

Rocky Mountain College of Art and Design 2020-2021 Academic Catalog

STUDENT CODE OF CONDUCT + STUDENT CONDUCT PROCESS

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The general principles governing community life at Rocky Mountain College of Art + Design are shaped by the Mission Statement of the College and the College's core values. The following Student Code of Conduct and subsequent conduct process is designed to create a responsible intellectual community; to promote the respect of the College and individual property; to treat all members of the community with respect and dignity; and sustain an environment that facilitates personal, intellectual, artistic and creative growth and development.

The Student Code of Conduct and related policies and procedures are developed to foster each student's freedom to learn and to protect the rights of all College community members. RMCAD is committed to creating an interactive, supportive campus environment that is conducive to education, work, study and artistic development. When you enroll at the College, you assume the responsibility of observing the policies outlined in the Student Code of Conduct. A "student" includes all individuals taking courses at the College, either full-time or part-time, both on-campus and online, and includes those individuals who are not seeking a degree. Persons who withdraw from the College after allegedly violating the Code of Conduct, who are not officially enrolled for a particular term but who have a continuing relationship with the College, or who have been notified of their acceptance for admission, are considered students.

The Dean of Students Serves as the Conduct Officer for RMCAD and is charged with upholding the tenets detailed in the Code of Conduct, and state and federal laws. Reported violations of the Code of Conduct will be reported to the Dean of Students who will investigate, document, and resolve alleged infractions using established procedures.

GENERAL PRINCIPLES OF THE STUDENT CODE OF CONDUCT

PERSONAL INTEGRITY

RMCAD is committed to creating a learning community in which all members participate in the free pursuit of truth and honesty. The College has established an atmosphere of mutual trust in which members of the community abide by ethical standards in conduct and in the exercise of responsibilities.

RESPECT FOR THE RIGHTS + CONCERNS OF OTHERS

RMCAD strives to provide an environment that nurtures the growth and development of students, demonstrating respect for one another, sensitivity to differences, and fair and just interactions with one another. All members of the College community are entitled to and responsible for maintaining an environment of civility that is free from disparagement, intimidation, harassment and violence of any kind. Students, faculty and staff are expected to treat each other with mutual respect at all times.

RESPECT FOR PROPERTY

College community members are expected to respect College property, the property of other members of the College community, and the property of the global community in which we live.

RESPECT FOR THE LAW + COLLEGE POLICIES

RMCAD operates within the boundaries of federal and state laws, in addition to governing itself. Members of the College community are expected to demonstrate respect for the laws of the State of Colorado, federal laws and regulations, as well as

respect for College policies, regulations, procedures, their administration and the processes for changing those laws, policies and regulations and procedures.

STUDENT CODE OF CONDUCT – STANDARDS OF CONDUCT

The Student Code of Conduct reflects the College's commitment to creating and sustaining an environment that fosters the academic, creative and personal development of students and other members of the College community, and to promote a safe and civil campus environment.

RMCAD expects students to maintain standards of personal integrity that are in harmony with the educational goals of the College; to assume responsibility for their actions; to observe national, state and local laws and College regulations; and to respect the rights, privileges and property of the College. To protect these privileges and opportunities, the student assumes the personal responsibility for upholding standards reasonably imposed by the College relevant to its mission, processes and functions. Foundational principles of academic honesty, personal integrity, tolerance, respect for diversity, civility, freedom from violence, and pursuit of a lifestyle free of alcohol and drug abuse are examples of these standards.

The Dean of Students is responsible for administering the Student Code of Conduct and will represent the College in student disciplinary matters. Violations of these standards of conduct may result in disciplinary action. Likewise, assisting or encouraging another person to engage in violations of these standards is grounds for disciplinary action. Failure to report a violation when one has direct or indirect knowledge of circumstances may be considered endorsement of misconduct and may also be subject to disciplinary action. The following definitions are not designed to be an exhaustive list and must not be interpreted to include all potential violations. Any student that engages in the following misconduct may be subjected to disciplinary proceedings and sanctions.

ABUSE

Abuse includes, but is not limited to, physical fighting, sexual harassment, sexual abuse (including, but not limited to, violent sexual misconduct), verbal or emotional abuse, threats of violence or other inappropriate conduct, intimidation, stalking, coercions and/or other conduct which threatens or endangers the physical or mental health, well-being or safety of another person or oneself.

ABUSE OF THE STUDENT CONDUCT PROCESS

Abuse of the student conduct process includes, but is not limited to, failure to obey the notice to appear for a meeting or a hearing; falsification, distortion or misrepresentation of information; disruption or interference with the orderly conduct of a hearing; failure to comply with any requirements or sanctions agreed to in a disciplinary action; harassment or intimidation of any person involved in a conduct proceeding.

In addition, the institution of a frivolous or malicious student conduct proceeding, the unauthorized release or disclosure of information related to a student conduct proceeding, and any failure to comply with any sanction(s) or outcome(s) imposed for violations of this Code or other RMCAD rules, regulations, or policies is strictly prohibited.

ALCOHOL + MARIJUANA

Possession, use, manufacture, distribution or sale of alcoholic beverages or any marijuana or THC products as an individual or recognized College organization in violation of the local, state, or federal law or College policies is prohibited.

Students exhibiting intoxicated behavior will be asked to leave the campus. Students suspected of intoxication will not be permitted to operate a vehicle and must instead use public transportation, request a taxi (student will be responsible for fees), or phone a contact to transport them off premises. Law enforcement may be contacted on an as-needed basis depending on the specifics of the situation.

COLLEGE COMPUTER, NETWORK, + TELECOMMUNICATIONS

The unauthorized use of facilities, services, equipment, account numbers or files is prohibited. Additionally, it shall be a violation of this Code for any student to read, copy, change, delete, tamper with, or destroy any other user's files, software, programs and accounts without permission of the owner.

COLLEGE POLICIES

The violation of published College policies, rules and regulations found in, but not limited to, the College Catalog may result in disciplinary action.

DISHONESTY

Academic dishonesty is conduct or behavior including, but not limited to cheating; plagiarism; unauthorized possession or disposition of academic materials; falsification; collusion; or other forms of dishonesty affecting the academic environment. Other forms of dishonesty include but are not limited to furnishing false information to any College official, faculty member or office; and forgery, alteration or misuse of any College document, record or instrument of identification.

Such conduct also includes intentionally initiating or causing to be initiated any false report, warning, or threat of fire, explosion, or other emergency. Additionally, the use, possession, manufacturing, and or distribution of identification cards or devices that are false or fraudulent or that misrepresent any individual's identity, age, or other personal characteristic, including using another individual's identification is prohibited.

DISORDERLY CONDUCT

Disorderly conduct is defined as any act or summary of actions that is disruptive, lewd, indecent or otherwise breaches the peace; regardless of intent. Disorderly conduct includes, but is not limited to yelling, shouting, or cursing, when such conduct is disruptive to others. In addition, such conduct shall include, obstruction or disruption of teaching, research, administration, hearing procedures, or RMCAD activities or of other authorized activities, including studying, learning, and emergency services.

ILLEGAL DRUGS

The use (or misuse), possession, manufacture or distribution of illegal drugs, drug-related paraphernalia, narcotics or other controlled substances (except as expressly permitted by law) is prohibited. The abuse or sale of prescription drugs for persons or purposes other than for which the substance has been prescribed is prohibited. Likewise, the misuse or abuse of legal over-the-counter drugs or medicine is prohibited. A student may be removed from class in the event of excessive or irresponsible substance/drug use; the use of prescription, legal or illicit drugs in an excessive or irresponsible manner may result in disciplinary action and/or removal from classes and suspension pending investigation. Irresponsible and excessive drug use may be defined as, but not limited to, the student appearing to be in an intoxicated or altered state or exhibiting conduct or behaviors which disturb or disrupt the learning environment or campus culture and community. In the event of disciplinary action and/or suspension the student may be expected to submit to a toxicology test or provide documentation of their treatment for drug/substance use at their expense.

Students exhibiting intoxicated behavior or in situations where drug use may be suspected will be asked to leave the campus. Students suspected of being intoxicated or in an altered state will not be permitted to operate a vehicle and must instead use public transportation, request a taxi (student will be responsible for fees), or phone a contact to transport them off premises. Law enforcement may be contacted on an as-needed basis depending on the specifics of the situation. Students experiencing drug or alcohol misuse, or dependency may contact the Personal Counselor and/or Dean of Students for referral to additional support and resources.

FAILURE TO CLEAN UP + REMOVE BELONGINGS

Any belongings abandoned in campus buildings or grounds for over 7 days will become the property of the Rocky Mountain College of Art + Design and may be discarded.

FAILURE TO COMPLY

Failure to comply or cooperate with RMCAD officials or law enforcement officers acting in their official capacity within established guidelines (provided that no students shall be required to furnish information that would be self-incriminating), including to provide identification when asked or to surrender, upon request, one's RMCAD identification card until an incident is resolved.

FALSE REPORTING + DISRUPTION OF DISCIPLINARY PROCEEDINGS

False reporting is defined as intentional falsification, distortion or misrepresentation of information in reports or information presented as part of a student disciplinary proceeding or otherwise reported to the Dean of Students. Disruption of disciplinary proceedings is defined as disrupting or interfering with the student disciplinary process or failure to obey a notice to appear for an administrative meeting related to disciplinary proceedings or a meeting with the Conduct Review Board.

FIREARMS, EXPLOSIVES, WEAPONS, DANGEROUS SUBSTANCES + DEVICES

Possession and/or use of firearms, explosives, illegal weapons as defined under state law, air or pellet guns, paintball guns, slingshots, firecrackers, fireworks, or any other object, chemical, or weapon designed or intended to inflict a wound or cause injury (or imitations or replicas of any such item) is prohibited on RMCAD property, including parking lots. This includes concealed weapons for which a permit has been obtained.

THREATENING BEHAVIOR

RMCAD forbids and will not tolerate or condone any threatening, intimidating, coercive, or reckless conduct by members of the RMCAD community.

GUESTS + VISITORS

Students are responsible for the behavior of their guests. Any violation of the Student Code of Conduct or College policies by a guest may result in a complaint and sanction against the hosting student. See the [Visitors](#) section of the catalog for more information.

HARASSMENT + DISCRIMINATION

Harassment is behavior or conduct that objectifies a personal attribute, singling it out for ridicule, attack or disparagement. Students may not engage in conduct or behavior that serves to degrade the status of another person. The attributes of such behavior or conduct include, but are not limited to, degradation or objectification related to the following: race or ethnic origin; gender; physical or mental disability; age; religion; economic class; and sexual orientation.

Conduct indicative of harassment includes, but is not limited to, conduct that would place a reasonable person in fear of their personal safety through words or actions, physical contact, written or verbal comments, or suggestions expressed through email, posting or other mediums, hostile or threatening gestures or other forms of degradation.

HAZING

RMCAD forbids hazing and all other activities that interfere with the personal liberty of an individual. RMCAD defines hazing as any action taken or situated created, whether on or off RMCAD property, to produce physical or mental discomfort, embarrassment, harassment, or ridicule for the purpose of initiation into, affiliation with, or admission to, or as a condition for continued membership in, a group, team, club, or other organization.

Acceptance of an activity on the part of a new member or individual does not justify participation in or sponsorship of the activity. Any violation of this policy should be reported to: The Dean of Students at 720.525.7102.

INTERFERENCE, OBSTRUCTION, OR DISRUPTION

Interference, obstruction and disruption includes behavior that interferes with, obstructs or disrupts any normal College activity such as teaching, recreation, meetings, public events, disciplinary proceedings, the freedom of expression, and movement of students or other members of the College community and their guests.

Participation in activities that threatens the safety of the College community and/or infringes on the rights of its members is prohibited.

MODELS IN THE CLASSROOM

RMCAD hires models to pose for studio classes, and in many instances the models work nude. As per course syllabus, instructor direction and the Code of Conduct, students are required to treat models in a professional and respectful manner.

Students under the age of 18 will be required to submit written permission from their parent or guardian through the Parental Request Form, allowing them to attend classes in which nude models are utilized.

ONLINE CONDUCT + WRITTEN COMMUNICATION

All written communication between students and faculty must be professional, respectful, and urbane. Students should avoid using sarcasm and jokes as interpretation may vary based on recipient/viewer. Emails to faculty must adhere to basic grammatical tenets and be free of spelling errors. Students may not use crass language and abbreviated spelling in a collegiate email; institutional emails are not text messages and should not be treated as such.

As is custom with many forms of written communication over the Internet, words and sentences written in all caps (e.g. LIKE THIS) will be considered aggressive and as such are inappropriate in written communication with RMCAD faculty, staff, and students. Students who wish to emphasize a point must use grammatically appropriate methods such as italics or quotation marks.

Students should neither post nor reply to written communication designed to incite angry responses. This type of intentional provocation will be considered a violation of the Code of Conduct. Students should always be respectful and realize that written communication and sent email cannot be edited or recalled. If a student is upset after reading a post, draft your response in a private medium (such as a word processor or similar medium) and pause before replying or reacting. Ensure that you are calm and contemplate your response before sending or posting and remember that the person who wrote the original comment may not have intended it to be offensive or inciteful.

DISCUSSION BOARDS

Discussion boards are the online equivalent of a live classroom discussion. The policies detailed throughout the Student Code of Conduct also apply to the online discussion boards. Students should exercise more caution in the discussion boards, as tone gets lost in written communication, and posts are immediately discoverable, documentable communications.

Students should only post messages to the class discussion forums that are germane to the topic of the class. Communication about personal topics should be discussed outside of class. The Q&A discussion forum (if used) is for topics related to the class' procedures, assignments, topics, and other information that might be helpful for other students. Students are prohibited from posting criticism of RMCAD faculty, staff, policies, procedures, or other subjects not related to the class in the discussion forums. Criticisms such as these need to be brought through the appropriate venue--typically the Department Chair.

Faculty have the right to censor students' posts to the discussion forum if they feel the post violates the policies in this handbook or are otherwise inappropriate for class. Properly cited, outside sources such as current articles and stories about the topic are welcome but may be censored by the faculty member at their discretion. Students can contest a censored or deleted post with the faculty member in private communication realizing that the instructor makes the final decision.

SOCIAL MEDIA

Social media are media for social interaction using electronic, web-based technologies to communicate user-generated content and interact with others engaged in the same or similar activities. Social media include, without limitation, LinkedIn, Twitter, Facebook, YouTube, Instagram, Flickr, Vine, and MySpace. Students must follow the same behavioral standards online as they would in other forms of communication. The College Code of Conduct, laws, ethical rules, professional expectations, and guidelines apply online. The following guidelines must be observed at all times:

Copyright

Recognize and respect others intellectual property rights, including copyrights. Never use more than short excerpts from other's work, and always attribute content to its original source.

RMCAD Image

Do not use RMCAD's logos or any other university images on personal social media sites. Do not use RMCAD's name to promote a product, cause, or political party or candidate.

RMCAD Affiliation

If you identify yourself as a member of the RMCAD community on any site, either directly or by implication, do not state or imply that you speak for the College unless you have been given express permission to do so. In any communications in which

your affiliation with the College is apparent, you must state explicitly that any views you express are your own and do not represent the views of the College.

RMCAD Property

College computers are considered a college resource; any posts you create, including posts on personal or pages unrelated to the College and/or accounts, using college property or while on College grounds must adhere to the College Code of Conduct.

Objectionable or Inflammatory Posts

Do not post anything profane, obscene, threatening, harassing, discriminatory, abusive, hateful or embarrassing to another person or entity. Such conduct is subject to RMCAD's Code of Conduct and anti-discrimination and anti-harassment policies.

Non-Disparagement

Do not make false, misleading or defamatory statements about RMCAD, its faculty, staff, students or competitors.

Disclosure of Private Matters

Do not disclose private facts about RMCAD or its faculty, staff, students or competitors. This includes conversations or statements the parties intended as private, and disclosure of internal management, operational and personnel discussions communicated to limited audiences in the course of operating the College.

Terms of Use

Read, know and comply with the terms of use of any sites you use.

Any violations of this policy may, in the discretion of the College lead to disciplinary action, up to, and, including expulsion.

PLAGIARISM

Plagiarism is a form of cheating. To plagiarize is "to steal and pass off the ideas or words of another as one's own, use a created production without crediting the source, commit literary theft, or present as new and original an idea or product derived from an existing source" (Merriam-Webster's Collegiate Dictionary, 1993). Plagiarism is intellectual theft, a serious academic offense with serious consequences.

Plagiarism may be considered but is not limited to:

- Cheating, which is defined as the giving or taking of any information or material with the intent of wrongfully aiding oneself or another in academic work considered in the determination of a course grade or the outcome of a standardized assessment;
- Plagiarism, which is defined as the act of stealing or passing off as one's own work the words, ideas or conclusions of another as if the work submitted were the product of one's own thinking rather than an idea or product derived from another source. Plagiarism extends to self-plagiarism, which is the use of one's own previous work in another context without citing that it was used previously;
- Presenting the visual media, intellectual property or creative efforts of another as your own; or
- Any other form of inappropriate behavior which may include but is not limited to falsifying records or data, lying, unauthorized copying, tampering, abusing or otherwise unethically using computer or other stored information, and any other act or misconduct which may reasonably be deemed to be a part of this heading.

SEXUAL MISCONDUCT

For Sexual Misconduct policies and procedures please see the [Title IX: Sexual Misconduct and Non-Discrimination Policy](#).

THEFT/DAMAGE

Theft, attempted theft of, or unauthorized use or possession of property, services or software owned or controlled by the College or an individual is prohibited. Damage includes but is not limited to: vandalism and graffiti to property of the College; property that belongs to a member of the College community; or other personal or public property.

Theft or attempted theft from the college supply store is subject to disciplinary sanctions detailed herein. Law enforcement may also be called, in which case the college reserves the right to pursue prosecution to the fullest extent applicable.

UNAUTHORIZED USE OR ENTRY OF RMCAD FACILITIES

Accessing, entering, or using RMCAD facilities, property, systems, or services without authorization is prohibited.

VIOLATION OF THE LAW

Violation of any federal, state or local law is prohibited.

WILLFUL HARM TO THE PSYCHOLOGICAL WELL-BEING OF ANOTHER

Willful or reckless infliction of emotional or mental anguish; any willful or threatened act that results in the physical, mental or emotional injury of another; including but not limited to bullying, harassment, threats, intimidation, belittling, and/or disparagement.

THE STUDENT CONDUCT PROCESS

AUTHORITY + JURISDICTION

The Dean of Students is responsible for administering the Student Code of Conduct and will represent the College in student disciplinary matters (other than Title IX and Sexual Misconduct). However, the authority to enforce College policies, rules and regulations rests with the Dean of Students as well as other College administrators, faculty, students, committees and organizations. All members of the RMCAD community are responsible for upholding the Code of Conduct and for holding others accountable to its principles by reporting violations in a timely fashion. The ability of the College to take appropriate remedial action is limited by the timeliness of a reported incident or violation, the comprehensiveness of the report, and the willingness of those involved to assist in all stages of any investigations and disciplinary proceedings.

The Student Code of Conduct applies to any person taking a course at the College on a full- or part-time, on-campus or online, or non-credit basis. Disciplinary actions may affect anyone who partakes in the benefits and privileges of the College. Disciplinary action may be initiated as a result of conduct which occurs on the College premises in any capacity, as well as at off-campus events and activities sponsored, organized or participated in by the College or College-recognized student organizations or student groups. RMCAD may also address off-campus conduct through the student conduct process when the reported behavior may adversely affect the interests of the College community. This includes, but is not limited to, posting information in violation of College policies on websites, journals or blogs. The College reserves the right to report any perceived violations of civil or criminal law to the proper authorities. Students may be held accountable to both civil authorities and the College for violations of law that also violate the College's policies. The College may pursue disciplinary action at the same time as criminal proceedings and encourages the reporting of any criminal activity to the local police department.

The College views the conduct process as a learning experience that can result in growth and personal understanding of one's responsibilities and privileges within the College community. It is not intended to be a substitute for civil or criminal legal proceedings, so therefore outside legal representation of a student by counsel is not permitted. This process is designed to provide a fair evaluation of whether or not a student has violated College policies. Formal rules of evidence do not apply in the College's conduct process. The College uses the preponderance of evidence when determining responsibility for alleged violations of the Code of Conduct. A preponderance of evidence means that what is alleged to have happened is, more likely than not, what actually happened. This shall be the standard of proof used in all conduct proceedings under this code.

In an emergency situation, the College reserves the right to take administrative action, apart from the student conduct process. Such action may be taken when conduct poses an unreasonable threat to the student(s) engaged in the conduct, or other individuals or the College. The Dean of Students or designee must approve all such administrative action. Possible dispositions may include, but are not limited to, mandatory evaluation, temporary or indefinite withdrawal from the College, and/or other administrative action.

In cases of non-consensual, forcible or non-forcible sexual conduct, students are advised to seek medical attention immediately in order to preserve any physical evidence in case the individual wishes to prove criminal sexual assault. Students are also advised to obtain counseling support from campus or community resources.

INITIATING A COMPLAINT

Any member of the College community may file a written complaint—other than Title IX and Sexual Misconduct— against a student for an alleged violation of the Student Code of Conduct to the Dean of Students. Please see the RMCAD [Title IX: Sexual Misconduct and Non-Discrimination Policy](#) for information on filing complaints of this nature.

All complaints must be in writing. Anonymous complaints and informal reports will be accepted primarily for informational purposes and will be acted on to the extent necessary and appropriate under the circumstances. The Complaint Form can be downloaded from www.rmcd.edu/student-complaint-form/.

The complaint should include:

- The name of the student(s) alleged to have violated the code
- A clear statement surrounding the nature and circumstances of the complaint (date, time, place, witnesses)
- The identification of the specific part of the code allegedly violated
- The names, addresses and telephone numbers of those filing the complaints

Upon receipt of the written complaint, the Dean of Students decides whether there is substance to the complaint; whether the complaint falls within the jurisdiction of the Student Code of Conduct; and whether to charge the student(s) with a violation.

In some cases, alternative dispute resolution, such as mediation, may be offered by mutual consent of the parties involved and, on a basis, acceptable to the Dean of Students. A written summary of these agreements is provided to all parties. These agreements are binding and once entered are not subject to appeal. Failure to abide by the agreements could result in the situation being returned through the conduct process for possible disciplinary action.

NOTICE OF CHARGES

Students will be given written notice of charges of alleged violation of the Student Code of Conduct. The notice will describe the alleged policy violations and will inform the student of the requirement of an administrative conference. As needed to protect any involved parties, the letter of notice may also contain certain restrictions, pending the resolution of the matter through the hearing process. If the student fails to schedule a conference, the College reserves the right to make a decision in the case without the benefit of the student's participation.

ADMINISTRATIVE CONFERENCE WITH HEARING OFFICER

An administrative conference is a preliminary meeting between the Dean of Students and the accused. The following may occur during an administrative conference:

- An explanation of the discipline process
- A discussion of the student's rights
- A review of the charges with the student
- The accused student will be given an opportunity to respond to the charges. The accused student must submit information to the Dean of Students within five business days of the Administrative Conference; failure to respond within the aforementioned time frame will result in the College making the decision.
- The Dean of Students decides to hear the case and render a decision or refers the matter to a Conduct Review Board hearing. In every case, the facts are to be reviewed and decisions made based upon a preponderance of evidence.

After reviewing the information contained in the letter of notice and following the conference with the Dean of Students, the student has the following options:

- Accept responsibility for the charges, and the Conduct Review Board will determine the appropriate level of discipline and other sanctions or restorative resolution outcomes. In cases where academic dishonesty is the infraction, the Dean of Students will determine the appropriate level of disciplinary action.
- Dispute the charges and request a hearing with the Conduct Review Board. The Dean of Students may also refer the case to the Conduct Review Board for adjudication.

DISPOSITION BY HEARING OFFICER

Following an administrative conference, the Dean of Students may investigate the incident further when information is insufficient, or when the student does not agree with the charges and elects to request a hearing with the Conduct Review Board.

After a decision has been rendered, the student will receive a notice in writing summarizing the findings of the conference and informing the student of subsequent actions in a timely manner.

CONDUCT REVIEW BOARD

The Conduct Review Board (CRB) will hear cases referred to it by the Dean of Students and any appeals from the administrative conference. It will also consider appeals following a disposition by a student who has received disciplinary sanction(s). Reports of behavior that may result in suspension or expulsion may be referred to the Conduct Review Board. The Board is comprised of the Dean of Students, student ombudsman, faculty ombudsman, and one staff member. A minimum of four members must be present to hear a case.

PROCEEDINGS OF THE CONDUCT REVIEW BOARD

The Chair of the Conduct Review Board (Dean of Students) will convene the panel, have all in attendance introduce themselves, and explain proceedings. All proceedings shall be conducted in a manner which is informal and at the same time assures fundamental fairness. The proceedings shall be closed to the public. Cases of a sensitive nature will be reviewed by the Dean of Students. The student may be accompanied by a student representative (a senior student in good academic and institutional standing), who is not the aforementioned Student Ombudsman. Since the direct interaction with the students involved is essential to the educational relationship with the College, the role of the advisor (additional student representative) is limited to ensuring the conduct review process is conducted in a fair and objective manner.

Comments/statements must be restricted to matters directly relevant to the case. Formal rules of process, procedure or evidence, as established and applied in the civil or criminal justice system, do not apply in this process.

In every case, the facts are to be reviewed and decisions made based upon a preponderance of evidence.

Any person disrupting, interfering with or not abiding by the rulings of the Chair may be dismissed. The Chair will be responsible for reading the complaint and stating the charges against the accused student. The Chair (Dean of Students) or a designee directs the presentation of the College's evidence and witnesses. The Chair will ask the accused student to respond to the charges, present evidence on their behalf, and call any witnesses. The CRB may ask questions of or recall any hearing participants to address specific issues or questions at the request of either the accused student or a CRB member.

The Chair will conclude the hearing and dismiss the accused student and advisor, if applicable, prior to the CRB entering a closed-session deliberation. During deliberation the CRB will decide whether or not the accused student has violated the Student Conduct Code and render an appropriate sanction; or in the case of an appeal, will decide to uphold, modify or reverse the original sanction. The Conduct Review Board has the authority to determine the appropriate level of disciplinary action taking into consideration the severity of the infraction, impact on individuals or the community, and the past record of discipline. In addition, the CRB may place limits or conditions, require relocation, restitution, community service, and/or specify participation in educational programs and interventions including, but not limited to, those related to alcohol or drug use, ethical decision making, personal counseling, and restorative justice. The student will receive written notice of the CRB's decision in the case within three business days of the hearing or appeal. Decision letters that include information identifying persons listed as victims may not be released by the student to unauthorized third parties. Failure to comply with this requirement could result in additional disciplinary charges.

RIGHTS OF ACCUSED STUDENTS

Throughout their involvement in the conduct process, the accused student has the following rights:

Right to Notice:

The student shall receive written notice of charges. This notice may be sent via email.

Right to Prepare:

The student shall be given reasonable time to prepare for a hearing or appeal by the CRB.

Right to an Advisor:

The accused student may be accompanied by an additional student representative. The role of the advisor (student representative) is limited to ensuring the conduct review process is conducted in a fair and objective manner.

Right to Present Information:

The student will have the opportunity to present information by witness, affidavit, and/or personal testimony that they feel is important for consideration with regard to the complaint. All information must be submitted to the Dean of Students within five business days of the Administrative Conference with the Dean of Students.

Right to Hear Testimony:

The student has the right to hear all information presented at a hearing and to be involved in the entire hearing except for the period of deliberation.

Right to Disciplinary File:

The student has the right to review the contents of their disciplinary file at any time, as well as request copies.

Right to Appeal:

The student has the right to request an appeal if circumstances meet the conditions outlined in the appeal process.

RIGHTS OF VICTIMS

Throughout their involvement in the conduct process, the victim of any alleged student misconduct has the following rights:

Right to Be Informed: The victim shall be informed of the progress and outcome of the conduct proceedings, subject to requirements imposed by the Campus Security Act, as amended by the Higher Education Amendments of 1992.

Right to an Advisor:

The victim may be accompanied by an additional student representative. The role of the advisor (student representative) is limited to ensuring the conduct review process is conducted in a fair and objective manner.

Right to Provide a Statement:

The victim may provide a written statement in place of or in addition to giving testimony at the hearing, for consideration during the disciplinary proceedings. The statement shall describe the circumstances attendant to the harm that the victim sustained as a result of the alleged misconduct.

Right to Reasonable Efforts to Ensure Safety:

A victim has the right to demonstrate that steps should be taken to prevent unwanted contact or proximity with the accused student(s).

APPEALS PROCESS

A decision reached by the Dean of Students or the CRB may be appealed by the student within five business days of the date of the decision letter. Accused students are entitled to one stage of appeal. A request should be made in writing and submitted to the Dean of Students. The basis for appeal is limited to a significant procedural error to the rights of the student; compelling new evidence not available at the time of the hearing, which when considered, may alter the decision; or the imposition of a sanction that was arbitrary and capricious.

The CRB will hear appeals of administrative conferences. Appeals of the CRB will be heard by the Dean of Students. The possible outcomes of an appeal are:

- Denial of the appeal
- Remand the case back to the CRB to reconsider the new information and/or sanction
- Hear the case and uphold, modify or reverse the original sanction

SANCTIONS

RMCAD is concerned with the individual student and will consider all of the circumstances in a particular case when assigning sanctions. This includes past disciplinary record, nature of the violation, and severity of damage, injury or harm. Sanctions are intended to be educational in nature, with a goal of preventing future violations from occurring. One or more of the following sanctions may be imposed for violating the College policies.

No Action

It may be found that the charges against the student are unsubstantiated and the student is exonerated. In this case, the decision letter specifies that the charges are cleared, and no disciplinary action is taken.

Warning

A warning is a written or oral communication that further misconduct may result in more severe disciplinary action.

Disciplinary Probation

As a result of several minor violations, or a more serious violation of the College policies, a sanction of disciplinary probation may be imposed. The student is given a specific time period in which to show changes in behavior. Violations of the terms of probation or subsequent misconduct are grounds for further disciplinary action, including suspension or expulsion.

Restitution or Fines

Fines or restitution may be imposed as a sanction to offset damage caused or potentially caused by misconduct. The student is required to make payment, either in money or services, to the College or to other persons, groups or organizations that may be affected by the misconduct.

Discretionary Sanctions

These include, but are not limited to, alcohol or drug education, recommendation for counseling, required mental health assessment, or a special educational project designed to assist the student in better understanding the overall impact of their conduct.

Loss of Privileges

The student may be denied specific privileges for a specific period of time. Privileges may include, but are not limited to, guests, computer use or participation in activities.

Interim Suspension

The Dean of Students, or a designee, may suspend a student for an interim period prior to a CRB hearing or administrative conference. An interim suspension will be effective immediately, without prior notice, when the Dean of Students or their designee(s) determines that the continued presence of the student on the campus poses a substantial threat to them self, any member of the community, or the stability and continuance of normal College functions.

A CRB hearing or administrative conference will take place as soon as reasonably possible following an interim suspension. If the student requests a meeting with the suspending authority prior to the scheduled hearing, only the following issues will be discussed:

- Whether the information concerning the student's conduct is reliable
- Whether the conduct and surrounding circumstances reasonably indicate a threat as described above

Suspension

Suspension is separation of the student from the College for a defined period of time, after which the student is eligible to re-enroll or re-apply for admission. Re-admission or re-enrollment is not guaranteed. Specific criteria may be imposed during the conduct process as conditions for re-enrollment or re-admission. During a period of suspension, the student may be barred from visiting campus or participating in College-sponsored events and programs off campus.

Expulsion

In the case of expulsion, the student is required to permanently leave the College. The student will be denied access to the College campus or designated portions of campus.

Grading Penalty

When a student is found responsible for engaging in academic dishonesty, the faculty member may impose a grading penalty, which could include failure for the assignment in question, a reduction in grade, or failure in the class. If the faculty member reduces a grade based on the finding of academic dishonesty, that action would be reported and kept on file in the Office of the Registrar.

If, in the process of a plagiarism investigation, plagiarism in prior classes is identified, grades for prior classes may have a reduction in grade applied, including failure.

Other Sanctions

Other sanctions may be imposed instead of, or in addition to, those specified above. For example, students may be referred to

the Counselor for evaluation or restricted from certain College buildings.

Refund Policy

In the event of suspension, expulsion or removal from enrollment at the College for cause, tuition is forfeited.

RECORD OF DISCIPLINE

Student disciplinary records will be maintained in keeping with the Federal Family Educational Rights and Privacy Act of 1974 (FERPA) and subsequent amendments and the guidelines for implementation. The record of disciplinary actions will be kept on file in the Office of the Dean of Students. Disciplinary records are maintained for a period of seven years from the date of the last decision. Information regarding a student's disciplinary record is available to persons or offices internal to the College, who have a demonstrated need to know.

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