



Code of Student Conduct

The enrollment of a student shall be construed as both evidence and a pledge that the student accepts the standards and regulations of Northshore Technical Community College and agrees to abide by them. Conduct that interferes with the efforts of others to secure an education, enjoy a recreational event, or to learn in an environment that is clean, quiet, and conducive to study is prohibited. The College reserves the right to ask for the withdrawal of any student who refuses to adhere to the standards of the institution.

For the purpose of this section, a “student” is defined as an individual taking courses at the College, either full- or part-time including individuals who withdraw from the College during the conduct process; those who are not currently enrolled in courses but who have a continuing academic relationship with the College, and those who have applied for admission or readmission to the College.



Disciplinary Procedures for Student Misconduct

All disciplinary sanctions fall under the direction of the Vice Provost of Student Affairs. When a student is confronted with a possible violation of rules requiring disciplinary action, the student will be given a notice, either oral or in print, directing him/her to appear before the Assistant Director of Student Affairs at a specified date and time. Failure to appear is a violation of the Student Code of Conduct and will result in further sanctions. The Assistant Director of Student Affairs will determine the circumstances of an alleged violation by investigating the report of the violation and interviewing the implicated student and other potentially involved parties, including the complainant. If it is determined that no violation has occurred, or if there is an insufficient amount of evidence to meet the preponderance of evidence standard, the allegations will be dismissed. If it is determined that the preponderance of evidence standard is met, the student will be sanctioned. All sanctions must be approved by the Vice Provost of Student Affairs. Sanctioned students have the right to appeal the decision of the college. The student must submit their appeal no later than 4:00 p.m. within two business days.



Procedure on Failure to Comply with Disciplinary Sanctions

Any disciplinary action taken against a student enrolled at Northshore Technical Community College may result in levying against that student any one of several disciplinary sanctions as listed in the Student Handbook under the Student Code of Conduct section. Whenever disciplinary sanctions are levied against a student, he/she is expected to fully comply. Any student who does not fully comply with his/her disciplinary sanctions is subject to one or more of the following consequences:

1. Immediate dismissal from Northshore Technical Community College.
2. Prohibited from re-enrolling in Northshore Technical Community College.
3. Having all college records placed on hold.

The purpose of this policy is to ensure that students are accountable and responsible for their decisions and actions to promote civility and ethical behavior among Northshore Technical Community College students and to sensitize students to the fact that every decision carries a consequence.



Sanctions Against Misconduct

The Vice Provost of Student Affairs, Dean of Campus Administration or Divisional Deans may impose misconduct sanctions. The following penalties may be imposed singularly or in combination upon individuals, groups or organizations:

1. Administer a verbal or written warning to the student.
2. Require the student attend personal counseling/coaching sessions.
3. Impose disciplinary probation for a definite period of time with the condition that future violations may result in disciplinary suspension.
4. Prohibit a student from representing the college, on or off campus, in any recognized college-sponsored event.
5. Withhold an official transcript or degree.
6. Prohibit readmission.
7. Require restitution, whether monetary or through specific duties, such as; reimbursement for damage(s) to or misappropriation of college, student or employee property.
8. Expel or suspend a student from Northshore Technical Community College.
9. Withdraw a student from all currently enrolled coursework without refund of tuition and fees. Educational sanctions may include work assignments, essays, community service, behavioral contract, administrative referral, letters of apology and other related educational assignments. No student who has been suspended from the college shall be permitted on the college campus during the period of suspension without prior written approval from the appropriate college administrator who may convene the appeals committee for consideration/consultation of the matter.
10. Educational sanctions may include work assignments, essay writing, community service, behavioral contract, administrative referral, letter of apology or restitution, or other educational assignment.



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11. Impose other sanctions as outlined in the departmental handbook for specific programs including but not limited to: Nursing and Automotive.
12. Limit access to and/or prohibit students from certain areas of the campus.
13. Administer other sanctions as per the discretion of the Vice Provost of Student Affairs or Dean of Campus Administration.

Failure to meet the requirements of any notice by a college official may result in action being taken by the Vice Provost of Student Affairs apart from action for the alleged violation.

Failure to appear is a violation of the Code of Conduct and will result in further sanctions and a hold will remain on the student's enrollment pending student cooperation. Once informed of the allegations against the student, they may choose not to dispute and will be sanctioned appropriately. If the student chooses to dispute the allegations, the Assistant Director of Student Affairs will determine the circumstances of an alleged violation by investigating the facts and interviewing the implicated student and other potentially involved parties, including the complainant. The Assistant Director of Student Affairs will then communicate the findings with the Dean of Campus Administration and Campus Security. If it is determined that no violation has occurred, or if there is an insufficient amount of evidence to meet the preponderance of evidence standard, the allegations will be dismissed. If it is determined that a violation has occurred, the student will be sanctioned appropriately. All sanctions are approved by the Vice Provost of Student Affairs. Sanctioned students have the right to appeal the decision of the college per the Disciplinary Appeal Procedures.

NOTE: In cases where a student receives a sanction of probation, suspension or expulsion, a copy of the confirmation letter received by the student may be forwarded to the parent or guardian of the student in conjunction with the Buckley Amendment and in compliance with FERPA guidelines.



Student Code of Conduct in Special Programs

Certain programs such as Workforce and Adult Education, as well as instructional areas (e.g. Health Sciences, Automotive, etc.) will require additional standards of conduct and may involve additional requirements for admissions and sanctions against student misconduct. The request for appeal of any instructional programmatic decisions must be made through the program director and his/her supervisor. The students in these programs will be required to abide by both the Northshore Technical Community College Student Handbook and the program specific Student Handbook. When there is conflict, the Northshore Technical Community College Student Handbook supersedes the program handbook.



Authorized Disciplinary Action

The following actions are available to college administrative personnel to deal with repeated or serious violations of the Student Code of Conduct or college policies. Actions may be taken at the level deemed appropriate depending on the seriousness of the violation and the past record of the student. Please take notice that an incident of misconduct may involve more than one violation and may result in action being taken at various levels of the college administration, (college violation and programmatic violation). Action at one level regarding a particular violation does not preclude action being taken at another level regarding other violations arising from the same incident.

1. *Written Warning* is official notice to the student that their past behavior is not in accordance with college expectations; is educational in nature, but also forms a basis for more severe action in case of further violations.
2. *Restitution* may be assessed in cases where damage to property has occurred or a fine exists for a specific action. Financial action may involve a replacement or repair charge, a punitive charge or a combination.
3. *Restrictions and Suspension of Activities* are actions which restrict or prohibit a student's use of College facilities or services; prohibit participation in extracurricular activities; and/or terminate college employment. Actions may include, but are not limited to:
 - A. No participation in student organizations.
 - B. No use of certain college facilities, such as student lounge areas;
 - C. No participation in college activities.
 - D. Termination or refusal of college employment.
4. *Revocation of Scholarship* will occur when students receiving foundation scholarships are restricted from continuing to receive that assistance.
5. *Behavioral Contract of Referral* would require the student enter into a binding contract to structure their activities and behavior in order to change that behavior to eliminate the need for further disciplinary action. Referral to other resources for assistance, either on or



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off campus, also may be required for the student to remain enrolled and/or on campus. Referral may be separate or part of a behavioral contract. Community service requirements may be part of any contract.

6. *Disciplinary Probation* usually involves any or all of the actions listed in sections 1 through 5. This is used only when the student's actions and past behavior or doubt of their ability to act in a responsible manner and to successfully adjust to a college environment are noted. Failure to abide by these restrictions and conditions will result in suspension. This action normally is in effect for at least one regular academic semester.

7. *Suspension* is used when other attempts to change behavior have failed. This involves suspension from enrollment and presence on campus at any time. This action will be in effect for at least one long semester and may constitute permanent severance from the college. The length of the suspension will be determined by the seriousness of the actions and the possibility of future problems with the student.

8. *Immediate Suspension* is used when a student's presence poses continuing danger to people or property or an ongoing threat of disruption to the academic process. The student may be immediately removed from the college with loss of all college privileges. In such incidents, a notice of hearing to the student will follow for resolution of the matter as soon as is practical.



Off-Campus Conduct

When a student is alleged to have violated Northshore Technical Community College's Code of Student Conduct by an offense committed off of the college premises, the College reserves the right to investigate and adjudicate. All students enrolled in NTCC should clearly understand that the college is expressly concerned with student conduct both on and off campus. Northshore Technical Community College expects the behavior of its students, at all times and in all settings, to be guided by the same standards that define acceptable forms of student conduct. To this end, any student enrolled at NTCC who is found in violation of the Code of Student Conduct or state or federal laws, even in an off-campus setting, is subject to administrative disciplinary procedures that could result in one or a combination of several disciplinary sanctions as listed in the Student Handbook.

Based on the reasonable belief that a student has been involved in conduct off campus incompatible with the college's function as an educational institution or with the mission of Northshore Technical Community College, the Vice Provost of Student Affairs, in his/her discretion, may invoke the disciplinary process.



Harassment/Sexual Harassment, Intimidation and Bullying

Northshore Technical Community College will not condone any form of harassment, intimidation, or bullying in the college setting and takes appropriate corrective, disciplinary and remedial action in response to such determined incidents.

Harassment consists of unwelcomed conduct, whether verbal, physical or visual, that is based upon a person's protected status, such as sex, color, race, ancestry, religion, national origin, age, physical or mental condition or disability, veteran status, citizenship status, or other protected group status. Sexual harassment means unwelcome sexual advances, requests for sexual favors and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following conditions:

- Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress.
- Submission to, or rejection of, the conduct by the individual is used as the basis of employment or an academic decision affecting the individual.
- The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.
- Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

For the purpose of further clarification, harassment/sexual harassment includes, but is not limited to:

- Making unsolicited written, verbal, visual or physical contact with sexual overtones. Some examples are: epithets, derogatory comments or slurs of a sexual nature impeding or blocking movements or any physical interference with normal work; derogatory posters or cartoons.
- Continuing to express sexual interest after being informed that the interest is unwelcomed. (Reciprocal attraction is not considered sexual harassment!)
- Within the work environment, engaging in explicit or implicit coercive sexual behavior which controls, influences, or affects the career, salary and/or work environment or any other term or condition of employment; within the education environment, engaging in explicit or implicit coercive sexual behavior which controls, influences, or affects the educational opportunities, grades and/or learning environment of the student.
- Making reprisals, threats of reprisal, or implied threats of reprisal following a negative



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response to a sexual advance. For example, within the work environment, either suggesting or actually withholding support for an appointment, promotion, or change of assignment; suggesting a poor performance report will be prepared, or suggesting that a probationary period will be exploited. Within the educational environment, either suggesting or actually withholding grades earned or deserved; suggesting that a scholarship recommendation or college application will be denied.

- Offering favors or educational or employment benefits, such as grades or promotion, favorable performance valuations, favorable assignments, favorable duties or shifts, recommendation, reclassification, etc., in exchange for sexual favors.

In addition, Northshore Technical Community College defines “intimidation and bullying in the college setting” as the following: any gesture or written, verbal or physical act, or any use of electronic communication that:

- a) is motivated by an actual or perceived discriminating characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability or any other distinguishing characteristic, and
- b) a reasonable person should know, under the circumstances, that the acts(s) will have the effect of harming a student or damaging the student’s property, or placing a student in reasonable fear of harm to his person or damage to his property; or
- c) has the effect of insulting or demeaning any student or group of students in such a way as to cause substantial disruption in, or substantial interference with, the orderly, civil, and safe operation of the institution and/or the learning environment.

Any student with a concern of this nature should immediately consult the Vice Provost of Student Affairs and follow the student grievance procedures as described in the current Northshore Technical Community College Student Handbook.



Examples of Student Misconduct/Unacceptable Behavior

Students are responsible for knowing and obeying the college rules, as well as local, state and federal laws. Consistent with U.S. Department of Education Title IX standards, and the Violence Against Women Reauthorization Act of 2013 and the Campus SaVE Act, Northshore Technical Community College uses a preponderance of evidence standard to determine whether a code violation is more likely than not to have occurred.

A student who violates these rules, whether on or off campus, will be subject to adjudication and potential disciplinary action in accordance with the College's Due Process. Disciplinary action may result in suspension from Northshore Technical Community College and additional, independent action from the civil authorities, such as local, state, or federal law enforcement agencies.

Specific examples of misconduct in which students may be subject to disciplinary action include, but are not limited to, the following:

1. Committing a criminal act under federal, state or municipal law, or supporting or assisting with the violation of any of those laws on or off campus.
2. Violating any college policy, procedure, rule or regulation.
3. Failure to identify oneself to a college official upon request or falsifying one's identity to an officer of the law.
4. Failing to obey, or lying to, a college official or officer of the law who is performing his/her duties.
5. Obstructing an investigation (e.g., falsifying a report of an incident).
6. Participating in repetitious offenses and/or failing to fulfill all probationary requirements.
7. Misusing any fire equipment or other life-safety equipment on or off college property.
8. Use or possession of ammunition, firearms or other weapons, including, but not limited to, guns, BB guns, bows, arrows, knives, brass knuckles, or other device used as a weapon or ammunition on or off college property.



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9. Behaving in a manner that significantly endangers the health or safety of other people, including members of the college community and visitors on or off campus. This includes, but is not limited to hazing or voluntarily submitting to hazing, or any participation or support thereof.
10. Stealing, destroying, defacing, damaging or misusing college property or property belonging to others and/or participating as an accessory in such activity.
11. Infliction, threat or inciting bodily harm while on or off college property: (1) infliction of bodily harm upon any person; (2) any act that contributes to the risk of bodily harm to a person, and which includes but is not limited to physical or sexual assaults or threats thereof.
12. Using, possessing, or distributing intoxicating beverages or substances, such as but not limited to alcohol, K-2, Spice Genie, or excessive quantities of DXM, in any college building or facility, or other public area or supporting or assisting with such possession, including paraphernalia thereof (e.g., empty alcohol containers, empty pill or DXM/liquid containers).
13. Use of any tobacco products or other related devices (e.g., cigarettes, pipes, cigars, electronic cigarettes, vapor devices) is prohibited in college buildings and on college grounds, including parking areas and structures, sidewalks, walkways, or college owned buildings.
14. Gambling in any form including but not limited to on looking or conspiracy on or off college property.
15. Illegal possession, use, sale, manufacture or distribution of any quantity, whether usable or not, of any drug, narcotic or controlled substance. Drug paraphernalia of any type, including bongs, clips, pipes, residue, seeds, a smoke-filled room or any other items used in the preparation or consumption of illegal drugs is prohibited. Knowingly remaining within the presence of narcotics, controlled substances, or drug paraphernalia is strictly prohibited; supporting or assisting with such possession is also prohibited.
16. Forging, altering or misusing any college or other documents, forms, records or identification cards.



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17. Possession of or setting off any explosive devices, fireworks or flammable liquid or object on college property.
18. Failing to respond to an official summons from an administrative officer of the college within the time indicated.
19. Harassing, bullying, intimidation, or stalking made either in person, or by telephone, writing or computer.
20. Hate crime – Intentionally selects a person against whom the offense is committed or intended to be committed in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct, or intentionally commits the act or acts constituting the offense in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct.
21. Any act that contributes to the sexual harassment, discrimination, or assault of another person on or off campus. This includes intimate partner or domestic/dating violence or harassment.
22. Involvement in any act or statement that provides a terroristic threat made in person, on paper, by phone or through other electronic means that contributes to or suggests endangerment toward a person(s) and/or to the physical property of others, including but not limited to that of Northshore Technical Community College.
23. Obstructing or disrupting any college activity, including teaching, research, social activities and public service functions.
24. Engaging in any obscene, profane, slanderous, reckless, destructive or unlawful course of conduct.
25. Bribery, forgery, alteration, misuse of college documents, records or identification as well as misuse and/or abuse of services such as financial assistance, arranged accommodations/modifications and academic assistance provided by the college.



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26. Creating a nuisance with noise through talking, yelling, singing, playing a musical instrument, stereo, radio or through other means in a way that is sufficiently loud enough to disturb other members of the college community.
27. Theft, copyright infringement or other abuse of computer time. This includes, but is not limited to: unauthorized entry into a file, to use, read or change the contents, or for any other purpose; unauthorized transfer of a file, or use of another individual's identification and password; use of computing facilities or equipment to send, receive or transport obscene, abusive or pornographic messages or images.
28. Creating a disturbance or distraction through appearance, physical gestures or by wearing or possessing inappropriate clothing, jewelry, bandannas, body decorations or other items in possession deemed extreme or gang-related, and inappropriate for the educational environment.
29. Engaging in academic dishonesty as defined under the Academic Conduct and Academic Dishonesty policies.
30. Participating in illegal or unsanctioned solicitation on or off the premises of Northshore Technical Community College.
31. Loitering or participating in any unapproved, unsanctioned physical presence within a facility or property boundaries of which are owned, maintained, operated, or utilized by Northshore Technical Community College.
32. Harboring or in possession of unapproved animals on campus.
33. Engaging in an off-campus offense.



Due Process and Timeframe

Any student accused of violating the Code of Student Conduct should have the right to expect consistent and fair procedures for resolving their situation. Northshore Technical Community College's Vice Provost of Student Affairs oversees all student discipline procedures as well as any judiciary appeal processes involving student complaints. A reasonably prompt timeframe is maintained for all procedures and varies between one week and thirty days with extensions dependent on such factors as the number of witnesses or participants, the involvement of court or criminal proceedings, subsequent findings or additional incidents, and the nature and extent of such incident(s).

With a primary concern for student safety and from the start of the adjudication process and consistent with Title IX standards, both the complainant and the accused are provided protection against retaliatory harassment, may receive tentative immunity for concurrent lesser offenses, may file a criminal complaint against the other student, and may receive counseling as needed. Prior to an initial hearing, the completion of the adjudication process, or an appeals hearing, if it is decided that the accused student has behaved in a manner that significantly endangers the health and safety to the community college and/or the educational process, the student may be removed from housing and/or the campus until such times as a scheduled hearing is conducted.

Furthermore, all student-based decisions made by administrators, student affairs, divisional deans and/or campus security may be appealed to the Vice Provost of Student Affairs or the Disciplinary Appeals Committee. Final appeal may be presented to the Chancellor of Northshore Technical Community College **ONLY AFTER** the appeal process has been followed and within three business days following notification of the appeal results from the Vice Provost of Student Affairs.



Disciplinary Appeal Procedures

After an original decision is rendered the student (and the victim in a sexual assault incident**) shall be given a letter stating the charge(s), sanction(s), and the procedure if the student chooses to appeal. If the sanctioned student (and the victim in a sexual assault incident**) wishes to appeal the decision, the appeal must be received in writing to the Vice Provost of Student Affairs no later than 4:00 p.m. within two business days.

The Vice Provost of Student Affairs will determine if the appeal letter has merit. The student will be notified within five business days whether or not their appeal has been granted. If the appeal is granted, the Vice Provost of Student Affairs will appoint the appeals committee, facilitate the hearing; and prepare all supporting information for the appeals committee. Failure to comply with the applied sanctions pending the outcome of the disciplinary appeal may result in further sanctions.

The appeals procedure is a process, which takes place in a college setting, and serves as a community of individuals working together for the benefit of the student and the College environment. Within this framework, the institution embodies the laws of the nation and state, but maintains the authority to govern itself. As such, it produces its own format for adjudicating differences, using the laws of the land as guidelines. These appeal procedures serve to provide due process in principle and fact. In practice, the procedures are not viewed or intended to be courts; rather, they are procedures with hearings to air differences and seek solutions within the expectations of the academic community.

In light of these principles, individuals may have witnesses for the Appeals Board to interview. In addition, if Northshore Technical Community College utilizes an attorney to present the case, the student shall have similar right to utilize an attorney. Representation by legal counsel is not required, but may be permitted. If counsel is requested, the attorney's purpose is to serve as an Advisor to the student. Should the student plan to have an attorney present, the institution must be informed no less than 48 hours prior to the appeal hearing.

Only the student, legal counsel (if approved for student advising only) and a representative of the college may be present during the appeal hearing. Any witness testifying will appear before the committee only while testifying. The committee will render a final recommendation to the Vice Provost of Student Affairs that:

1. The original decision be upheld; or



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2. The original decision be reversed; or
3. The severity of the decision or sanction may be modified (increased or decreased).

At the conclusion of the hearing, a letter will be given to the student within three business days and should state the decision of the Vice Provost of Student Affairs, and the stipulations, such as a timeframe for vacating the campus, and/or instructions for processing the proper withdrawal papers, length of time for any probation, any restrictions, and/or information regarding appealing to the College Chancellor.

The final appeal to the College Chancellor may be initiated only after the appeal process has been completed. A letter of appeal must be received by the Chancellor's office within three business days of written notification of the committee's recommendation or the decision of the Vice Provost of Student Affairs.

Listed below are additional guidelines for the appeal process.

1. An opportunity will be provided for the accused to present his/her own case and to present other evidence in support of the case.
2. The right to hear evidence and to ask questions of witnesses, through Northshore Technical Community College staff, must be allowed.
3. Northshore Technical Community College has the burden of proving its case by preponderance of evidence. The preponderance of evidence means proof that leads a reasonable person to find the facts at issue are more likely to have occurred than not.
4. A determination of the facts will be based only on the evidence presented.
5. A student may not be compelled to testify on his/her own behalf if the student chooses not to testify. If the student does testify, he/she may be fully, indirectly, cross-examined.
6. After hearing all the evidence, the committee shall determine by a majority vote, or if a hearing officer is used in lieu of a committee (as with the sanction of probation), the hearing officer shall determine if the student violated the policy. The committee by majority vote shall recommend or assess the appropriate penalty.



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7. A written statement will be available for the student no later than 3 business days following the proceedings. In addition to the statements from the appeals board, the right to make a record of the hearing at an individual's own expense should be preserved. Northshore Technical Community College will provide a recording of the proceeding by electronic means, or by notes or minutes taken by an impartial recording secretary. The record will be retained by the institution for a period of three years. Notification to administrators, staff and instructors may be distributed to indicate that the student has been removed from classes if the student's suspension is upheld by the appeal process.

The above constitutes the minimum constitutionally mandated due process. In addition to these guaranteed rights, the following will be Northshore Technical Community College's practice to ensure fairness in serious disciplinary offenses:

1. The right to appeal to a higher authority within the institution.
2. The right to cross-examine witnesses, not directly, but through the appeal committee chair.
3. The right to have counsel at a hearing, not to participate, but to advise.



Student Dress and Appearance Code

The primary purpose of Northshore Technical Community College is to provide students with an education. College officials consider this activity second to none in its importance and believe it should be so regarded by the students. Thus, a mature attitude should be demonstrated by the dress and appearance of the students while attending classes or engaging in other programs or functions on the campus. The student is expected to maintain the same standards of dress and personal grooming on campus that would ordinarily be maintained by those engaged in other serious activities and employment. Obvious violations of these standards may be subject to disciplinary action.