CENTRAL COMMUNITY COLLEGE

Code of Student Conduct and Community Standards 2023 - 2024

Central COMMUNITY COLLEGE

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PLEASE ADDRESS ANY CONCERNS OR QUESTIONS ABOUT THIS CODE OF STUDENT CONDUCT TO DR. ELIZABETH KLITZ, VICE PRESIDENT OF STUDENT SUCCESS AND ENROLLMENT MANAGEMENT, AT 402-562-1284 OR BPRZYMUS@CCCNEB.EDU.

Preface

Core Values of Student Conduct at Central Community College are as follows:

- **Integrity**: Central Community College students exemplify honesty, honor, and a respect for the truth in all their dealings.

- **Community**: Central Community College students build and enhance their community.

- **Social Justice**: Central Community College students are just and equitable in their treatment of all members of the community and act to discourage and/or intervene to prevent unjust and inequitable behaviors.

- **Respect**: Central Community College students show positive regard for each other, for property, and for the community.

- **Responsibility**: Central Community College students possess and accept a high level of responsibility to self, to others, and to the community.

Central Community College students are responsible for knowing the information, policies, and procedures outlined in this document. Central Community College reserves the right to make changes to this Code as necessary. Once those changes are posted online, they are in effect. Students are encouraged to check online at Student Policies and Procedures | Central Community College (cccneb.edu) for the updated versions of all policies and procedures.

Nothing contained in this document is intended to conflict with local, state, or federal law.

CENTRAL COMMUNITY COLLEGE CODE OF STUDENT CONDUCT

Section 1: Philosophy Statement

The Central Community College community is committed to fostering a campus environment that is conducive to academic inquiry, a productive campus life, and thoughtful study and discourse. The student conduct program within the Division of Student Success and Enrollment Management is committed to an educational and developmental process that balances the interests of individual students with the interests of the Central Community College community.

A community exists on the basis of shared values and principles. At the College, student members of the community are expected to uphold and abide by certain standards of conduct that form the basis of the Code of Student Conduct. These standards are embodied within a set of core values that include integrity, community, social justice, respect, and responsibility.

Each member of the Central Community College community bears responsibility for his or her conduct and for assuming reasonable responsibility for the behavior of others. When members of the community fail to exemplify the core values by engaging in violation of the rules below, campus conduct proceedings are used to assert and uphold the Code of Student Conduct.

The student conduct process at Central Community College is not intended to punish students; rather, it exists to protect the interests of the community and to challenge those whose behavior is not in accordance with our policies. Sanctions are intended to challenge students' moral and ethical decision-making and to help them bring their behavior into accord with our community expectations. When a student is unable to conform their behavior to community expectations, the student conduct process may determine that the student should no longer share in the privilege of participating in this community.

Students should be aware that the student conduct process is quite different from criminal and civil court proceedings. Procedures and rights in student conduct procedures are conducted with fairness to all, but do not include the same protections of due process afforded by the courts. Due process, as defined within these procedures, assures written notice and a hearing before an objective decision-maker. No student will be found in violation of Central Community College policy without information showing that it is more likely than not that a policy violation occurred. Any sanctions will be proportionate to the severity of the violation and to the cumulative conduct history of the student.

It is important to note that the student conduct process purposefully differs from the legal process. The student conduct process is educational in nature and embraces the language and spirit of student development. The student conduct process is not bound

by court timelines, external rules of evidence, confrontational discourse, or the burden of proof "beyond a reasonable doubt" used in the court system.

Section 2: Jurisdiction

Students at Central Community College are provided a copy of the Code of Student Conduct annually in the form of a link on the Central Community College website. Hard copies are available upon request from any campus Associate Dean of Students office or learning center administrative office. Students are responsible for reading and abiding by the provisions of the Code of Student Conduct.

The Code of Student Conduct and the student conduct process apply to the conduct of all individual students (credit or non-credit) and all College-affiliated student organizations, including but not limited to students who are in specialized roles (e.g. resident assistants, work study students, student ambassadors, and athletes). For the purposes of student conduct, Central Community College considers an individual to be a student when admission to the College has been granted and, thereafter, as long as the student has a continuing educational interest in the College. Please note that Adult Education program students are under the jurisdiction of the Code of Student Conduct.

A. Withdrawal, Break in Attendance or Graduation Status

Central Community College retains conduct jurisdiction for any events that occurred prior to a leave, withdrawal, or graduation. This includes students who choose to temporarily cease attendance during a semester without formally withdrawing, students who withdraw, and students who have graduated. If a student is sanctioned, a hold may be placed on the student's ability to re-enroll (and/or obtain official transcripts and/or graduate) and all sanctions must be satisfied prior to re-enrollment. In the event of serious misconduct committed while still enrolled, but reported after the accused student has graduated, Central Community College may invoke these procedures and should the former student be found responsible, Central Community College may revoke that student's degree.

B. On or Off Campus Behavior

The Code of Student Conduct applies to behaviors that take place on College property and at College-sponsored events. It may also apply to off-campus behavior when the Vice President of Student Success and Enrollment Management or his or her designee determines that the off-campus conduct affects a substantial Central Community College interest. A substantial Central Community College interest is defined to include:

A. Any situation where it appears that the student's conduct may present a danger or threat to the health or safety of him/herself or others; and/or
B. Any situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or

C. Any situation that is detrimental to the educational mission and/or interests of Central Community College.

C. Online Behavior

The Code of Student Conduct may be applied to behavior conducted online, via email or other electronic medium. Students should also be aware that online postings such as blogs, web postings, chats, and social networking sites are in the public sphere and are not private. These postings can subject a student to allegations of conduct violations, if evidence of policy violations is posted online. Central Community College does not regularly search for this information, but may take action if and when such information is brought to the attention of Central Community College officials.

D. Free Speech

Most speech by students, online and otherwise, not involving Central Community College networks or technology, will be protected as free expression and may not be subject to this Code, with two notable exceptions:

A. A true threat, defined as "a threat a reasonable person would interpret as a serious expression of intent to inflict bodily harm upon specific individuals"; or

B. Speech posted online about Central Community College or its community members that causes a significant disruption.

E. Camp Attendees, CWE Students, and others

The Code of Student Conduct may also be applied to resident non-students, camp attendees, and community education/extension/partner and continuing education programs by contractual agreements. Visitors to and guests of Central Community College may seek resolution of violations of the Code of Student Conduct committed against them by members of the Central Community College community.

F. Guests

Guests are expected to follow the behavioral expectations within this Code, but are not afforded due process rights under this Code. Any person hosting a guest may be held responsible for the behavior of their guest.

Section 3: Reporting Conduct Violations

A. Reporting Code of Conduct Violations

Students and of the college should accurately and promptly report any violation of the Code of Student Conduct to the Director of Student Development or the Associate Dean of Students at their campus or center.

Collegewide:
Director of Student Development, 402-562-1488; email: brendapreister@cccneb.edu

Columbus Campus and Ord Center:
Associate Dean of Students, 402-562-1422; email: klarsen@cccneb.edu

Grand Island Campus and Lexington, Kearney, and Holdrege Centers:
Associate Dean of Students, 308-398-7541; email: ashleyweets@cccneb.edu

Hastings Campus:
Associate Dean of Students, 402-460-2185; email: erikawolfe@cccneb.edu

B. Reporting Timeframes

There is no time limit on reporting violations of the Code of Student Conduct; however, the longer someone waits to report an offense, the harder it becomes for Central Community College officials to obtain information and witness statements and to make determinations regarding alleged violations.

C. Anonymous Reporting

Though anonymous complaints are permitted, doing so may limit the College's ability to investigate and respond to a complaint. Those who are aware of misconduct are encouraged to report it as quickly as possible to their campus Associate Dean of Students.

A responding student facing an alleged violation of the Code of Student Conduct may not be permitted to withdraw from the Central Community College until all allegations are resolved.

Central Community College email is the College's primary means of communication with students. Students are responsible for all communication delivered to their Central Community College email address.

Section 4: Interim Actions

Under the Code of Student Conduct, the Vice President of Student Success and Enrollment Management and/or the Director of Student Development may impose restrictions and/or separate a student from the community, pending completion of investigation, when a student represents or is perceived to represent a threat of serious harm to others or is facing allegations of serious criminal activity (see section 4), to preserve the integrity of an investigation, to preserve Central Community College property and/or to prevent disruption of, or interference with, the normal operations of the College.

In the case of an interim suspension, a student may be denied access to Central Community College housing and/or Central Community College campus/facilities/events. As determined appropriate by the Director of Student Development, this restriction may include classes and/or all other Central Community College activities or privileges for which the student might otherwise be eligible. At the discretion of the Director of Student Development and with the approval of, and in collaboration with, the appropriate Dean(s), alternative coursework options may be pursued to ensure as minimal an impact as possible on the responding student.

A. Interim Suspension Procedures

Central Community College reserves the right to exercise its authority of interim suspension upon notification that a student is facing criminal investigation and/or complaint (additional grounds for interim suspension are outlined elsewhere in this document). Interim suspensions will remain in place long enough to allow for investigation and determination of the appropriateness of the interim suspension and for resolution of the case. Within the first three business days, the interim suspended student may request an appeal from the Vice President of Student Success and Enrollment Management or his or her designee to show cause why the interim suspension should be lifted or adjusted. CCC reserves the right to make reasonable changes to an interim suspension or any other interim measure as deemed appropriate during an investigation.

The interim suspension may be continued if any danger to the community is determined to exist. Central Community College may be delayed or prevented from conducting its own investigation and resolving the allegation due to a pending criminal process. In such cases, Central Community College will only delay its hearing or any other action until such time as it can conduct an internal investigation or obtain sufficient information upon which to proceed, independently or from law enforcement.

Interim suspension communication will be managed via CCC email. The term and conditions of an interim suspension, including the student's right to appeal, will be disclosed in the initial email. Notification of extensions of an interim suspension as described above will also be done via CCC email.

Section 5: Violations of the Law

Alleged violations of federal, state and local laws may be investigated and addressed under the Code of Student Conduct. When an offense occurs over which Central Community College has jurisdiction, the Central Community College conduct process will usually go forward notwithstanding any criminal complaint that may or may not arise from the same incident. Additionally, the determination of whether a CCC policy has been violated (including the policy requiring all students to follow all local, state and federal laws) will be using a preponderance of the evidence standard (or "more likely than not"). Lastly, a finding of not guilty or dismissal of a criminal or civil complaint will not be a determinant of the outcome of the student conduct process.

Students, faculty, staff, and guests of the college must accurately and promptly report any criminal activity taking place on campus, via telephone or in person, to the campus security office at their campus. Everyone is urged to report crime and suspicious activity to CCC Security and local law enforcement as soon as possible. This allows law enforcement officers and/or the appropriate personnel to respond and assist. If physical harm is a threat to an individual, he or she should seek out the nearest college employee for assistance. Witnesses or victims of a crime may report crimes on a voluntary basis.

Reports of criminal activity on CCC campuses will be investigated and evaluated by a designated administrator on the campus or a security officer. Appropriate action, including referral to local law enforcement authorities, may be taken to address criminal activity. Follow-up activities include, but are not limited to, College action to identify and prosecute criminals, recover stolen property, and to encourage restitution, when possible. Any off-campus crime involving a CCC student should be reported directly to the law enforcement agency having jurisdiction for that area. CCC also exercises jurisdiction over CCC students related to specific off-campus conduct. In these cases, reports should be made to the Associate Dean of Students and to the law enforcement agency having jurisdiction for that area.

To report a crime, CCC Security may be reached 24 hours a day at the following phone numbers:

- Columbus: 402-910-6665
- Grand Island: 308-258-4342
- Hastings: 402-705-1389

Reports of crimes may also be made to the appropriate campus Associate Dean of Student or to the Director of Student Development. Contact information for these individuals is listed in the previous section of this document.

Students accused of crimes may request to take a leave from Central Community College until the criminal charges are resolved. In such situations, Central Community College's procedure for voluntary leaves of absence is subject to the following conditions:

A. The responding student must comply with all campus investigative efforts that will not prejudice their defense in the criminal trial; and
B. The responding student must comply with all interim actions and/or restrictions imposed during the leave of absence; and
C. The responding student must agree that, in order to be reinstated to active student status, they must first be subject to, and fully cooperate with, the campus conduct process and must comply with all sanctions that are imposed.

Section 6: The Rules

A. Core Values and Behavioral Expectations

Central Community College considers the behavior described in the following sub-sections as inappropriate for the Central Community College community and in opposition to the core values set forth in this document. These expectations and rules apply to all students. Central Community College encourages community members to report to Central Community College officials all incidents that involve the following actions. Any student found to have committed or to have attempted to commit the following misconduct is subject to the sanctions outlined in Section 10: Conduct Sanctions.

Integrity

Central Community College expects students to exemplify honesty, honor and a respect for the truth in all their dealings. Behavior that violates this value includes, but is not limited to:

1. **Falsification**. Knowingly furnishing or possessing false, falsified, or forged materials, documents, accounts, records, identification, or financial instruments;

2. **Academic Dishonesty**. Acts of academic dishonesty as outlined in Central Community College's Academic Integrity Procedures. For more information about academic dishonesty procedures, please go to:
   https://www.cccneb.edu/academicintegrity

3. **Unauthorized Access**. Unauthorized access to any Central Community College building (i.e. keys, cards, etc.) or unauthorized possession, duplication, or use of means of access to any Central Community College building, or failing to timely report a lost Central Community College identification card or key;

4. **Collusion**. Action or inaction with another or others to violate the Code of Student Conduct;

5. **Election Tampering**. Tampering with the election of any CCC recognized student organization.

6. **Taking of Property**. Intentional and unauthorized taking of Central Community College property or the personal property of another, including goods, services, and other valuables;

7. **Stolen Property**. Knowingly taking or maintaining possession of stolen property.

Community

Central Community College expects students to build and enhance their community. Behavior that violates this value includes, but is not limited to:

1. **Disruptive Behavior**. Substantial disruption of Central Community College operations including obstruction of teaching, research, administration, other Central Community College activities, and/or other authorized non-Central Community College activities which occur on campus;

2. **Rioting**. Causing, inciting, or participating in any disturbance that presents a clear and present danger to self or others, causes physical harm to others, or damage and/or destruction of property;

3. **Unauthorized Entry**. Misuse of access privileges to Central Community College premises or unauthorized entry to or use of buildings, including trespassing, propping or unauthorized use of alarmed doors for entry into or exit from a Central Community College building;

4. **Trademark**. Unauthorized use (including misuse) of Central Community College or organizational names and images;

5. **Damage and Destruction**. Intentional, reckless and/or unauthorized damage to or destruction of Central Community College property or the personal property of another;

6. **IT and Acceptable Use**. Violating the Central Community College Acceptable Use Procedures for Information Technology Resources, found online at:

   https://www.cccneb.edu/technologyuseguidelines

7. **Gambling**. Gambling as prohibited by the laws of the State of Nebraska. (Gambling may include raffles, lotteries, sports pools and online betting activities. For more information, please reference Section 17 in the Community Standards section of this document.

8. **Weapons**. Possession, use, or distribution of explosives (including fireworks and ammunition), guns (including airsoft, BB, paintball, facsimile weapons, and pellet guns), or other weapons or dangerous objects (such as arrows, axes, machetes, nunchucks, throwing stars, tasers, or knives with a blade of longer than 3 inches), including the storage of any item that falls within the category of a weapon in a vehicle parked on Central Community College property. This definition is not intended to include tools of a trade which are necessary for completion of CCC coursework or participation in a CCC recognized student organization where such items are a part of organization activities.

9. **Smoking**. Central Community College prohibits the use of all e-cigarettes, tobacco or other smokable substances, vapes, and the carrying of any lit or unlit smoking instrument on College-owned or leased property, including residence halls and inside personal vehicles. For more information about CCC's Tobacco Free policy, please go to: Tobacco and Smoke Free | Central Community College (cccneb.edu)

10. **Fire Safety**. Violation of local, state, federal, or campus fire policies, including but not limited to:
    a. Intentionally or recklessly causing a fire which damages Central Community College or personal property or which causes injury;
    b. Failure to evacuate a CCC-controlled building during a fire alarm;
    c. Improper use of Central Community College fire safety equipment; or
    d. Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on Central Community College property. Such action may result in a local fine in addition to Central Community College sanctions.
11. **Ineligible Association**. Associating with a student organization without having met eligibility requirements established by Central Community College.
12. **Animals**. Animals and pets, with the exception of those providing assistance (e.g. service or therapy animals), as outlined in the College Catalog, are not permitted on campus except as permitted by law. For further information, go to http://catalog.cccneb.edu/content.php?catoid=37&navoid=3526#Animals
13. **Wheeled Devices**. Skateboards, roller blades, roller skates, bicycles, and similar wheeled devices are not permitted inside Central Community College buildings or residence halls, nor on basketball or tennis courts. Additionally, skateboards and other wheeled items may not be ridden on railings, curbs, benches, or any such fixtures that may be damaged by these activities, Individuals may be liable for damage to Central Community College property caused by these activities.
14. **Guests:** Guests hosted on campus by a student may become an "extension" of the student. Guest behavior in violation of this Code can result in CCC sanctioning of the hosting student.

Social Justice

Central Community College expects students to recognize that respecting the dignity of every person is essential for creating and sustaining a flourishing college community. Students are expected to understand and appreciate how their decisions and actions impact others and they are expected to be just and equitable in their treatment of all members of the community. Students are expected to discourage and challenge those whose actions may be harmful to and/or diminish the worth of others. Conduct that violates this value includes, but is not limited to:

1. **Discrimination.** Any act or failure to act that is based upon an individual or group's actual or perceived status that is sufficiently severe or persistent/pervasive that it limits or denies the ability to participate in or benefit from the College's educational program or activities. Please reference the CCC Discriminatory Harassment Policy and the Sexual Misconduct Policy for additional information:

   https://www.cccneb.edu/civilrights

2. **Harassment**. Any unwelcome conduct based on actual or perceived status. Any unwelcome conduct should be reported to College officials, who will act to remedy and resolve reported incidents on behalf of the victim and community. Please reference the CCC Discriminatory Harassment Policy and the Sexual Misconduct Policy for additional information:

   https://www.cccneb.edu/civilrights

3. **Hostile Environment.** The creation of a hostile environment occurs when unwelcome harassment is sufficiently severe, or persistent/pervasive and objectively offensive that it interferes with, limits, or denies the ability to participate in or benefit from the College's educational or employment program or activities.

4. **Retaliatory Discrimination or Harassment**. Any intentional adverse action taken by a responding individual or allied third party, absent legitimate nondiscriminatory purposes, against a participant or affiliate in a civil rights grievance proceeding or other protected activity.

5. **Bystanding.** Complicity with or failure of any student to appropriately address known or obvious violations of the Code of Student Conduct or law*;* complicity with or failure of any organized group to appropriately address known or obvious violations of the Code of Student Conduct or law by its members.

6. **Abuse of Conduct Process**. Abuse or interference with, or failure to comply in, Central Community College processes including conduct and academic integrity hearings including, but not limited to:

    a. Falsification, distortion, or misrepresentation of information;

    b. Destroying, concealing, or failing to provide information during an investigation of an alleged policy violation;

    c. Attempting to discourage an individual's proper participation in, or use of, the campus conduct system;

    d. Harassment (verbal or physical) and/or intimidation of a member of a campus conduct body prior to, during, and/or following a campus conduct proceeding;

    e. Failure to comply with the sanction(s) imposed by the campus conduct system;

    f. Influencing, or attempting to influence, another person to commit an abuse of the campus conduct system.

Respect

Central Community College expects students to show positive regard for each other and for the community. Behavior that violates this value includes, but is not limited to:

1. **Harm to Persons**. Intentionally, recklessly or negligently causing physical harm or endangering the health or safety of any person.

2. **Threatening Behaviors**:
    A. **Threat** - Written or verbal conduct that causes a reasonable expectation of injury to the health or safety of any person or damage to any property.
    B. **Intimidation** - Intimidation defined as implied threats or acts that cause a reasonable fear of harm in another.
    C. **Bullying and Cyberbullying** - Bullying and cyberbullying are repeated and/or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally, and are not protected by freedom of expression.
    D. **Hazing** - Defined as an act that endangers the mental or physical health or safety of a student, or that destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. Participation or cooperation by the person(s) being hazed does not excuse the violation. Failing to intervene to prevent, failing to discourage and/or failing to report those acts may also violate this policy. For more information, please reference Section 17 in the Community Standards section of this document;

E. **Intimate Partner/Relationship Violence** - Violence or abuse by a person in an intimate relationship with another;
F. **Stalking 1** – Defined as a course of conduct directed at a specific person that is unwelcome and would cause a reasonable person to feel fear.
G. Stalking 2 – Defined as repetitive and menacing pursuit, following, harassing, and/or interfering with the peace and/or safety of another.

3. **Sexual Misconduct**. Includes, but is not limited to, sexual harassment, non-consensual sexual contact, non-consensual sexual intercourse, and/or sexual exploitation. Please reference CCC Discriminatory Harassment Policy and the Sexual Misconduct Policy for additional information:
   https://www.cccneb.edu/civilrights

4. **Public Exposure**. Includes deliberately and publicly exposing one's intimate body parts, public urination, defecation, and public sex acts.

Responsibility

Central Community College students are given and accept a high level of responsibility to self, to others and to the community. Behavior that violates this value includes, but is not limited to:

1. **Alcohol**. Use, possession, or distribution of alcoholic beverages or paraphernalia except as expressly permitted by law (Nebraska Revised Statutes 53-186 and 53-124.15) and the College's Policy on Alcohol. For more information, please reference Sections 11 and 12 in the Community Standards section of this document;
2. **Drugs**. Use, possession or distribution of illegal drugs and other controlled substances or drug paraphernalia except as expressly permitted by law and the College's Drug Policy. For more information, please reference Sections 11 and 12 in the Community Standards section of this document;
3. **Prescription Medications**. Abuse, misuse, sale, or distribution of prescription or over-the-counter medications;
4. **Failure to Comply**. Failure to comply with the reasonable directives of Central Community College officials or law enforcement officers during the performance of their duties and/or failure to identify oneself to these persons when requested to do so;
5. **Financial Responsibilities**. Failure to promptly meet financial responsibilities to the College, including, but not limited to; knowingly passing a worthless check or money order in payment to the institution or to an official of the institution acting in an official capacity;
6. **Other Policies**. Violating other published Central Community College policies or rules, including all Residence Hall policies;

7. **Health and Safety**. Creation of health and/or safety hazards (dangerous pranks, hanging out of or climbing from/on/in windows, balconies, roofs, etc.);
8. **Violations of Law**. Evidence of violation of local, state, or federal laws, when substantiated through the College's conduct process. In addition, the College reserves the right to take necessary and appropriate action to protect the safety and well-being of the campus community. Such action may include, but is not limited to, pursuing disciplinary action for any violation of state or federal law - on or off campus – that affects the College's educational interests. See Section 2 of this document for definition of Educational Interests.

Section 7: Overview of the Conduct Process

This overview gives a general idea of how the College's campus conduct proceedings work, but it should be noted that not all situations are of the same severity or complexity. Thus, these procedures are flexible, and are not exactly the same in every situation, though consistency in similar situations is a priority. The campus conduct process and all applicable timelines commence with notice to the Associate Dean of Students or his or her designee of a potential violation of Central Community College rules. In Title IX related issues, the "administrator" is any "responsible employee" as defined under Title IX and/or campus policy

A. Notice of Alleged Violation

Any member of the Central Community College community, visitor or guest may report a suspected policy violation(s) by any student for misconduct under this Code [by the following process and/or via the following URL]:

https://www.cccneb.edu/studentconductreport

Notice may also be given to the Associate Dean of Students, the Director of Student Development, and/or to the Title IX Coordinator, when appropriate. Additionally, administrators may act on notice of a potential violation whether a formal allegation is made or not. All allegations can be submitted by a reporting party or a third party, and should be submitted as soon as possible after the offending event occurs. Central Community College has the right to pursue an allegation or notice of misconduct on its own behalf and to serve as convener of the subsequent campus conduct process.

Once notice is received from any source (reporting party, Resident Assistant, third party, online, etc.), Central Community College may proceed with a preliminary investigation and/or may schedule an initial educational meeting/conference with the responding student to explain the conduct process to the responding student and gather information. The Director of Student Development or his or her designee will assume responsibility for the preliminary inquiry/investigation of the alleged violation as described in the sub-section below.

B. Preliminary Inquiry

Central Community College conducts a preliminary inquiry into the nature of the incident, complaint, or notice, the evidence available, and the parties involved. Preliminary inquiries are conducted by the Director of Student Development or his or her designee. The preliminary inquiry may lead to:

A. A determination that there is insufficient evidence to pursue the investigation, because the behavior alleged, even if proven, would not violate the Code of Student Conduct, (e.g. for reasons such as mistaken identity or allegation of behavior that falls outside the Code);

B. A formal complaint of a violation and/or an educational conference with the responding student;

C. A referral to the Title IX Coordinator in cases where violation of the College's Civil Rights policy is suspected.

When an initial educational meeting/conference is held, the possible outcomes include:

A. A decision not to pursue the allegation based on a lack of or insufficient evidence. The matter should be closed and records should so indicate;

B. A decision on the allegation, also known as an "informal" or "administrative" resolution to an uncontested allegation (see immediately below);

C. A decision to proceed with additional investigation and/or referral for a "formal" resolution.

C. Investigation

A. Detailed investigation procedures regarding the investigation stage are described in this sub-section. The Director of Student Development or his or her designee will serve as the investigator for allegations under this Code or may appoint an investigator(s), as deemed necessary. The investigator(s) will take the following steps, if not already completed by the Director of Student Development or his or her designee:

1. Initiate any interim actions if warranted;
2. Determine the identity and contact information of the party bringing the complaint, whether that person is the initiator of the complaint, the alleged victim, or a Central Community College proxy or representative;
3. Conduct an immediate preliminary investigation to identify an initial list of all policies that may have been violated, to review the history of the parties, the context of the incident(s), any potential patterns and the nature of the complaint;

4. If the reporting party is reluctant to pursue the complaint, determine whether the complaint should still be pursued and whether sufficient independent evidence could support the complaint without the participation of the reporting party;
5. Notify the reporting party of whether Central Community College intends to pursue the complaint regardless of their involvement and inform the reporting party of their rights in the process and option to become involved if they so choose.

B. If warranted by the preliminary inquiry and authorized by the Director of Student Development, the assigned investigator shall conduct a comprehensive investigation to determine if there is reasonable cause to believe that the responding student violated Central Community College policy, and to determine what specific policy violations should serve as the basis for the complaint;

C. If there is insufficient evidence through the investigation to support reasonable cause, the allegations will be closed with no further action;

D. A comprehensive investigation includes;

1. Meet with the party bringing the complaint to take a statement, which will be documented by the investigator or his or her designee as a result of this meeting;
2. A thorough, reliable and impartial investigation
3. Prepare the notice of alleged policy violation(s) on the basis of the reasonable cause determination, which may be delivered prior to, during or after the responding student is interviewed, at the discretion of the investigator(s);
4. Interview all relevant witnesses;
5. Obtain all documentary evidence and information that is available;
6. Obtain all physical evidence that is available;
7. Make a finding, based on a preponderance of the evidence (whether a policy violation is more likely than not);
8. In a case where a student is found responsible for a violation, the Director of Student Development or his or her designee will recommend a sanction to the Vice President of Student Success and Enrollment Management;
9. The Vice President of Student Success and Enrollment Management will review the case to ensure that appropriate due process was provided and will also approve the recommended sanction(s) for consistency. If the recommended sanction involves a significant campus interest (e.g. restriction of access, suspension or expulsion of a student) the Campus

President will be notified prior to the decision being communicated to the student;

10. The Director of Student Development will present the finding and sanction to the student.

E. When the Director of Student Development presents the summary of findings and sanction to the respondent, the respondent may:
    1. accept the findings,
    2. accept the findings in part and reject them in part,
    3. or may reject all findings;

F. Share the findings and update the complainant on the status of the investigation and the outcome.

D. Findings

The Findings Section describes how to proceed depending on whether the respondent is found responsible and whether the respondent accepts or rejects the findings and/or the sanctions either in whole or in part**.**

If the College's finding is that the responding student is not responsible for violating the Code, the process will end. The reporting party may request that the Director of Student Development reopen the investigation. This decision shall be at the sole discretion of the Director of Student Development and will only be granted for extraordinary cause.

If the College's finding is that the responding student is in violation, and the responding student accepts this finding within three days, Central Community College considers this an "uncontested allegation." The Director of Student Development will then determine the sanction(s) for the misconduct. The Vice President of Student Success and Enrollment Management will review the case to ensure that appropriate due process was provided and to review the recommended sanction. The responding student may choose to accept or reject the finding and sanctions. If accepted, the process ends.

If the student accepts the findings, but rejects the sanction based on the premise that the sanction is disproportionate to the finding, the student may make a sanction-only appeal to the Vice President of Student Success and Enrollment Management. The sanction-only appeal is then reviewed and finalized by the Vice President of Student Success and Enrollment Management. Once the appeal is decided, the process ends.

If the student rejects the findings, the student may make an appeal to the Student Conduct Appeals Panel limited to the grounds below:

A. Procedural error or omission which substantially affects the outcome
    a. Substantiated bias
    b. Material deviation

B. New evidence not available at the time of the investigation (evidence withheld during the investigation is not considered new evidence).

E. Student Conduct Appeals Panel

Positions within CCC that can serve as members of the Student Conduct Appeals Panel may include full-time employees within Student Services and/or full-time faculty members.

The Vice President of Student Success and Enrollment Management shall appoint three trained members of the pool of available CCC faculty and staff members to serve on a Student Conduct Appeals Panel when one is needed.

Training on the Code of Student Conduct will be provided for all Student Conduct Appeals Panel members.

F. Appeal Procedures

All original sanctions approved by the Vice President of Student Success and Enrollment Management will be in effect during the appeal. A request may be made to the Vice President to delay implementation of the sanctions until the appeal is decided, but the presumptive stance of the institution is that the sanctions will go into effect immediately. Graduation, study abroad, internships/externships, etc. do NOT in and of themselves constitute exigent circumstances, and students may not be able to participate in those activities during their appeal. In cases where the appeal results in reinstatement to the college or resumption of privileges, all reasonable attempts will be made to restore the student to their prior status, recognizing that some opportunities lost may be irreparable in the short term.

If a respondent wishes to appeal the finding of a conduct investigation, he or she may petition the Student Conduct Appeals Panel by contacting the Vice President of Student Success and Enrollment Management.

A respondent who wishes to make an appeal must do so within 3 business days of receiving the written decision from the Director of Student Development, for a review of the decision or the sanctions imposed based on the grounds described in the previous section.

Based on the written requests/responses or on interviews as necessary, the Student Conduct Appeals Panel will send a letter of outcome for the appeal to the respondent. The Student Conduct Appeals Panel can take one of two possible actions:

1) dismiss an appeal request as untimely or ineligible

2) grant an appeal and remand the finding and/or sanction for further investigation or reconsideration.

The original finding and sanction will stand if the appeal request is not timely or substantively eligible, and that decision is final. The party requesting appeal must show clear error as the original finding and/or a compelling justification to modify a sanction(s). Both the finding and sanction are presumed to have been decided reasonably and appropriately during the original conduct process.

In rare cases where a procedural error cannot be cured by the original investigators (as in cases of bias), the Student Conduct Appeals Panel may order a new investigation with a new investigator.

The procedures governing the hearing of appeals include the following:

- The respondent and the administrator who investigated the case should be timely informed of the status of a request for an appeal, the status of the appeal, and the results of the appeal decision;
- Every opportunity to return the appeal to the Director of Student Development for reconsideration (remand) should be pursued if the appeal is supported by the panel;
- Appeals are not intended to be full re-hearings of the allegation. In most cases, appeals are confined to a review of the written documentation and/or investigative report, and pertinent evidence regarding the grounds for appeal;
- Appeals decisions are to be deferential to the original investigation, making changes to the finding only where there is clear error and to the sanction only if there is a compelling justification to do so;
- An appeal is not an opportunity for panel members to substitute their judgment for that of the original investigation merely because they disagree with its finding and/or sanctions.
- Sanctions imposed are implemented immediately unless the Vice President of Student Success and Enrollment Management stays their implementation in extraordinary circumstances, pending the outcome of the appeal.
- The appeals panel will typically render a written decision on the appeal to all parties within five (5) business days from hearing of the appeal. The appeals panel's decision to deny an appeal request is final.

Section 8: Student Conduct Authority

A. Authority

The Vice President of Student Success and Enrollment Management is vested with the authority over student conduct by the College President**.** The Vice President has appointed the Director of Student Development to oversee and manage the student conduct process on each campus. The Director of Student Development or his or her designee will assume responsibility for the investigation of an allegation of misconduct to determine if the complaint has merit.

B. Gatekeeping

No complaint will be forwarded unless there is reasonable cause to believe a policy has been violated. Reasonable cause is defined as some credible information to support each element of the offense, even if that information is merely a credible witness or a reporting party's statement. A complaint wholly unsupported by any credible information will not be considered.

C. Campus Judicial Boards

The Central Community College Judicial Board assists with and supports adherence to the Central Community College Student Code of Conduct. The Judicial Board provides an opportunity for a peer review process of minor student misconduct and allows students of CCC an opportunity for leadership development and education related to the judicial system.

Membership of the Judicial Board will consist of six to fifteen CCC students who are registered for a minimum of six credit hours. Members of the Board shall be selected through an interview process during the beginning of the fall term and subsequent terms as needed.

To serve on the Judicial Board, students must:

1) Be in good academic standing, enrolled in at least 6 credit hours for the current term, with a cumulative GPA of at least 2.25; and
2) Be in good standing with the conduct process throughout the semester in which they serve. Good standing is defined as having no record of misconduct during the semester(s) in which a student wishes to serve on the board. A serious history of misconduct could disqualify a student from service.

The Director of Student Development will have final authority to approve all those serving on the Board. The advisors to the Judicial Board are the Administrative Hearing Officers (AHOs). The AHOs are responsible for ensuring a fair process for the party bringing the complaint and responding student. In the event of a resignation from the Board, the AHO will solicit a replacement.

The Board will hear cases of behavioral violations involving the rules and regulations of CCC, while under the guidance and supervision of Administrative Hearing Officers. Administrative Hearing Officers must be full-time faculty or staff members of the College.

The campus Judicial Boards are established and operate under the authority and oversight of the Director of Student Development. Campus Judicial Boards are responsible for hearing and making recommendations whether or not students are responsible for Code violations to the Director of Student Development. In general, Campus Judicial Boards may hear cases that involve minor violations of the Code of Conduct. Examples include but are not limited to: a student who has violated quiet

hours in the residence hall, the College's tobacco-free policy, guest visitation policy, and/or the alcohol policy. The Director of Student Development shall give authority to AHOs for assembling the Campus Judicial Board according to the following guidelines.

The membership of the Board is selected from:

a. Student members appointed and trained annually by the AHOs.

b. Trained Administrative Hearing Officers are appointed by the Director of Student Development. Residential Life staff members shall not serve as AHOs because they work within the residence halls and are involved in incidents as representatives of the College.

Campus Judicial Board Procedures

1. **Advocates/Advisors:** Parties (complainants or respondents) may have an advisor attend a Judicial Board hearing, but advisors or advocates may not address the Board or speak on the behalf of the party.
2. **Appeals:** Respondents may appeal Campus Judicial Board decisions to the Director of Student Development within 5 business days of the Campus Judicial Board Hearing. Appeals must be submitted in written form and must fully explain the reason for the appeal. The Director of Student Development will then schedule an educational conference with the respondent.
3. **Conflict of Interest**: Any Campus Judicial Board member may be excused from proceedings if he or she believes there may be a conflict of interest that affects their ability to be objective in any case. Should the Board be reduced below 50% plus one member, the AHOs will close the hearing and re-schedule it for the next scheduled meeting date.
4. **Decisions:** The Campus Judicial Board will deliberate in closed session to determine whether the responding party is responsible or not responsible for the violation(s) in question. The Board will base its determination on a preponderance of the evidence (i.e., whether it is more likely than not that the accused individual committed each alleged violation). The AHOs or designated Board members will notify the Director of Student Development, Residence Life professional staff, and the Director of Student Accounts of the findings and/or recommended sanctions.
5. **Evidence:** Formal rules of evidence will not apply. Any evidence that the Board believes is relevant and credible may be considered, including history and pattern of behavior. Unless the AHOs determine it is appropriate, no one will present information or raise questions concerning incidents not directly related to the possible violation.
6. **Notification of Outcome:** The AHOs or their designees will notify students of the decision of the Campus Judicial Board and of any sanctions via email to the student's Central Community College email address.

7. **Presentations:** All parties will have an opportunity to present facts and arguments in full and appropriately question all present witnesses during the hearing, though formal cross-examination is not used between the parties.
8. **Privacy:** Proceedings are private. All persons present at any time during the hearing are expected to maintain the privacy of the proceedings, and may be subject to College disciplinary action for failure to do so. While the contents of the hearing are private, the parties have discretion to share their own experiences if they so choose, and should discuss doing so with their advocates/advisors.
9. **Records:** Hearings are documented for purposes of review in the event of an appeal.
10. **Sanctions:** The Board will assign sanctions to a student, under the supervision of the Director of Student Development, following the Judicial Board hearing. Sanctions may include those listed in section 9 of this document.
11. **Witnesses**: Parties may submit a list of witnesses to the AHOs for review and approval.

Section 9: Conduct Sanctions

A. Sanctions imposed upon students:

One or more of following sanctions may be imposed upon any student for any single violation of the Code of Student Conduct:

Warning

An official written notice that the student has violated Central Community College policies and/or rules and that more severe conduct action will result should the student be involved in other violations while the student is enrolled at the College.

Restitution

Compensation for damage caused to Central Community 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.

Fines

Reasonable fines may be imposed.

Community/Central Community College Service Requirements

For a student or organization to complete a specific, supervised service for Central Community College.

Loss of Privileges

The student will be denied specified privileges for a designated period of time.

Confiscation of Prohibited Property

Items whose presence is in violation of Central Community 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 Associate Dean of Students.

Behavioral Requirement

This includes required activities including, but not limited to, seeking academic counseling or substance abuse screening, writing a letter of apology, seeking counseling from a licensed professional counselor etc.

Educational Program

Requirement to attend, present and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible. Audience may be restricted.

Restriction of Visitation Privileges

May be imposed on a resident or non-resident student. The parameters of the restriction will be specified.

Housing Disciplinary Probation

Official notice that, should further violations of Residence Life or policies occur during a specified probationary period, the student may immediately be removed from housing. Regular probationary meetings may also be imposed.

Housing Reassignment

Reassignment to another housing facility.

Housing Dismissal

Removal from housing for a specified period of time after which the student is eligible to return. Conditions for re-admission to housing may be specified. Under this sanction, a student is required to vacate housing within 24 hours of notification of the sanction, though this deadline may be extended upon the discretion of the Director of Student Development. This sanction may be enforced with a trespass action if deemed necessary. Prior to reapplication for housing, the student must gain permission from the Director of Student Development. This sanction may include restrictions on visitation to specified buildings or all Central Community College housing during the suspension.

Housing Expulsion

The student’s privilege to live in, or visit, any housing structure is revoked indefinitely. This sanction may be enforced with a trespass action if deemed necessary.

Probation

The student is put on notice that, should further violations of Central Community College policies occur during a specified probationary period, the student may face additional sanctions, which may include suspension or expulsion. Regular probationary meetings may also be imposed.

Eligibility Restriction

The student is deemed "not in good standing" with Central Community College for a specified period of time. Specific requirements and/or exceptions will be determined by the Director of Student Development and terms of this conduct sanction may include, but are not limited to, the following:

- Ineligibility to hold any office in any student organization recognized by Central Community College or to hold an elected or appointed office at the College; or

- Ineligibility to represent Central Community College to anyone outside the college community in any way including: participating in the study abroad program, attending conferences, or representing Central Community College at an official function, event, service, or intercollegiate competition as a player, manager or student coach, etc.

College Suspension

Separation from Central Community College for a specified minimum period of time, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension. The student is required to vacate the campus within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Director of Student Development. During the suspension period, the student is banned from College property, functions, events and activities without prior written approval from the Director of Student Development. This sanction may be enforced with a trespass action as necessary. Violation of the terms of suspension may result in the student's expulsion from CCC.

College Expulsion

This sanction results in the student's permanent separation from the College. The student is banned from college property and the student's presence at any College-sponsored activity or event is prohibited. This action may be enforced with a trespass action as necessary. This sanction will be noted as a Non-Academic Conduct Expulsion on the student's official academic transcript.

Other Sanctions

Additional or alternate sanctions may be created and designed as deemed appropriate to the offense with the approval of the Director of Student Development or his or her designee.

B. Sanctions imposed upon groups or organizations

The following sanctions may be imposed upon groups or organizations found to have violated the Code of Student Conduct:

1. One or more of the sanctions listed above; and/or
2. Deactivation, de-recognition, loss of all privileges (including status as a CCC registered group/organization), for a specified period of time.

   Students who are in specialized roles e.g. resident assistants, work study students, student ambassadors, and athletes), may be assigned additional sanctions by supervisors, sponsors, or coaches. Such actions cannot supersede and are not in lieu of the sanctions assigned under this Code. The process under which such additional sanctions may be assigned is not addressed in this Code.

3. Parental/Guardian Notification
   Central Community College reserves the right to notify the parents/guardians of minor students regarding any conduct situation, particularly alcohol and other drug violations. Parental notification may also be utilized discretionarily by administrators when permitted by FERPA or consent of the student.

4. Notification of Outcomes
   The outcome of the conduct process is part of the education record of the respondent and is protected from release under the Federal Education Rights and Privacy Act (FERPA), except under certain conditions. As allowed by FERPA, when a student is accused of a policy violation that would constitute a "crime of violence", Central Community College will inform the alleged victim/reporting party in writing of the final results of a hearing regardless of whether Central Community College concludes that a violation was committed. Such release of information may only include the alleged student's/responding student's name, the violation committed, and the sanctions assigned (if applicable).

5. Violations that constitute a crime of violence

   In cases where Central Community College determines through the student conduct process that a student violated a policy that would constitute a "crime of violence", Central Community College may also release the above information publicly and/or to any third party. FERPA defines "crimes of violence" to include:

   - Arson
   - Assault offenses (includes stalking)
   - Burglary
   - Criminal Homicide—manslaughter by negligence
   - Criminal Homicide—murder and non-negligent manslaughter
   - Destruction/damage/vandalism of property
   - Kidnapping/abduction

- Robbery
- Forcible sex offences
- Non-forcible sex offences
- Failure to Complete Conduct Sanctions

C. Timeframe for complying with conduct sanctions

All students, as members of the Central Community College community, are expected to comply with conduct sanctions within the timeframe specified by the Director of Student Development and/or the Vice President of Student Success and Enrollment Management. Failure to follow through on conduct sanctions by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanctions and/or suspension from Central Community College. In such situations, resident students can be required to vacate Central Community College housing within 24 hours of notification by the Director of Student Development, though this deadline may be extended at the discretion of the Director of Student Development. A suspension will only be lifted when compliance with conduct sanctions is satisfactorily achieved. This determination will be made by the Director of Student Development.

Section 10: Additional Policy Definitions

A. Parties in the Conduct Process

Convener: Central Community College is the convener of every action under this Code.

Respondent/Responding Party: The student who is the person alleged to have violated the Code.

Complainant/Reporting Party: The party bringing the complaint, who may be a student, employee, visitor, or guest, and who may choose to be present and participate in the process as fully as the responding student.

Witnesses: Persons who may offer information regarding the allegation.

Investigator(s): The person whose role is to present the allegations and share the evidence that Central Community College has obtained regarding the allegations.

B. Group Violations

A student group or organization and its officers and membership may be held collectively and individually responsible when violations of this Code by the organization or its member(s):

A. Take place at organization-sponsored or co-sponsored events, whether sponsorship is formal or tacit; or

B. Have received the consent or encouragement of the organization or of the organization's leaders or officers; or

C. Were known or should have been known to the membership or its officers.

The conduct process for student groups or organizations follows the same general procedures. In any such action, individual determinations as to responsibility will be made and sanctions may be assigned collectively and individually and will be proportionate to the involvement of each individual and the organization.

C. Amnesty

For Victims or Reporting Parties

Central Community College provides amnesty to reporting parties who may be hesitant to report to Central Community College officials because they fear that they themselves may be accused of minor violations, such as underage drinking, at the time of the incident. Educational options will be explored, but no conduct proceedings or conduct record may result. Records regarding the provision of amnesty, however, will be maintained.

For Those Who Offer Assistance

To encourage students to offer help and assistance to others, Central Community College pursues a policy of amnesty for violations when students offer help to others in need. At the discretion of the Director of Student Development, amnesty may also be extended on a case-by-case basis to the person who offered assistance. Educational options will be explored, but no conduct proceedings or conduct record may result. Records regarding the provision of amnesty, however, will be maintained.

For Those Who Report Serious Violations

Students who are engaged in minor violations but who choose to bring related serious violations by others to the attention of Central Community College are offered amnesty for their minor violations. Educational options will be explored, but no conduct proceedings or record may result. Records regarding the provision of amnesty, however, will be maintained.

Abuse of amnesty requests may result in a decision by the Director of Student Development not to extend amnesty repeatedly to the same person.

D. Safe Harbor

Central Community College has a Safe Harbor rule for students. Central Community College believes that students who have a drug and/or addiction problem deserve help. If any Central Community College student brings their own use, addiction, or dependency to the attention of Central Community College officials (outside the threat of pending drug tests and/or conduct sanctions) and seeks assistance, a conduct complaint will not be pursued. A written action plan may be used to track cooperation with the Safe Harbor program by the student. Failure to follow the action plan will nullify the Safe Harbor protection and campus conduct processes will be initiated.

E. Disciplinary Records

All conduct records are maintained by Central Community College for seven (7) years from the time of their creation except those that result in separation (suspension or expulsion, including from housing) unless longer maintenance of records is required by other laws.

Central Community College Community Standards

Section 11: Alcohol, Tobacco, and Other Drugs

The College Board of Governors requires strict compliance with Nebraska Revised Statutes § 53-186 and § 53-124.15. This Code of Conduct provides flexibility for Central Community College in addressing alcohol and drug-related offenses which occur on- or off-campus (See Section 2 – Jurisdiction). Moreover, it permits Central Community College to address its fundamental mission of holistic education and the development of human potential. While recognizing that there is a need to address violations related to the use or possession of controlled substances, Central Community College must also address the education and well-being of all its students and employees. In addition to Central Community College imposed sanctions, students and employees are subject to all legal sanctions under federal, state and local law for any offenses involving illegal drugs on Central Community College property or at Central Community College activities.

A. Drug Free Schools and Community Act

Central Community College's standards of conduct, in compliance with the Drug Free Schools and Community Act of 1989, **clearly prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by students on the College's property or as part of any of its officially recognized activities**. There is one exception to this rule: Central Community College's Board of Governors has authorized faculty and staff working with the Hospitality and Culinary Arts program to purchase alcohol for the purposes of students using it as an ingredient for cooking and for serving at specified events.

B. Examples of Violations of the Alcohol Policy

- Purchasing alcohol
- Selling or providing alcohol
- Possessing either full or empty alcohol containers
- Consuming alcohol
- Showing physical or mental impairment following or resulting from alcohol use

- Possessing empty alcohol containers for decorative purposes or possessing advertisements/decorative items promoting alcohol use
- Using or possessing common sources of alcohol including, but not limited to kegs, party balls, punch bowls, wine boxes, etc.
- Participating in or being present during the occurrence of any gathering or event where alcohol is found
- Possessing an open container of alcohol on Central Community College property
- Driving under the influence of alcohol

C. Examples of Violations of the Drug Policy

- Misuse of over-the-counter drugs
- Misuse or sharing of prescription drugs
- Possessing, using, being under the influence of, distributing, or manufacturing any form of illegal drug
- Possessing paraphernalia (i.e., rolling papers, pipes, bongs, vapes, etc.) for intended or implied use of any form of illegal drug
- Possessing paraphernalia that contains or appears to contain illegal drug residue
- Possessing advertisements/decorative items promoting illegal drug use
- Purchasing or passing illegal drugs from one person to another
- Using mail services to purchase, pass, or distribute illegal drugs

D. Drug and Alcohol Testing Policy

Reasonable grounds for requesting that a student submit to testing and executing of a consent form shall be deemed to exist when the student manifests physical or physiological symptoms or reactions commonly associated with the use of a controlled substance or alcoholic beverage.

The College shall insure that deans designated to determine whether reasonable suspicion exists to require an employee or student to undergo testing shall receive training on alcohol misuse and on controlled substance use. Training shall cover the physical, behavioral, speech, and performance indicators of probably alcohol misuse and use of controlled substances.

For further information on CCC's Drug and Alcohol Testing Policy, please consult:
https://www.cccneb.edu/drugalcoholtesting

E. Tobacco Free Policy

Central Community College is committed to a healthy environment for its employees, students and visitors. The U.S. Surgeon General has found that exposure to secondhand tobacco smoke and use of tobacco is significant health hazards. Consequently, Central Community College prohibits the use of all e-cigarettes, tobacco and other smokable substances, and/or the possession of any lit or unlit smoking instrument on College owned or leased property, including residence halls and vehicles. “Tobacco" as used in this policy refers to all tobacco products including smokeless (chewing) tobacco and any other smoking product. “Smoking," as used in this policy, means smoking any substance, including but not limited to, tobacco, cloves, or marijuana. "Smoking Products" include, but are not limited to, all cigarette products (cigarettes, bidis, kreteks, e-cigarettes, etc.) and all smoke producing products (cigars, pipes, hookahs, etc.) For more information about CCC’s Tobacco Free policy, please go to:

http://www.cccneb.edu/ccc-smokefree/

F. Excessive Alcohol Consumption

Students exhibiting signs of excessive alcohol consumption will be transported via Emergency Medical Services (EMS) at the student’s expense for medical attention. Refusal to cooperate with EMS personnel may result in arrest by local law enforcement and/or a conduct complaint for disorderly conduct and/or failure to comply.

G. Parental Notification Policy

Central Community College is concerned about students who improperly use alcohol and other drugs and the effects such use may have on their health, academic success, interpersonal relationships and, ultimately, their future. In accordance with the Family Educational Rights and Privacy Act (FERPA), the Director of Student Development, Vice President of Student Success and Enrollment Management, or his or her designee reserves the right to notify the parents/guardians of students under 21 years of age, and the parents/guardians of dependent students, regardless of age, of any incident in which the student is found responsible for violating the Central Community College alcohol and drug policy.

H. Resources

Free, confidential counseling for alcohol, tobacco, and other drug use issues is available to students through the CCC Counseling Services Office. Services offered may include screenings, assessment, individual counseling, educational programs/materials, and referrals to external agencies.

Section 12: Free Speech Policy

Central Community College (CCC) supports every individual's right to freedom of expression consistent with the forum in which the expression is made. CCC also recognizes the importance of fostering a culture of tolerance and civility that is a cornerstone for the accomplishment of its educational goals.

Expression that is severely, persistently, and objectively offensive, that is directed toward an individual based upon that individual's protected status (e.g., sex/gender, race, ethnicity, national origin, disability or age) and has the effect of limiting or deny educational or employment access, benefits or opportunities is not a protected form of speech or expression, and can form the basis of a violation of the campus harassment, bullying or discrimination policies. Other limitations on free speech include: endangering someone or threatening them; inciting violence; using "fighting words" directed at an individual or group that directly provoke violence; defamation; obscenity; and expression that has a discriminatory effect such that it limits or denies someone's educational or employment access, benefits and/or opportunities.

A. Free Speech Procedures

CCC has designated the following areas as public forums, areas on each campus where student's right to free speech may be exercised while not disrupting instruction or other educational/college activity that may be taking place. These areas are:

Columbus Campus Free Speech Zones

Columbus Campus will gladly provide free speech areas to individuals or groups upon making a request. With the nature of a large campus and various events there may be several options depending upon the situation.

Indoor
Student Center Area 124 & North Ed Area 931

Outdoor
Gazebo outside South Residence Hall & North side of Fine Arts Building. Additional locations may be identified by the Campus President, Associate Dean of Students, or Physical Plant Director as temporary free speech areas based upon inclement weather or the location of the activity being held on campus.

For more information or assistance with these locations, whether indoor or outdoor, please contact:

Associate Dean of Students at 402-562-1405, or

Campus President at 402-562-1211

Grand Island Campus Free Speech Zones

Grand Island Campus will gladly provide free speech areas to individuals or groups upon making a request. Because it is a large campus and various events take place, there may be several options depending upon the situation.

Outdoor

The designated free speech area on campus is outside the 100 – 200 wing entrance, at least 25 feet from the doorway, so as to not obstruct passage.

Indoor

In the event of inclement weather, the Student Center will be designated with the specific area to be identified by the Associate Dean of Students or his or her designee.

For more information or assistance with these locations, whether indoors or out please contact:

Associate Dean of Students at 308-398-7541, or

Campus President at 308-398-7400

Hastings Campus Free Speech Zones

Hastings Campus will gladly provide free speech areas to individuals or groups upon making a request. Because it is a large campus with various events, there may be several options depending upon the situation.

Indoor

Two indoor areas are free speech zones:

1) East side hallway of the Dawson Building and/or

2) Just inside the West entrance to the Hall Student Union.

Outdoor

As various events may take place outdoors and could be in various outdoor locations on campus please contact a college office (listed below) for identification of the specific area and/or appropriate and reasonable accommodations (table or chair(s) etc.

For more information or assistance with these locations, whether indoors or out please contact:

Associate Dean of Students at 402-460-2185, or

Campus President at 402-461-2400

Kearney Center Free Speech Zones

The Kearney Center will gladly provide free speech areas to individuals or groups upon making a request. Because various events take place, there may be several options depending upon the situation.

Outdoor
The designated free speech area on campus is on the grass between the main entrance and the south entrances to the building, at least 25 feet from the doorways, so as to not obstruct passage.

Indoor
In the event of inclement weather, the hallway between rooms 119 and 122 will be designated with the specific area to be identified by the Director of Student and Enrollment Services or his or her designee.

For more information or assistance with these locations, whether indoors or out please contact:

Director of Student & Enrollment Services at 308-338-4027, or

Associate Dean of Students at 308-398-7541, or

Kearney Center Vice President at 308-338-4002

B. Free Speech Procedures Within the Classroom by Students

Within the classroom, visual and/or aural demonstrations, depictions, or conduct that may be offensive to an individual will not be restricted when there is a legitimate pedagogical context, such as material having an appropriate connection to course subject matter. Similarly, campus discourse on topics of political, artistic or social issues that are conducted consistent with the nature of the forum and reasonable institutional limitations (registration to use space, time, place and manner regulations, etc.) that are clear and unambiguous will be supported.

Section 13: Guest Speaker Policy

It is the policy of CCC to foster a spirit of free inquiry and to encourage the timely discussion of the broad range of issues that concern our community, provided that the views expressed are stated openly and are subject to critical evaluation.

A. Guest Speaker Procedures for Student Organization

A registered student organization, may invite guest speakers to the campus, subject to the following provisions:

A. Sponsorship must be by a CCC recognized student organization
B. Proper arrangements for the use of CCC facilities must be made, consistent with CCC policy.
C. It must be clear that the student organization, not CCC, is extending the invitation and that any views the speaker may express are his or her own and not those of CCC.

D. The student organization must take whatever steps are necessary to ensure that the meeting is conducted in an orderly manner. This may necessitate consultation with campus security and/or hiring of outside security.

E. The student organization must comply with any and all conditions for the orderly and scholarly conduct of the meeting.

Section 14: Posting and Literature Distribution Policy

CCC supports the freedom to publicize activities and distribute materials by internal or external entities relating to functions on-and off-campus which benefit the CCC community and are consistent with CCC's values.

A. General Posting Procedure

Approval must be obtained prior to making use of the residence halls or campus facilities for the sale, promotion, posting or distribution of any type of material. All material must have a sponsor responsible for the material stated directly on each piece and adhere to all policies that apply. All printed materials posted or distributed on campus by students and guests must receive approval from the Associate Dean of Students or his or her designee. Printed materials include flyers, posters, banners, announcements and advertisements. Individuals must provide a sample to the Associate Dean of Students or his or her designee for stamped approval prior to any posting or distribution of such materials on campus.

B. Literature Distribution Procedures

Literature distribution must be supervised by a student member of the sponsoring registered organization. Non-students may not distribute literature on campus without specific approval from the Campus Associate Dean of Students.

Each sponsoring organization will be held responsible for the conduct of the distribution activity, including the behavior of any non-student participant.

On Campus: The distribution must be made only in designated areas. Calling out to people to facilitate the distribution of literature is not permitted. Absolutely no printed materials may be placed on automobiles parked on College property.

Off Campus: Posting or distribution of materials at an off-campus location requires permission of the proprietor.

C. Posting Guidelines

A maximum of 50 posters, 150 flyers or announcements, and up to four banners are permitted per event. Refer to the list of approved flyers posting locations in the next column. Any posters or materials may be hung only in the campus approved posting locations. See the section below. Masking tape or tacks are suitable for posting. Persons posting are responsible for providing all materials.

Materials may remain posted for a maximum of 30 days or until the day after the announced event, whichever is sooner, and the sponsoring group is responsible for removal.

D. Approved Posting Locations

Bulletin boards in hallways of campus/center buildings and any other location that is approved by the Associate Dean of Students or his or her designee.

E. Examples of Posting Violations

A. Posting materials without proper approval(s).
B. Posters with alcohol as the primary emphasis.
C. Use of two-sided, electrical or duct tape.
D. Covering another announcement or impairing an individual's line of sight.
E. Posting on glass doors or windows, painted or varnished surfaces.
F. Distribution on cars parked on campus.

Failure to adhere to this policy may result in losing the privilege to distribute or post printed materials on campus for a period of time to be specified by the Campus Associate Dean of Students.

Section 15: Religion/Association Policy

Students have the right to exercise their religious convictions and associate with religious, political, or other organizations of their choice provided they do so in a manner that respects the rights of other members of the community and complies with the Code of Student of Conduct. Student organizations have the right to affiliate members who subscribe to organizational tenets, beliefs and/or principles as long as all recognized organizations also abide by the College's non-discrimination policy.

Section 16: Gambling Policy

Students are expected to abide by the federal laws and the laws of Nebraska prohibiting illegal gambling, including online gaming. Gambling for money or other things of value on campus or at College-sponsored activities is prohibited except as permitted by law. Such prohibited activity includes, but is not limited to: betting on, wagering on, or selling pools; possessing on one's person or premises (e.g., room, residence unit, car) any card, book or other device for registering bets; knowingly permitting the use of one's premises or one's phone or other electronic communications device for illegal gambling; knowingly receiving or delivering a letter, package or parcel related to illegal gambling; offering, soliciting or accepting a bribe to influence the outcome of an athletic event; and involvement in bookmaking or wagering pools with respect to athletic events.

Section 17: Hazing Policy

All acts of hazing, as defined by this policy, by any individual student or sanctioned or promoted by any Central Community College registered student club or organization and any of its members or alumni are prohibited. Students are entitled to be treated with consideration and respect, and no individual may perform an act that is likely to cause physical or psychological harm to any other person within the Central Community College community. Accordingly, any such behavior is expressly forbidden when related to the admission, initiation, pledging, joining, or any other group-affiliation activity.

Any student or organization found to be involved in any hazing activity will face conduct action and may be subjected to suspension or expulsion from the College. A violation of this policy may exist irrespective of any alleged voluntary or consensual participation in the activity by the person(s) being abused.

Section 18: Sales and Solicitation

Canvassing or solicitation for funds, sales, or subscriptions is prohibited on campus or in Central Community College buildings unless written permission has been granted by the campus Associate Dean of Students or his or her designee. Additionally, outside and for-profit groups are not allowed to sell items or solicit members of the Central Community College community on campus without prior approval from the campus Associate Dean of Students.

Posters, flyers and other event advertisements pertaining to sales and solicitation for funds, sales or subscriptions must be approved by campus Associate Dean of Students or his or her designee prior to posting or distribution.

The sale of merchandise, or publications or service on Central Community College property, other than by contracted vendors, authorized stores, restaurants, departments or divisions of the College, is likewise prohibited except upon written permission of the campus Associate Dean of Students or his or her designee.

Section 19: Civil Rights and Title IX (Sex Discrimination) Policy

Title IX is a landmark 1972 federal civil rights law that prohibits sexual harassment, gender-based discrimination, and sexual violence. Title IX provides that “no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”

Members of the Central Community College (CCC) community, guests, and visitors have the right to be free from all forms of gender and sex-based discrimination, examples of which can include acts of sexual violence, sexual harassment, domestic violence, dating violence, and stalking. All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others. When an

allegation of misconduct is brought to an appropriate administrator's attention, and a respondent is found to have violated this policy, sanctions will be used to reasonably ensure that such actions are never repeated.

The Campus SaVE Act, a dramatic expansion to sexual violence reporting, was signed into law on March 7, 2013. CCC prohibits criminal offenses, including, domestic violence, dating violence, and stalking. CCC takes any complaint about sexual harassment or sexual assault very seriously. The college follows all of the guidelines published by the U.S. Department of Education and Office of Civil Rights (OCR). A more complete explanation of CCC's procedures related to these issues is available online https://www.cccneb.edu/what-is-title-ix. The specific Civil Rights Procedures and Policies that address how the college handles these types of reports for college employees and students can be found online at Civil Rights Policies and Procedures

While anonymous complaints are permitted, doing so may limit the College's ability to investigate and respond to a complaint. Central Community College will use the information provided to begin an investigation, which may include contacting the complainant, respondent, and/or any potential witnesses. The College's ability to respond is enhanced based on the quantity and quality of information provided.

Section 20: Student Sales & Fundraising

Sales will be conducted by registered student organizations only. Sales in stationary locations on campus must be approved by the campus Associate Dean of Students or his or her designee. Appropriate arrangements to reserve facilities must be completed at least five (5) business days before the event. Individuals or organizations may not sell or solicit donations off-campus in the name of Central Community College unless prior authorization is given by the Dean of Student Success.

Section 21: Student Right to Know and Campus Security Act of 1990

The Student Right to Know and Campus Security Act of 1990 (now known as the Clery Act) is a federal mandate which requires that all current students and employees be provided with information on policies and procedures involving campus security, the reporting of criminal action or other emergencies, and the enforcement authority of security personnel. This information must also include descriptions of programs for students and employees about campus security and crime prevention, as well as statistics on the occurrence of specific crimes. Notification of the annual security report is made by the College Security Director and the full report is posted on the Central Community College website each October. It can be accessed by going to Student Policies and Procedures | Central Community College (cccneb.edu)

Hard copies are available, upon request, from any campus Associate Dean of Students.

Section 22: Technology Use Guidelines

The Central Community College Acceptable Use Guidelines for Information Technology Resources are located at: Student Policies and Procedures | Central Community College (cccneb.edu)

Please consult these procedures for guidance on acceptable use of the College's technology resources.

Approval and Implementation

This Code of Student Conduct and Community Standards was approved in July, 2019, and implemented in July, 2019.