation of division (A)(1) of this section. (A)(3) No person, with a sexual motivation, shall violate division (A) (1) or (2) of this section. *The full text of Ohio Revised Code §2902.211 is at: http://codes.ohio.gov/orc/2903.211.
13. "Student." "Student" means any person who is taking a credit or non-credit/audit course from the college, has been notified of his/her acceptance for admission, withdraws after allegedly violating the code of student conduct, or is matriculated but not officially enrolled for a particular term. “Student” does not include a person who has registered for or is enrolled in any non-credit courses offered by or through the college’s Workforce Development division.
14. "Student organization." "Student organization" means any group of persons who have complied with the formal requirements for or are actively seeking recognition as a student organization.
15. "Weapon." "Weapon" is defined in accordance with federal, state, and local law, and includes any object or substance designed to inflict a wound or cause injury.

Jurisdiction
1. The Code applies to the conduct of all students and student organizations that occurs on college-owned or leased premises or on non-college premises (including internet and social media based conduct), where the conduct away from college premises is deemed by the college to affect the college or its students and college employees, including but not limited to:
   a. Any clinical practice assignment;
   b. Any activity performed to satisfy academic course requirements, such as internships, field trips, or student teaching;
   c. Any activity supporting pursuit of a degree, such as research at another institution;
Student Code of Conduct Prohibited Behaviors

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;

2. Violation of any college policy (e.g. campus access)

3. 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;

4. 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;

5. 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;

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

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

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

9. Knowingly instituting a false charge against another person;

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

11. Leaving minor children unattended while on college-owned or leased property, attending a class, or participating in any college activity;

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

13. 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;

14. 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;

15. 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 (http://codes.ohio.gov/orc/2307.44);

16. Theft or abuse of computer resources, 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, including a major instance (multiple files, subsequent offense, receipt of multiple infringement notice or legal subpoena) of unauthorized acquisition, use, or distribution of copyrighted works, including but not limited to, music, video, software, images, files, trademarks, and logos, through the college’s information technology resources and services;
   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;
Potential Sanctions for Violations of Student Code of Conduct

1. Restitution: Restitution means compensation for loss, damage, or injury and can take the form of service and or monetary/material replacement.
2. Educational Sanctions: Educational Sanctions are the broadest category of sanctions used by the college. Educational Sanctions typically include one or more of the following: written apology, meeting attendance, work assignment, essay, community service, behavioral contract, administrative referral, and other related educational assignments.
3. Formal Warning: Formal Warnings emphasize to the student that further violations would result in progressive sanctioning. A student receiving a Formal Warning shall continue to exercise the rights and privileges of a student in good standing.
4. Conduct Probation: Conduct Probation serves as a warning to students that they are not in good standing with the college. Further violations of the Code of Conduct could result in suspension or dismissal.
5. Facility Suspension: The student no longer has the privilege of entering or using a particular facility or building for a specified period of time or until a specific condition is met.
6. Facility Expulsion: The loss of privilege to use a building or facility for a designated or unlimited period of time.
7. Loss of Privileges: The loss of specified privileges for a designated period of time.
8. Removal from Class: The student is barred from attending a particular class. The student may or may not be reassigned to a different section of the same class.
9. Revocation of Admission: The student loses his/her admitted status to the college.
10. Suspension: The termination of a student’s enrollment for a particular period of time, or until specific conditions are met. A suspended student is prohibited from being present on college-owned or leased property, or at any college-sponsored activity or event.
11. Dismissal: The termination of a student’s enrollment with Sinclair Community College. A dismissed student is prohibited indefinitely from being present on college-owned or leased property, or at any college-sponsored activity or event.

Student Conduct Complaint and Hearing Procedures

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

All disciplinary decisions made under the Student Code of Conduct system will be based on a review of relevant information and facts.

Decisions made by the Director of Student Affairs or his/her designee, the Student Conduct Hearing Panel, or the Vice President of Enrollment Management and Student Affairs will be made based on a preponderance of the evidence, which means that it is more likely than not that a violation of the Student Code of Conduct occurred.

Filing a formal complaint:

1. Any student, faculty member, staff member, or college administrator may file a formal complaint against a student alleging a violation of the Student Code of Conduct. A formal complaint shall be made in writing and may be made by using the online reporting form at www.sinclair.edu/student/judicial/reporting.
2. All formal complaints will be referred to the Director of Student Affairs for investigation, mediation, and/or possible resolution. The Director of Student Affairs or his/her designee will conduct an investigation and endeavor to complete the investigation within twenty (20) calendar days of receiving the complaint.
3. After the investigation of a complaint is completed, the Director of Student Affairs may determine that:
   a. no grounds or insufficient grounds exist to conclude that a violation occurred and dismiss the complaint; or
   b. grounds exist to conclude that a violation may have occurred.
4. If the Director of Student Affairs determines that no grounds or insufficient grounds exist to conclude that a violation occurred and dismisses the complaint, a written notice of that determination shall be provided to the student.
5. If the Director of Student Affairs determines that grounds exist to conclude that a violation may have occurred, he or she shall provide a written notice to the student that a Student Conduct Conference with the Director of Student Affairs or a hearing before a Student Conduct Hearing Panel will be held. If the Director of Student Affairs determines that the
allegations are serious enough that if the student were to be found responsible, the sanction could include suspension or dismissal from the college, a hearing before the Student Conduct Hearing Panel will be held.

6. If the complaint relates to conduct involving a violation of the college’s Sexual Harassment and Sexual Misconduct Policy and if found responsible could result in suspension or dismissal from the college, the matter will be scheduled for a hearing before the Student Conduct Hearing Panel.

7. If the Director of Student Affairs determines to hold a Student Conduct Conference, the student has the right to request a hearing before the Student Conduct Hearing Panel by notifying the Director of Student Affairs prior to the Student Conduct Conference in writing or by email.

8. Prior to the Student Conduct Conference or Student Conduct Hearing, the Director of Student Affairs shall prepare a written summary of the complaint and the violation(s) and a list of potential witnesses and supporting documentation. Copies of this information shall be provided to the student prior to the conference or hearing.

9. The Director of Student Affairs will inform the student that the college’s Student Ombudsman is available to assist the student with understanding and following the procedures set forth in the Student Code of Conduct. While the Ombudsman will not represent the student at the Student Conduct Conference or at a hearing, the Ombudsman may, at the request of the student, attend the conference or hearing and provide procedural assistance to the student.

10. The student may also have one person present at the Student Conduct Conference or Student Conduct Hearing, but this person will be an observer only and cannot participate. The student must inform the Director of Student Affairs at least two days prior to the Student Conduct Conference or Student Conduct Hearing if he or she intends to have such person present and shall provide the name and contact information for such person, and whether he or she is an attorney. If this person is an attorney, the college may choose to have an attorney present at the conference or hearing, and the conference or hearing may be rescheduled so that the college’s attorney can be present.

Student Conduct Conference Process

1. A written notice will be provided to the student, via regular U.S. Mail, college email, or personal delivery. The notice shall include the following:
   a. The date, time, and location of the Student Conduct Conference;
   b. Web site link to the Student Code of Conduct.
2. At the Student Conduct Conference, the student will be asked to respond to the complaint.
3. If the student does not appear for the Student Conduct Conference, the Director of Student Affairs or his/her designee may proceed to make a decision based on the information gathered during the investigation.
4. Following the Student Conduct Conference, the Director of Student Affairs or designee will decide whether the student violated the Student Code of Conduct. The decision will be based on a preponderance of the evidence standard.
5. If the Director of Student Affairs determines that the student violated the Student Code of Conduct, he or she will also determine a sanction, up to and including dismissal.

Student Conduct Hearing Panel Hearing Process

1. A Student Conduct Hearing Panel shall consist of two (2) faculty and/or staff members, two (2) students, and the Director of Student Affairs or his/her designee. The members of the Panel other than the Director of Student Affairs or his/her designee are selected at least annually by the Vice President of Enrollment Management and Student Affairs. A sufficient number of persons shall be selected so that a panel may be established promptly to consider any complaint. One member of each Hearing Panel will be designated by the Vice President of Enrollment Management and Student Affairs to serve as the chairperson.
2. The Director of Student Affairs will schedule a date and time for the hearing, taking into consideration the class schedule of the accused student and the availability of potential witnesses and Hearing Panel members. If possible, the hearing should take place within twenty (20) calendar days following the referral of the complaint to the Director of Student Affairs.
3. The student will be provided a written notice sent via regular U.S. mail, college e-mail, or personal delivery which includes the following:
   a. The date, time, and location of hearing.
   b. A copy of the Student Code of Conduct or an internet link to the Code.
   c. A summary of the complaint and violation(s)
   d. A tentative list of potential witnesses who may appear at the hearing.

This notice shall be provided at least seven (7) calendar days prior to the hearing unless the student agrees to a shorter time period.
4. For a hearing to take place, a minimum of one (1) student, one (1) faculty/staff member, and the Chairperson of the Student Conduct Hearing Panel must be present.
5. All hearings will be conducted at the college’s Dayton Campus unless the Director of Student Affairs determines otherwise.
6. The Director of Student Affairs will arrange for the presentation of witnesses and information at the hearing. Both the Director of Student Affairs and the student may present witnesses or written witness statements. The Hearing Panel members and the student will be permitted to question each witness and to inspect all documents and other information. Both the Director of Student Affairs and the student may make a closing statement.
7. The Director of Student Affairs will provide information to the Hearing Panel about any prior determinations of violation of the student code of conduct by the student.
8. The hearing will be recorded.
9. If the student does not appear for the hearing, the Student Conduct Hearing Panel may receive a verbal summary of the complaint and violation(s) from the Director of Student Affairs and copies of documents, photos, recordings, etc. which the Director will provide. The Student Conduct Hearing Panel may proceed to make a decision based on the information presented during the hearing.
10. At the conclusion of the hearing the Student Conduct Hearing Panel will decide, by majority vote, outside the presence of the student and any non-members, whether the student violated the Student Code of Conduct. The decision will be based on a preponderance of the evidence.

11. If the Student Conduct Hearing Panel determines that the student violated the Student Code of Conduct, it will recommend a sanction, up to and including dismissal. The Director of Student Affairs has the final authority to determine the sanction.

12. The decision of the Student Conduct Hearing Panel will be put in writing and be provided to the student via regular U.S. Mail, college email, or personal delivery, with a copy to the Vice President for Enrollment Management and Student Affairs. The decision will be considered to be delivered one day after it is placed in the regular U.S. mail to the student’s last known address on file with the college, a read receipt is received for the email, or when it is personally delivered to the student.

Appeal Process
The following process applies if the student wants to appeal the decision made following the Student Conduct Conference or the Student Conduct Hearing Panel:

1. The student must deliver a written letter of appeal to the Vice President of Enrollment Management and Student Affairs. The letter of appeal must set forth why the student believes the decision or sanction should be overturned or modified, based on one or more of the grounds set forth below. The letter of appeal must be postmarked, emailed, or hand-delivered within ten (10) calendar days after the decision of the Student Conduct Hearing Panel or the Student Conduct Conference was delivered to the student.

2. Appeals are limited to the following grounds:
   a. Whether the decision is in accordance with the facts presented.
   b. Whether the decision was reached through a procedure in substantial compliance with the code.
   c. Whether the sanction is grossly disproportionate for the conduct violation.
   d. Whether new information not available at the time of the Student Conduct Conference or Student Conduct Hearing should be considered, and if so, what impact the new information has on the decision.

3. The Vice President of Enrollment Management and Student Affairs will review all of the materials submitted by the student and the college file on the matter. He or she may, but is not required to, review the recording of the Hearing Panel. He or she also may, but is not required to, interview the student and/or other persons who may have information relevant to the appeal.

4. If the student has submitted new information allegedly not available at the time of the Student Conduct Conference or Student Conduct Hearing, the Director of Student Affairs will receive a copy of the new information and may present a response or other additional information related the student’s new information. The student will receive a copy of or be present for the presentation of any such new information or response from the Director of Student Affairs.

5. The Vice President of Enrollment Management and Student Affairs will determine whether the decision of the Student Conduct Conference or Student Conduct Hearing Panel will be upheld, whether there should be a reduced sanction, or whether the case should be remanded to the Director of Student Affairs or Hearing Panel for an additional conference or hearing. The Vice President of Enrollment Management and Student Affairs will issue the decision within ten (10) calendar days of the date of receipt of the student’s appeal letter if possible.

6. The decision of the Vice President of Enrollment Management and Student Affairs will be put in writing and a copy will be provided to the student via regular U.S. mail, college email, or personal delivery.

7. The decision of the Vice President of Enrollment Management and Student Affairs shall be final.

8. At the conclusion of the appeal process, all records of the proceedings will be returned to the Director of Student Affairs for retention in accordance with college policy and applicable law.

Additional Procedures if Complaint Relates to Conduct Involving Alleged Sexual Harassment or Sexual Violence, Dating Violence, Domestic Violence, or Stalking.
If the complaint relates to conduct involving alleged sexual harassment, sexual violence, dating violence, domestic violence, or stalking, the following additional procedures apply:

1. The person against whom the alleged conduct was directed (the “complainant”) and the student who is alleged to have engaged in the conduct (the “responding party”) will be informed in writing if the Director of Student Affairs determines that no grounds or insufficient grounds exist to believe that a violation occurred and dismisses the complaint.

2. The complainant will be informed in writing if a hearing is scheduled for the student against whom the complaint has been made and that he or she may attend the hearing. The complainant will be provided with a copy of the written notice of the complaint sent to the responding party.

3. The complainant will be informed that he or she may have one advisor present at the hearing, and that this person will be an observer only and cannot participate in the hearing. The complainant must inform the Director of Student Affairs at least two business days prior to the hearing if an advisor will be present.

4. If the complainant believes that there are witnesses in addition to those listed in the tentative list of potential witnesses who should testify at the hearing, he or she must notify the Director of Student Affairs in writing of the identity of those witnesses and their contact information and the expected nature of their testimony.
5. The complainant may request to review copies of all written information which may be presented at the hearing. If the complainant has additional written information that he or she desires to be presented at the hearing, he or she must provide copies to the Director of Student Affairs. Any notice regarding witnesses or copies of written information from the complainant must be provided to the Director of Student Affairs at least three (3) business days prior to the scheduled date of the hearing.

6. The Director of Student Affairs will decide prior to the hearing whether to present the additional witnesses or written information suggested by the complainant and inform the complainant of that decision as soon as possible prior to the hearing.

7. If the complainant is a witness at the hearing, the responding party will not be permitted to directly question or cross-examine the complainant. If the responding party wants to present questions to the complainant, he or she may write the questions down and ask the Chair of the Student Conduct Hearing Panel to ask them. The decision of whether to ask these questions shall be made by the Chair.

8. The complainant and responding party will be sent a copy of the written decision made following the hearing of the Student Conduct Hearing Panel at the same time.

9. The complainant may appeal the decision made following the hearing of the Student Conduct Hearing Panel by following the Appeal Process set forth above.

10. When the complainant is the appealing party, the student/responding party shall be provided with copies of all information submitted by and notices issued to the complainant. The student/responding party has the right to present additional information and response to any information submitted by the complainant in connection with the appeal.

11. Access of the complainant and responding party to information about the other may be limited by the Family Educational Rights and Privacy Act (FERPA), 20 USC 1232g, or other laws relating to confidentiality or privacy. In some cases, these procedures may be adjusted to comply with such laws.

Temporary Suspension
When the Director of Student Affairs or his/her designee has reasonable cause to believe that the student’s presence on college premises or at a college-related or registered student organization activity poses a significant risk of substantial harm to the safety or security of themselves, others, or to property, the student may be immediately suspended from all or any portion of college premises, college-related activities or registered student organization activities. This temporary suspension will be confirmed by a written statement and will remain in effect until the conclusion of a full hearing or administrative decision, without undue delay, in accordance with the rules of the college. The student may, within three (3) working days of the imposition of the suspension, petition the Vice President of Enrollment Management and Student Affairs for reinstatement. The petition must be in writing, and must include supporting documentation or evidence that the student does not pose, or no longer poses, a significant risk of substantial harm to the safety or security of themselves, others, or to property. A decision on such petition will be made without undue delay by the Vice President of Enrollment Management and Student Affairs or designee.

Removal for Threatening/Disruptive Behavior
There will be occasions when, in the opinion of the instructor, staff or other students, inappropriate behavior by a student involves an imminent threat to safety or threatens to disrupt seriously the classroom or educational process. In these circumstances the instructor or staff member 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 to the Director of Student Affairs for Student Conduct Code review.

Threatening and/or disruptive behavior is subjective. The definition that counts is that of the classroom instructor or staff member 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.

Re-Admittance Process
Following a suspension, students may request, in writing, re-admittance to Sinclair. The written request should be submitted to the Director of Student Affairs. All sanction requirements must be documented and completed. The Re-Admit Status Review Committee will review the case and meet with the student. A re-admit plan will be made and the student will be notified by mail.

Students may be temporarily trespassed from campus and/or issued a Cease and Desist Order pending Due Process for a Conduct Conference or a Student Conduct Hearing Panel.

(Ohio Revised Code 3345:23)
Dismissal of Students
This code provides a process to dismiss students and/or not allow students who have been convicted of a crime that occurred on a campus to continue attending that institution or be admitted to another college or university. There may be instances when the Director of Student Affairs office may need to exercise this option.

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 Director of Student 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 Director of Student Affairs 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 Required Sanction
Failure to complete a required sanction is a serious offense at Sinclair Community College. It is considered an additional violation of the Student Code of Conduct, and will usually result in more serious sanctions being imposed. Students failing to complete sanctions by the required deadlines may be suspended or dismissed from the college. No student who has been dismissed from Sinclair Community College may enroll again as a student.

Disciplinary HOLD on Student Records
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 the student to complete sanctions on time and avoid a HOLD being placed on his or her academic records or registration. 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 Student Code of Conduct.

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

FERPA Act of 1974
FERPA (Family Educational Rights & Privacy) 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 student’s 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 Registrar in 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, Registrar in 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.

Ombudsman
The Ombudsman will provide assistance to any student, faculty or staff member who seeks resolution to a college related problem/issue or concern. 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, stopping by Building 10, Room 10424, during posted contact hours, or by completing a reporting form at www.sinclair.edu/support/advocate.

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/parties involved.
2. If no resolution, the next step would be to discuss the matter with the department supervisor or manager involved.
3. If steps 1 and 2 do not resolve the complaint, submit a written grievance to the Ombudsman, Building 10, Room 10424. This written grievance should include:
   - Names for all students involved.
   - Time and date of incident.
   - A description of the incident. You may access the Ombudsman Reporting Form at www.sinclair.edu/support/advocate
4. The Ombudsman will review all of the information submitted by the student, will investigate the incident, to determine if the grievance is supported by the information provided.
5. A letter will be sent to the complainant informing him or her of the outcome.

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 Associate 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 Associate Provost 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 Associate Provost for Instruction, Building 7, Room 7330, or call (937) 512-3044.

Academic Integrity Policy

Introduction

This Academic Integrity Policy addresses willful acts of cheating, dishonesty, and plagiarism and establishes common procedures to be followed when such acts occur. The intent of the policy is to improve students’ understanding of academic integrity while affirming the concepts and philosophies established in the Sinclair Community College Student Code of Honor. Furthermore, the policy provides guidance for faculty, and their immediate supervisor(s) as they address violations of academic integrity. This policy is intended to be followed for all courses taught by Sinclair Community College faculty. In all instances, departments may develop and enforce academic integrity policies that are more stringent than, but not in conflict with, this policy.

Definitions

Cheating includes, but is not limited to any act that:

- Aids or assists another in an unfair advantage, which diminishes the educational experience of others.
- Uses or attempts to use unauthorized materials for exams.
- Allows someone else do any part of the student's work.
- Involves doing someone else's work for them, or allowing others to use your work.
- Fails to use reasonable efforts to protect electronic work. In a situation in which a student(s) fails to use reasonable efforts, and another student(s) steals that electronic work, all involved students will have been considered to be cheating.
- Aids and abets dishonesty, including providing material, information, or other assistance to another person to help them cheat.
- Involves collaboration on assignments unless it is a team/group assignment.
- Makes use of any telecommunication, cell phone or other information storage and retrieval equipment during an exam unless pre-approved by the faculty, and
- Other acts not defined above that demonstrate academic dishonesty.

Dishonesty includes, but is not limited to:

- Acts of academic fraud (deliberate deception).
- Attempts by a student(s) to deceive an instructor.
- Attempts to hide or cover up information pertinent to student(s) course work.
- Falsification of records and or documentation, and
- Other acts not defined above that demonstrate academic dishonesty.

Plagiarism includes, but is not limited to:

- Presenting someone else's written work as your own.
- This includes the work of other students or any other persons, and works published elsewhere, including the World Wide Web. Students are expected to document all sources following established procedures for source citation.
- Using another's work in whole or in part without providing proper documentation of what and from where it is being borrowed.
- Obtaining another person's work through purchase, or otherwise, and submitting it as one's own, and
- Other acts not defined above that demonstrate academic dishonesty.

Guiding Principles

Cheating/dishonesty/plagiarism in any academic environment is a serious and delicate issue. In some cases, students are unaware through a lack of educational exposure or diverse cultural mores of their responsibility or the procedure for properly documenting borrowed material. In other situations, students knowingly purchase, steal, and/or copy the works of others for academic gain.

The challenge for any faculty member is to determine whether a case of suspected plagiarism is intentional or not. The faculty member most closely connected with a student's work is best suited to determine willful intent. Faculty may wish to seek guidance from other more experienced faculty, their immediate supervisor, other campus counselors (i.e., Disability Services, Athletic Department, PTC coaches, student mentor, etc.), or through faculty volunteers in the Center for Teaching and Learning. This additional guidance is encouraged but not required.

The process of determining a student's awareness and intent will likely require a conversation with the student(s) involved. A faculty member is advised to invite the student(s) to discuss the issue with him or her in an appropriate location if the question of intentionality is unclear. This discussion can be beneficial to educate and illuminate the faculty member and the student. Furthermore, the student's right to due process requires that students be afforded an opportunity to explain their behavior.
Individual and Group Work

It is imperative that students understand clearly what is considered acceptable as individual versus group work. Some of Sinclair class work is done in groups. Students in those instances are encouraged to help each other understand concepts presented, find needed resources, solve technological problems, and promote each other’s learning. Students are expected to be prepared for group work and fully participate with classmates. Working on specific class work as a group does not imply or suggest that individual work can or should include assistance from others. When in doubt a student should check with his or her instructor.

To clarify the issue of individual versus group work, it may be beneficial to include a statement such as the following in class syllabi:

With the exception of assignments designated as group assignments by the instructor, all assignments are presumed to be completed individually, not as a part of a pair or team. Assignments include exams, tests, quizzes, papers, notebooks, extra credit, and any work completed for points.

Academic Integrity Procedure

1. The faculty member should meet with the student(s) to understand the scope and intentionality of the issue in question.
2. A faculty member who identifies a situation involving intentional cheating, dishonesty or plagiarism as defined above must notify his or her immediate supervisor and then notify the student(s) in writing as to the violation of academic integrity.
3. The faculty member will prepare a written summary of the incident for his or her immediate supervisor.
4. The faculty member’s immediate supervisor (or designee) should invite the student(s) to discuss the issue. It is recommended that this interaction take place in a face-to-face meeting if possible. The purpose of this meeting is to afford the student(s) due process to be heard regarding the issue. If the facts concerning the incident are in dispute, the faculty member involved may attend the meeting with the supervisor (or designee) and student.
5. The immediate supervisor (or designee) should review the “Statement of Understanding” with the student(s).
6. At the close of the meeting, all parties should sign a “Statement of Understanding.” This statement need not include any admission of fault, but should clearly delineate the agreement regarding how the issue will be resolved.
7. If the incident of cheating, dishonesty or plagiarism is determined not to have occurred, that shall be documented, and a copy provided to the student(s) and communicated to all involved.
8. If the incident of cheating, dishonesty or plagiarism is determined to have occurred, the matter will proceed as set forth below.

Statement of Understanding

If a faculty member identifies a situation involving intentional cheating, dishonesty or plagiarism, said incident will be recorded on a separate “Statement of Understanding,” which shall contain:

1. A summary of the events involving the cheating, dishonesty or plagiarism;
2. A statement that the student either agrees with the summary or disputes it;
3. A statement clarifying that the student understands the penalty for cheating, dishonesty or plagiarism in the course as set forth by the “Statement of Understanding;”
4. If appropriate, a statement that the student understands the consequences of withdrawal from the course and that it does count as one attempt toward successfully passing the course;
5. If it is determined that this is the student’s second offense, a statement that he/she can have academic privileges restricted (see possible penalties below);
6. The signatures of the student, faculty member, and immediate supervisor;
7. A copy of the supporting documentation or evidence (e.g., copy of the course policies, a copy of the assignment, or other useful documentation), should be attached to the “Statement of Understanding,” and
8. As a last step, the “Statement of Understanding,” with any supporting documentation, would be forwarded to the Student Judicial Affairs Office for inclusion in the Student Code of Conduct database.

Penalties

- First violation: If it is determined that a student has committed an act of academic dishonesty, the student will receive a grade deemed appropriate by the assigning faculty member as outlined in the course policy statement. In most instances, this grade would be a zero for the assignment or possibly an F for the course depending on the course policies.
- Second violation: Any student who violates the academic integrity policy twice in the same term will receive an F for the course.
- Withdrawal: Some students may decide to withdraw from a course rather than receive a failing grade. Withdrawing from a course in which the student has been determined to have cheated, plagiarized or otherwise behaved in an academically dishonest manner counts as an attempt towards successfully passing the course under the Repeating Courses Policy.
- Incomplete grades assigned at the end of a course while academic integrity violations are investigated will naturally convert to an F grade unless lesser sanctions are deemed appropriate. Grade change forms should be used per standard practice in this instance.
- A violation of the Student Code of Conduct involving academic matters will be submitted to the Student Judicial Affairs Office. The signed copy of the “Statement of Understanding,” with supporting documentation, will suffice for this report.
- A record of the violation of the Student Code of Conduct (cheating, plagiarism, or other forms of academic dishonesty) will be maintained by the Director of Student Affairs Office.
• Repeat violators will receive additional sanctions from the college following the procedures set forth in the Student Code of Conduct.

**Appeal Procedure**

An appeal of the determination of cheating may be made to the Dean (or Dean's designee) of the division. The faculty member's immediate supervisor will send a copy of the "Statement of Understanding" to the Dean if the matter is appealed.

Appeals may be made only on the grounds of inappropriate sanction, procedural defects, or new evidence.

**Academic 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.

**Safety & Security**

Students may access the Sinclair Police web site at: [www.sinclair.edu/police](http://www.sinclair.edu/police) 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) 512-2700.

**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/police](http://www.sinclair.edu/police)

**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 Code of Conduct, guidelines, and student creed 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 the Director of Student Affairs. Students who take library material without permission or do not return borrowed material can be charged with a crime.

**General College Policies**

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 promotes diverse cultures.

**Non-Discriminatory Practices**

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.

Inquiries and complaints concerning this policy should be referred to the Equal Opportunity Officer who coordinates Title VI (discrimination claims on the basis of race, color, or national origin); Title IX (discrimination on the basis of sex); ADA (as amended) and Section 504 (discrimination on the basis of disability) and ADEA (discrimination on the basis of age). Contact: Equal Opportunity Officer, Office of Human Resources, Sinclair Community College, 444 West Third Street, Room 7340, Dayton, Ohio 45402-1460. Or Title IX Student Coordinator who coordinates Title IX (discrimination claims by students on the basis of sex—including claims of sexual harassment or sexual assault). Contact: Title IX Student Coordinator: Sinclair Community College, 444 West Third Street, Room 7340, Dayton, Ohio 45402-1460, (937) 512-2514.

**Sex Offender Registration Policy**

Sinclair Community College is an open enrollment institution. Except as set forth in this Policy, persons who are required to register as sex offenders are not prohibited from admission, enrollment, or attendance at Sinclair Community College and any of its classes, courses, or programs. This policy is intended to provide guidance for such persons and for Sinclair’s Department of Public Safety and other departments to deal fairly and appropriately with such persons and to protect the Sinclair community.

**Federal and State Law Registration Requirements**

Federal law (42 USC §16901), known as the Sex Offender Registration and Notification Act (SORNA), effective 7-27-2009, requires convicted sex offenders to register for the purpose of community notification. In addition, federal law requires sex offenders, already required to register in a specific state, to provide notice of each institution of higher education at which that person is employed or enrolled as a student. This registration is to be made available to law enforcement agencies with jurisdiction where the institution of higher education is located.

Ohio law (ORC §2950.04) requires convicted sex offenders to register with the County Sheriff within three days of coming into a county in which the offender resides or temporarily is domiciled for more than three days; immediately upon coming into a county in which the offender attends a school or institution of higher education; and upon coming into a county in which the offender is employed.

**Obligation to Self-Report**

1. Any person who is required by law to register as a sex offender and who as a condition of community control (or any similar program in any jurisdiction other than Ohio, such as probation or parole) which includes restrictions which prohibit contact with juveniles must self-report his or her status to the Sinclair Department of Public Safety within three (3) days of enrollment in any Sinclair class, whether on campus, at a remote location, or online. For purposes of this Policy, enrollment means registering for any class, course, or program (regardless of payment status and whether the class has started) at any Sinclair location, including Dayton campus, the Courseview campus in Mason, the Learning Centers in Englewood, Huber Heights, and Preble County (Eaton), and any other sites where Sinclair offers such class, course or program.

2. Any person who is already enrolled at Sinclair and who meets the criteria to self-report set forth in the preceding paragraph must self-report his or her status within five (5) days of the restriction which prohibits contact with juveniles being imposed.

3. Any person who is required to self-report under this Policy must provide documentation of convictions, conviction dates and, if applicable, contact information for community control, probation, or parole. All information collected will be entered into the Sinclair—Department of Public Safety MIS database.

4. Information regarding the self-reporting obligation is available at: Sinclair Department of Public Safety, 444 West Third Street, Dayton, Ohio, 45402, Building 7, Room 7112, at (937) 512-2700, and at http://police.sinclair.edu.

**Failure to Self-Report**

A person’s failure to self-report as required by this policy may result in disciplinary and/or legal action against a student, including but not necessarily limited to, suspension, expulsion, criminal trespass, or reporting to community control supervisor (probation or parole officer). See Sinclair’s Student Judicial Affairs Code of Conduct Handbook, available at http://www.sinclair.edu/student/leader/handbook/index.cf m.
Specific Campus Location and/or Enrollment Restrictions

Any person who is required to self-report under this policy is prohibited from:

1. Entering Building 9 (Dayton campus) and its playground and adjacent parking lots (Lots E, EE, and J) because Building 9 houses the Sinclair Early Childhood Education Center.
2. Entering any other area of the College in which services to children are being provided.
3. Enrolling and/or attending any class, course, or program with other persons who are under age 18.

Additional specific restrictions on campus location and/or enrollment may be imposed based on legal requirements associated with sex crime convictions as well as the conditions of community control (probation or parole). Restrictions on enrollment may include, but are not limited to:

1. Restricted or prohibited access to certain classrooms or areas of campus;
2. Restricted or prohibited internet access; and,
3. Enrollment in online course sections only.

Decisions about specific restrictions will be made by the Director of Public Safety in collaboration with the Director of Student Affairs. Any person subject to such restrictions will be informed in writing of any decisions pertaining to any restrictions. All decisions are final. However, a student may petition to have the restrictions reviewed if changes are made to his or her status as a sex offender or conditions of community control (probation or parole).

Review of Policy

This policy shall be reviewed at least annually by the Director of Public Safety and the Director of Student Affairs.

Sexual Assault and Misconduct Policy

Sinclair Community College does not tolerate sexual assault, domestic violence, dating violence, stalking, coercion, exploitation, or other form of sexual misconduct that offends the dignity of any member of the college community. Sexual assault, whether occurring on campus or at college-sponsored activities, is both a violation of the standards of the college and a criminal act within federal and state laws. Individuals who believe they have been the victim of a sexual assault may pursue resolution on campus and/or criminal action against an alleged perpetrator.

The college strongly encourages any person who has been sexually assaulted either on or off-campus to contact Dayton Police and to notify Sinclair Police immediately. The victim can elect to report the crime to any of the individuals listed on page 4. Filing a police report will not obligate the victim to prosecute or subject the victim to scrutiny or judgmental opinions from the College. Filing a police report will:

- Ensure that the victim receives the necessary medical treatment and tests
- Provide the opportunity for the collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical exam
- Assure the victim has access to confidential counseling through Counseling Services

Victims of Sexual Assaults Procedures

If an individual becomes the victim of a sexual assault, the first priority should be for the victim to get to a place of safety. The victim should then obtain the necessary medical treatment. Sinclair Police strongly advocates that a victim of sexual assault report the incident in a timely manner. Time is a critical factor because of the importance for preserving evidence that may be needed for prosecution.

Sinclair Police will assist the victim in navigating through the criminal justice system. Sinclair Police will also pursue on-campus disciplinary procedures through Student Judicial Affairs. Both the accused and the victim are entitled to the same opportunities to have others present and both parties will be informed of the outcome of any hearing. Options and assistance in changing classes, transportation and/or working situations subsequent to an alleged sexual assault can be arranged, provided such options are reasonably available and will be provided to the victim in writing regardless of whether the victim chooses to report the crime to law enforcement or a CSA. Sanctions imposed by Student Judicial Affairs range from verbal warnings to expulsion depending on the severity of the offense. It is important to realize that on a national level, at least one third of all reported sexual assault victims know their attacker – this person may have been a date, steady boyfriend or girlfriend, or casual friend. This is called “acquaintance rape” and it can happen to anyone.

A Sinclair Police official or a counselor from Counseling Services will guide the victim through the available options and support the victim in his or her decision. Information regarding various counseling options available from the Dayton Campus’ Counseling Services Department and Campus Ministry from within the college will be provided in writing. Outside campus resources include the Abuse and Crisis Center of Montgomery County, the Victim/Witness Division in the City of Dayton Prosecutor’s Office (for misdemeanors only) and the Victim/Witness Division in the Montgomery County Prosecutor’s Office. The Sinclair Title IX coordinator will conduct an investigation of the incident independent of the police department in accordance with the Clery Act.

There are several educational programs, such as self-protection, date rape, sexual assault and domestic violence prevention seminars that are available for any group or organization on campus. The RAD Program (Rape Aggression Defense course) is also available. RAD provides basic information on personal safety, awareness, risk reduction and avoidance. The program teaches practical defensive techniques that require no special skills. In addition, Sinclair Police sponsors the annual Safety Awareness Expo that takes place during fall semester at the Dayton Campus. The Expo provides the opportunity for all students, staff and faculty to learn more about safety from a variety of area safety agencies. All personnel and students are encouraged to take advantage of these programs. For further information, contact Sinclair Police at (937) 512-2700.
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 Student Code of 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 the Director of Student Affairs. If it is not a student-on-student situation, then it is reported to Human Resources. 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.
- Consultation on allegations of faculty and staff harassment involving students should be referred to the Ombudsman and Human Resources.
- 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 Director of Student Affairs 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, misconduct 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 Director of Student Affairs in writing. Appeals must be received no later than thirty (30) calendar days after receipt of the notification by the Director of Student Affairs.

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 Student Code of Conduct.

Equal Opportunity/Non-Discrimination/Policy Statement

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, sexual orientation, gender identity, marital status, national origin, ancestry, citizenship or disability.

Scope

This policy applies to all employees, students, contractors and other designated affiliates of Sinclair Community College. Notice of this policy shall be posted and provided as required by law.

Responsibility

Inquiries and complaints concerning this policy should be referred to the Equal Opportunity Officer who coordinates Title VI (discrimination on the basis of race, color or national origin); Title IX (discrimination on the basis of sex); ADA (as amended) and Section 504 (discrimination on the basis of disability) and ADEA (discrimination on the basis of age).

Equal Opportunity Officer

Office of Human Resources
Sinclair Community College
Building 7, Room 7340
444 West Third Street
Dayton, Ohio 45402-1460
Phone: (937) 512-2514

Inquiries and complaints by students of Title IX discrimination on the basis of sex should be referred to the Title IX Coordinator (Student Complaints)

Title IX Coordinator (Student Complaints)
444 West Third Street
Building 7, Room 7340
Dayton, Ohio 45402-1460
Phone: (937) 512-2514
Note: Sex discrimination covers sexual harassment, including sexual violence.

Smoke Free Campus Policy
In 1988 the Sinclair Board of Trustees, upon the recommendation of a campus wide committee, adopted a smoking policy that prohibits smoking in non-designated locations on the campus. Because of the continued concerns about the health and comfort of the Sinclair community, the committee, faculty, staff and student groups recommended in 1993 that Sinclair's campus is smoke free.

The state has recently released detailed directives regarding the recently passed non-smoking law. 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.

- Lot “A,” First Floor immediately adjacent to PMI Office
- 25 feet from door way and away from generator fuel cell
- Building 2, southwest of Blair Hall on steps under the overhang
- Building 5, west side between Buildings 5 & 8
- Building 7, north Terrace area
- Building 7, south entrance
- Center Plaza
- Building 8, entrance south side of plaza
- Building 9, west side of building at Perry Street
- Building 10, Grand Stairs north side/east half of stairs
- Building 12, west plaza
- Building 12, southeast along planters
- Building 13, west side under pedestrian bridge on Longworth Street
- Building 14, eastern most point of plaza
- Building 16, south near air unit
- Building 19, north west on Wilkinson Street by the alley
- Building 20, near west art display
- Building 20, east southeastern most corner

Tobacco and Tobacco-Related Products Restriction Policy Statement
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 any smokeless tobacco products, electronic cigarettes, or products intended to mimic tobacco products to these officially designated locations.

This policy is not intended to govern the use of nicotine patches, pills or gum.

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

Provisions
Smoking is prohibited right outside the doorways and where intake vents for the College ventilation system are located.

Approved designated areas for smoking 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 products, electronic cigarettes, or any product intended to mimic tobacco products is banned in all Sinclair buildings and limited to designated smoking areas.

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

Employees: Administrative disciplinary measures
Students: 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, students and visitors shall be knowledgeable of this policy and adhere to its provisions.

References and Related Policies
Ohio Revised Code 3794.01 – 3794.09
Ohio Department of Health

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 Vice President, Enrollment Management and Student Affairs.

**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 Student Code of Conduct. The student conduct officer 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 prohibited. 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 Director of Student Affairs.

**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 Student Code of 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.

Mediation—A facilitated meeting with victims, offenders, and/or community members

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.”

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.

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 Code of Conduct.

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, petting, 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: Director of Student Affairs, department chairperson, dean, and the Ombudsman. 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.

Restorative Justice—May involve mediation. Is a facilitated meeting of victims, offenders, and the community focused on victim needs and offender responsibility for repairing harm?

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 Student Code of 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.

Suspension—The termination of the right to register or attend classes for a period of one (1) to three (3) semesters, after which the student may return following completed sanctions, documentation, and review by Re-Admit Status Review Committee. 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 Student Code of Conduct and notice to the student that continuation or the repetition of specified conduct may be cause for other disciplinary action.