

THE STUDENT CODE OF CONDUCT

Reading Area Community College is committed to the advancement of learning and to the development of responsible individuals. The College has an interest in student conduct on-campus and at off-campus functions sponsored by the College. Each student has a right to seek an education on a campus which is safe and at a college that does not tolerate misconduct. Each student is considered to be a responsible person and is expected to uphold appropriate standards of behavior.

Consequently, a student has the responsibility to follow the Student Code of Conduct. Students who demonstrate the inability to conform to acceptable conduct may lose the right to enjoy the educational, social, and recreational opportunities of the College. Criminal violations which occur on campus or at college sponsored events may be reported to the appropriate law enforcement agency. A student may be subject to the sanctions of the Student Code of Conduct in addition to being subject to possible action in criminal and/or civil court.

Any student engaging in the following types of conduct on campus or at a college sponsored activity or event may be subject to disciplinary sanctions. This listing is intended to give students notice of the types of conduct which may result in sanctions. This list is not meant to be all-inclusive, but rather is intended to be a guide to the student.

IMPROPER CONDUCT/UNACCEPTABLE BEHAVIOR

Any student found to have committed the following types of misconduct is subject to disciplinary sanctions:

1. Failure to comply with the College's policy on academic honesty.
2. Forgery, alteration, falsification, and/or misuse of College documents, records, or identification fraud; intentionally or maliciously providing false information and/or documentation to the College.
3. Possession, use, sale, or exchange of alcoholic beverages on College property and/or at College-sponsored functions; being intoxicated on College property or at a College sponsored or supervised function.
4. Illegal/unauthorized use, possession, sale, or exchange of drugs, narcotics, or other controlled substances on campus or at a College sponsored function.
5. Assault and battery upon another person while on College-owned or controlled property or at a College sponsored function.
6. Deliberate destruction of, damage to, malicious misuse of, or abuse of College property or any individual's private property physically located on College-owned or controlled property.

7. Attempted or actual theft, concealing, defacing, tampering with, or intentionally damaging College property, or the property of a student, College employee, or campus visitor.
8. Tampering with fire alarms or firefighting equipment on campus, including issuing false alarms of any nature.
9. Illegal/unauthorized possession or use of fireworks, firearms, knives, explosives, weapons, and/or facsimile weapons on College premises.
10. Failure to comply with reasonable directives of College officials or law enforcement officers acting in performance of their duties including refusing to provide valid identification upon request.
11. Disruption of the learning environment. This includes, but is not limited to, deliberate and/or continuous interruption of instruction and disruptive use of electronic devices.
12. Physical, written or verbal abuse, threats, intimidation, coercion, and/or other conduct directed to a person or persons which creates a hostile environment or an imminent risk of harm to the health or safety of any person.
13. Physical abuse or injury of another member of the College community.
14. Violation of the College's Title IX Policy on Sexual Misconduct which includes discrimination based on sex, sexual harassment, dating violence, domestic violence, sexual assault, and stalking as a result of sexual orientation, gender identity, or national origin. This would include but is not limited to sexual activity that is non-consensual. Consent is defined as knowing, voluntary, with clear permission by word or action to engage in sexual activity. Consent can also be withdrawn once given, as long as the withdrawal is reasonably and clearly communicated. (See RACC's Title IX Policy located on the college's website for more information.)
15. Disorderly conduct (verbal and/or physical).
16. Violation of the College's "Computer Usage Policy" that includes unauthorized use of the College's email system, server, internet access, network, hardware, software, and other technology. Technology is provided for college and academic related purposes.
17. Intoxication due to alcohol, narcotics, or any illegal substances or the illegal use of legally prescribed substances on College-owned or operated property.
18. Hazing defined as an act which endangers the health or safety of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization.
19. Unauthorized entry to, or use of, College property, including the failure to leave any of the College buildings or grounds after being requested to do so by an authorized representative of the College while in the performance of their duties.
20. Creating a hostile learning environment, and includes, but is not limited to, sexual/racial harassment, of any student, employee, organization, or officer of the College or any individual or organization invited to visit the College campus.

21. Intentional utterance of false testimony or submission of false written statements at any official proceeding authorized by this document.
22. Persistent infraction of College regulations, policies, or procedures intended for the safety of buildings and/or personnel (e.g., smoking in prohibited areas.)
23. Unauthorized possession, duplication, or use of keys to any College premises or property and/or unauthorized entry to or use of College premises or property.
24. Violation of other published College policies, rules, or regulations including federal, state, or local laws constituting felonies or misdemeanors that have a direct impact on the College.
25. The reckless use of skateboards, roller skates/blades, bicycles, and other recreational wheeled vehicles is not permitted on campus. Hover boards are not permitted on campus. Intentionally impeding normal pedestrian or vehicular traffic on campus is not permitted.
26. The use of powered model airplanes and drones is not permitted on campus.
27. Violation of the College's "Smoking Policy".
28. Tampering with the election of any College-recognized student organization.
29. Gambling on campus or at any College sponsored activity.
30. Disruption of or interference with the discipline process.
31. Defacing any College building or property, including all types of graffiti.

Due Process

1. Educational institutions, through the regulation of the use of their facilities and the setting of standards of conduct and scholarship of students, have an inherent mission to carry out the educational purposes of their charter. The principles of counseling, example, and due process should be followed. Proper safeguards should be provided to protect individual or group rights of students from the imposition of unjust penalties.
 - 1.1 Any student or group of students charged with violating a College regulation has the right to due process.
 - 2.1 College students have the same freedom of speech, peaceful assembly, and the right of petition as other citizens enjoy, and are subject to the same civil laws and due process as other citizens.
 - 2.2 Students are governed by federal, state, and local statutes. Illegal activity by students, whether on or off campus, potentially subjects the individual to prosecution by authorities. The principle of Dual Jurisdiction may apply in some disciplinary matters where a student is charged for the same act (1) by law enforcement agencies of violating a law, and (2) by college officials for violation of a College regulation, policy, or procedure.
 - 2.3 Students charged with or convicted of any violation of law which requires their presence off campus will have the right to make up their work if it can be done within the normal time period for resolving incomplete grades.

Procedural Due Process

The following procedures shall be established in order to ensure due process in resolving disputes and disciplinary charges.

1.1. Any persons whose rights have been violated as a result of another's violation of written College regulation, policy, or procedure may file charges.

1.2. All charges must be filed in writing.

1.3. Disciplinary action, if warranted, is the responsibility of the Dean of Student Affairs and, where appropriate, the Care Team. Within the Care Team, only the Dean of Student Affairs or designee has the authority to suspend a student or remove the student from campus.

2.1. After disciplinary action has been taken, which can include anything from a warning to expulsion depending on the severity of the offense, a letter is sent to the student, both regular and certified mail and to the student's ravens email account, within five (5) working days of the disciplinary meeting between the student and the Care Team member(s) informing the student of the disciplinary action.

2.2. Upon receipt of the letter, the student has five (5) working days to appeal the disciplinary action by writing a letter to:

Care Team

C/o Office of the Dean of Student Affairs

Reading Area Community College

10 South Second St. P.O. Box.1706

Reading, PA 19603

2.3. The letter should specifically indicate that the student is intending to appeal the disciplinary action taken against the student. If the student does not file an appeal with the Care Team in the appropriate time frame, the student loses the opportunity to appeal the disciplinary action. 3.1. The Office of the Dean of Student Affairs will contact the student to conduct an appeal hearing within five (5) working days of receipt of the appeal letter. Three (3) College staff will hear the student's appeal. The staff attending the appeal hearing will consist of members of the Care Team minus the individual who originally issued the disciplinary action.

3.2. A student has the right to counsel (at no charge to the College); however, it is important to note that the hearing is not a legal proceeding. A student can choose to have a parent/guardian/advocate attend the hearing in lieu of counsel. Neither counsel nor any other advisor can actively represent or speak on behalf of the student.

3.3. The appeals committee will issue a letter informing the student of the outcome of the appeals hearing within five (5) working days of the hearing. The letter will be sent both regular and certified mail and to the student's ravens email account. The decision of the appeals committee is final.

Appeals Procedure for Consideration for Re-admission After Suspension

1.1 Disciplinary action is the responsibility of the Dean of Student Affairs and, where appropriate, the Care Team. Within the Care team, only the Dean of Student Affairs or designee has the authority to suspend a student or remove a student from campus.

1.2 Students who want to be considered for re-admission after having been suspended from Reading Area Community College should plan to inform the College in writing of their intent/appeal and send their request for consideration of re-admission to:

Care Team
C/o Office of the Dean of Student Affairs
Reading Area Community College
10 South Second St. P.O. Box.1706
Reading, PA 19603

This appeal must be received by the following dates for each designated semester in which the student wishes to be considered for re-admission:

Fall Semester: July 15

Spring Semester: November 15

Summer Sessions: April 15

1.3 It is important that a student understand this appeal process is for consideration for readmission after suspension from the College; re-admission is not an automatic process.

1.4 The Office of the Dean of Student Affairs will contact the student within ten (10) working days after the request for an appeal has been received to set up an appeal hearing date. The Care Team will conduct the hearing minus the individual who originally issued the disciplinary sanction.

2.1 The student will be required to submit, in writing, responses to the questions listed below. Other questions/documents may be asked for or required based on each individual student's case.

2.2 The document containing the written responses and any other requested documents must be sent to:

Care Team
C/o Office of the Dean of Student Affairs
Reading Area Community College
10 South Second St. P.O. Box.1706
Reading, PA 19603

- 2.3 The student is required to answer the following questions in writing and bring the written responses to the scheduled hearing:
- 2.3.a. Discuss what the student has learned from the suspension and the behavior/situation that caused the suspension.
 - 2.3.b. The student must describe what the student would do differently given what the student has learned.
 - 2.3.c. How would the student handle the situation today?
 - 2.3.d. Provide evidence of documentation which was identified in the letter informing the student of the suspension and is a requirement to be considered for re-admission (as appropriate).
- 3.1 This written document, as well as all other documentation required by the appeals committee, will be reviewed by the staff conducting the appeals hearing and will be entered into evidence as part of the appeals hearing. Students will then be interviewed by the appeals committee.
- 3.2 A student has the right to counsel (at no charge to the College); however, it is important to note that the hearing is not a legal proceeding. A student can choose to have a parent/guardian/advocate attend the hearing in lieu of counsel. Neither counsel nor any other advisor can actively represent or speak on behalf of the student.
- 3.3.a. If the student is re-admitted, the Care Team will determine under what conditions and time frame the required actions must occur. All conditions and time frames must be explicitly stated in the follow-up letter sent to the student.
 - 3.3.b. If the student is permitted to be re-admitted, the Care Team will respond in writing within ten (10) working days of the hearing informing the student of the outcome of the hearing and any conditions related to the re-admission. The letter will be sent by both regular and certified mail. It is the student's responsibility to make sure the appeals body has the current mailing address of the student.
- 3.4 If the student's appeal for re-admission is denied, the Care Team will inform the student within ten (10) working days of the hearing. The letter must identify why the appeal was denied, what the student needs to do to be considered for re-admission in the future and when the next appeal can occur.
- 3.5 Students will be provided two (2) opportunities to appeal for re-admission to the college after suspension. If the Appeals Committee denies re-admission following the second appeal, the student will be able to petition the Care Team to appeal the decision for re-admission five (5) years from the date of the second appeal hearing. If the Appeals Committee denies readmission after the third appeal, this decision will be final and no other appeals will be considered.
- 4. The decision of the appeals committee is final.
 - 5. Students may only be permitted to be re-admitted one time after a suspension. Should the student conduct himself/herself in a manner which requires a second suspension, the student will then be permanently expelled from the institution.

Disciplinary Sanctions

1. The judiciary body or administrative officer determines if the accused violated the Code of Conduct, and may impose the following sanctions:
 - 1.a. **Disciplinary Warning:** Written notice to the student that the conduct in question is in violation of the Student Code of Conduct. It also serves as a warning that future misconduct could result in a more severe disciplinary action.
 - 1.b. **Disciplinary Probation:** A disciplinary probation is a disciplinary warning with the added stipulation that if the student is found guilty of a violation of the Student Code of Conduct during a specified probationary period, the student's continued enrollment at the College will be in jeopardy. Disciplinary probation may include the loss of privileges, use of specific College facilities, mandatory meetings with specified staff, and/or restitution for damages incurred. The probationary period is limited to a maximum of one year from the date of the written notification of the decision.
 - 1.c. **Restitution:** Compensation for damage caused to the College or any person's property. This could also include situations such as failure to return a reserved space to proper condition – labor costs and expenses. This is not a fine but, rather, a repayment for labor costs and/or the value of property destroyed, damaged, consumed, or stolen.
 - 1.d. **Loss of Privileges:** The student will be denied specified privileges for a designated period of time.
 - 1.e. **Confiscation of Prohibited Property:** Items whose presence is in violation of College policy will be confiscated and will become the property of the College. Prohibited items may be returned to the owner at the discretion of the Dean of Student Affairs and/or Campus Public Safety and Security.
 - 1.f. **Interim suspension:** Exclusion from classes and other privileges or activities (not to exceed 5 working days) pending final determination of an alleged violation. This action will be invoked only when the presence of the student on campus poses a threat to oneself and/or the members of the College community. This action does not exempt the student from any course attendance policies and the student is still obligated to complete the missed coursework.
 - 1.g. **College Suspension:** Separation from the College for a specified minimum period of time, after which the student is eligible to return. During the suspension, the student is still responsible for any outstanding debt owed to the College. Eligibility to return may be contingent upon satisfaction of specific conditions noted at the time of suspension.

In addition, the student must submit a written request for consideration for re-admission to the College and must comply with all reinstatement requirements. The student is required to vacate the campus upon notification of the suspension, though this deadline may be extended upon application to, and at the discretion of, the Dean of Student Affairs. During the suspension period, the student is banned from college property, functions, events and activities without prior written approval from the Dean of Student Affairs. This sanction may be enforced with a trespass action as necessary.

1.h. **Expulsion:** Permanent exclusion from the College and College-sponsored activities. An expulsion sanction will remain on the student's permanent academic record.

1.i. **Other Sanctions:** Additional sanctions, restrictions, or conditions may be created and designed as deemed appropriate to the offense with the approval of the Dean of Student Affairs or designee.

2. Written record of all penalties imposed upon a student is kept on file in the Office of the Dean of Student Affairs.

3. Sanctions may include any combination of those listed above.