

Lansing Community College Student Code of Conduct

Introduction

Lansing Community College (LCC) recognizes the value and importance of a safe and orderly learning environment that encourages honesty, integrity, and ethical conduct conducive to academic success, personal growth, and responsible social behavior. The Student Code of Conduct and Student General Rules and Guidelines ensure the protection of student rights and the health and safety of the College community, as well as to aid in efficiently operating College programs. It is the responsibility of each student to know and abide by the Student Code of Conduct and Student General Rules and Guidelines.

The College has established procedures for reporting and addressing alleged violations of the Student Code of Conduct and [Student General Rules and Guidelines](#) in accordance with the College's [Ethics and Standards of Conduct for Students Policy](#). These procedures are designed to provide a fair, consistent, and reliable process for all parties.

The Student Code of Conduct and Student General Rules and Guidelines apply from the time of admission to the College and continue as long as the student remains enrolled at the College. They are also applicable to a student's conduct even if the student withdraws from school while a disciplinary matter is pending.

If an individual has violated the Student Code of Conduct or Student General Rules and Guidelines on College property (including buildings, grounds, structures, and real estate, and vehicles that are owned, rented, leased, or otherwise utilized by or under the control of LCC) while not enrolled as a student at the College, but then later seeks to enroll, they must first contact the Office of Student Compliance. The same Due Process procedures listed in Section 5 will be followed.

SECTION 1: Student Code Authority

The implementation of this procedure is the responsibility of the Dean of Student Affairs or designee.

- 1.1** The Director of Student Compliance develops procedures for the administration of the Student Code of Conduct and procedural rules for hearings that are in compliance with College policies and consistent with provisions of the Student Code of Conduct and Student General Rules and Guidelines.
- 1.2** Alleged violations are reported to the Office of Student Compliance. Due Process procedures listed in Section 5 are followed upon receipt of a report.
- 1.3** In cases of non-compliance with the Student Code of Conduct or Student General Rules and Guidelines, the College will issue appropriate sanctions (See Section 6) up to and including expulsion.
- 1.4** Decisions made by a Hearing Panel and/or the Director of Student Compliance (or designee) will be final, pending the appeal process listed in Section 7.
- 1.5** The College reserves the right to refer the alleged violation to authorities for criminal prosecution or to pursue civil action if warranted.

SECTION 2: Jurisdiction

- 2.1** The Student Code of Conduct and Student General Rules and Guidelines applies to conduct that occurs on College property (including buildings, grounds, structures, and real estate, and vehicles that are owned, rented, leased, or otherwise utilized by or under the control of LCC), at College sponsored activities or events, while pursuing an academic program, and to off-campus conduct that adversely affects the College.
- 2.2** The Student Code of Conduct and Student General Rules and Guidelines applies at all locations under the jurisdiction of the College, and also applies to all current students of LCC regardless of their enrollment status or actual geographical location of a student (i.e., face-to face; hybrid, HyFlex, on-line, etc.).
- 2.3** Students are responsible for their conduct from the time of admission to the College.
- 2.4** The Student Code of Conduct and Student General Rules and Guidelines applies to a student's conduct even if the student withdraws from school while a disciplinary matter is pending.
- 2.5** If an individual has violated the Student Code of Conduct or Student General Rules and Guidelines within the jurisdiction outlined in this section while not enrolled as a student, but later seeks to enroll, they must first contact the Office of Student Compliance. The same Due Process procedures listed in Section 5 will be followed.
- 2.6** The Dean of Student Affairs (or designee) will decide whether the Student Code of Conduct or Student General Rules and Guidelines applies to conduct occurring off campus.

SECTION 3: Definitions

- 3.1 Academic Negligence** means unknowingly or unintentionally claiming credit for the work or effort of another person, or unknowingly or unintentionally gaining (or causing another to gain) an unfair academic advantage.
- 3.2 Alcohol** is defined as any beverage in liquid form which contains not less than one-half of one percent of alcohol by volume.
- 3.3 Appellate Officer** is the Provost (or designee).
- 3.4 Cheating** includes, but is not limited to attempted or actual: (1) use of any unauthorized assistance in taking quizzes, tests, or examinations; (2) use of sources or resources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; (3) the acquisition, without permission, of tests or other academic material belonging to the College, a member of the College faculty, staff, or another student; (4) engaging in any behavior specifically prohibited by a faculty member in the course syllabus, program handbook, or class discussion for the purposes of academic credit; (5) allowing or participating in cheating by other students; or (6) other acts of dishonesty within the College but outside of the classroom.
- 3.5 College** means Lansing Community College.
- 3.6 College Official** includes any person employed by the College, performing assigned administrative or professional responsibilities.
- 3.7 College property** includes buildings, grounds, structures and real estate, and vehicles that are owned, rented, leased or otherwise utilized by or under the control of LCC (including adjacent streets and sidewalks).

3.8 Complainant means any person who submits a report alleging that a student violated the Student Code or General Rules or a student who believes they are a victim of another student's misconduct.

3.9 Conduct Officer is the Director of Student Compliance (or designee).

3.10 Consent is present when clearly understandable words or actions manifest a knowing, active, voluntary, and present and ongoing agreement to engage in specific sexual or intimate conduct. Consent must be all of the following:

Knowing: Consent must demonstrate that the individuals involved understand, are aware of, and agree to everything about the “who” (partners), “what” (acts), “where” (location), “when” (time), and “how” (conditions) of the sexual activity.

Active: Consent must take the form of “clearly understandable words or actions” that reveal one’s expectations and agreement to engage in specific sexual activity. This means that silence, passivity, submission, or the lack of verbal or physical resistance (including the lack of a “no”) should not, in and of themselves, be understood as consent. Consent cannot be inferred by an individual’s manner of dress, the giving or acceptance of gifts, the extension or acceptance of an invitation to go to a private room or location, or going on a date.

Voluntary: Consent must be freely given and cannot be the result of external pressures such as force (violence, physical restraint, or the presence of a weapon), threats (indications of intent to harm, whether direct or indirect), intimidation (extortion, menacing behavior, bullying), coercion (undue pressure, hazing) or fraud (misrepresentation or material omission about oneself or the present situation in order to gain permission for sexual or intimate activity).

Present and ongoing: Consent must exist at the time of the sexual activity. Consent to previous sexual activity does not imply consent to later sexual acts; similarly, consent to one type of sexual activity does not imply consent to other sexual acts. Consent may also be withdrawn at any time, provided the person withdrawing consent makes that known in clearly understandable words or actions.

See [College Policy](#) for an expanded definition of Consent.

3.11 Dating or Domestic violence

includes all violent criminal offenses (e.g., physical violence, interfering with personal liberty, etc.) as well as intimidation, harassment, physical abuse, or sexual abuse when it is caused by someone in an intimate relationship with another person. Examples of such actions include physical abuse (hitting, slapping, shoving, grabbing, biting, hair pulling, etc.); sexual abuse (marital rape, etc.); treating one in a sexually demeaning manner, coercing or attempting to coerce sexual contact without consent, etc.); and psychological or emotional abuse (name-calling, persistently undermining an individual's sense of self-worth or self-esteem, intentionally damaging one's relationships with others, etc.).

Dating violence: is committed by a person who has been in a dating relationship or a social relationship of a romantic or intimate nature with another person. Whether there was such a relationship will be gauged by its length, type, and frequency of interaction.

Domestic violence: is committed by a person who is the complainant's current or former spouse, current or former domestic partner, current or former cohabitant, a person with whom the complainant shares a child in common, or a person similarly situated under domestic or family violence law.

See [College Policy](#) for an expanded definition of Dating and Domestic Violence.

3.12 Drugs (Substances) are defined as (1) a controlled substance (*a drug, or a substance*) defined in the Federal Controlled Substance Act (Title 21 United States Code (USC) Controlled Substances Act.) including certain prescriptions and over-the-counter medications; (2) an illegal drug (*any substance*) that is unlawful to use, possess, sell, or transfer under state or federal law (where federal and state laws conflict, federal law applies); (3) a prescription drug (*any substance*) prescribed for an individual by a licensed health care provider and used in accordance with the prescription (including prescriptions not issued to the student) which cause impairment to the point of incapacitation, (4) an inhalant (*any substance*) that produces mind-altering effects when inhaled; (5) an over-the-counter medication (*a substance*) used in treating a disease or condition or relieving pain that may be obtained without a prescription which cause impairment to the point of incapacitation; and (6) drug paraphernalia (*any equipment, product, material of any kind, or combination of equipment, products, or materials*) specifically designed for use or primarily intended for use in planting; propagating; cultivating; growing; harvesting; manufacturing; compounding; converting; producing; processing; preparing; testing; analyzing; packaging; repackaging; storing; containing; concealing; injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance, possession of which is unlawful under either federal law 21 U.S. Code § 863 (d) or state law (MCL 333.7451). It includes items primarily intended or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, hashish oil, PCP, methamphetamine, or amphetamines into the human body.

3.13 Faculty or faculty member means any person hired by the College to conduct classroom or teaching

activities or who is otherwise considered by the College to be a member of its faculty union.

3.14 FERPA refers to the Family Educational Rights and Privacy Act.

3.15 Force means physical force, violence, threat, intimidation, or coercion.

3.16 General Rules refers to the Student General Rules and Guidelines.

3.17 Incapacitation is when an individual does not have the capacity to give consent due to age, mental or physical condition, or disability that impairs the individual's ability to understand and give consent. A person does not have the capacity to give consent if their judgment or awareness is impaired due to consumption of alcohol, drugs, or inhalants (voluntarily or involuntarily), or being in a state of unconsciousness, sleep, or another state in which the person does not have awareness. Signs of incapacitation include when an individual demonstrates that they are unaware of where they are, how they got there, or why or how they became engaged in an interaction.

See [College Policy](#) for an expanded definition of Incapacitation.

3.18 Member of College Community includes any person who is a student, faculty member, College Official or staff member employed by the College, or any authorized non-employed personnel (such as interns, volunteers, Board members, etc.). A person's status in a particular situation shall be determined by the Dean of Student Affairs (or designee).

3.19 Plagiarism includes the use, by paraphrase or direct quotation, of the published or unpublished work of another person, source, or organization without full and clear acknowledgment, including the use of previous academic work by the student without prior permission of the instructor. It also includes stealing or passing off as one's own the work, ideas, words,

images, or other creative works of another; or the unacknowledged use of materials prepared by another person, source, resource, or organization.

3.20 Policy means the written regulations of the College as found in but not limited to, the Course Schedule, the College Catalog, the College website, and/or other written regulations and procedures.

3.21 Presiding Officer is the Director of Student Compliance (or designee).

3.22 Responding Student means any student accused of violating the Student Code or General Rules, or any other rule or policy of the College.

3.23 Sexual Assault is any non-consensual sexual contact, including but not limited to non-consensual sexual penetration.

Non-Consensual Sexual Contact (e.g., fondling) is any intentional sexual touching, however slight, by any person upon another person that is without consent and/or accomplished by force or threat of force. Sexual contact includes (1) intentional contact with a person's breast, buttock, groin, or genitals, or (2) touching another with any of these body parts or with any object, or (3) making another touch you or themselves with or on any of these body parts, or (4) any other intentional bodily contact in a sexual manner.

Non-Consensual Sexual Penetration (e.g., rape) is any sexual penetration, however slight, by a person upon another person that is without consent and/or accomplished by force or threat of force. This includes vaginal or anal penetration, no matter how slight, by any body part or object; or oral copulation (mouth to genital contact), no matter how slight the penetration or contact.

3.24 Sexual Exploitation occurs when one person takes non-consensual or abusive sexual advantage of another for the advantage or benefit of oneself or a third

party. This includes, but is not limited to, the following actions (including when they are done by electronic means, methods, or devices):

- Invasion of sexual privacy (e.g., engaging in sexual voyeurism or permitting others to witness or observe the nudity or sexual or intimate activity of another person) without that person's consent;
- Indecent or lewd exposure or inducing others to expose themselves when consent is not present;
- Recording any person's nudity or sexual or intimate activity in a private space without that person's consent;
- Sharing or distributing sexual information, or images or recordings of a person's nudity or sexual activity, without that person's consent;
- Recruiting, harboring, transporting, providing, or obtaining another person for the purpose of sexual exploitation, such as prostitution;
- Knowingly exposing someone to or transmitting HIV or an STI/STD to another person;
- Inducing incapacitation in another person with the intent to engage in sexual conduct, regardless of whether prohibited sexual conduct actually occurs.

3.25 Sexual Harassment is unwelcome, sexual, sex-based, and/or gender-based verbal, non-verbal, written, electronic, online, and/or physical conduct that is so severe or pervasive that it unreasonably interferes with a person's College employment, academic performance, or participation in College programs or activities and creates a working, learning, program, or activity environment that a reasonable person would find intimidating, hostile, or offensive. Sexual harassment may include, for example, unwelcome sexual advances, requests for sexual favors, acts of sexual violence,

physical contact of a sexual nature, or verbal or non-verbal conduct of a sexual nature.

A hostile work/educational environment is created when sexual harassment is sufficiently severe, persistent, or pervasive, and objectively offensive that it unreasonably interferes with, denies, or limits someone's ability to participate in or benefit from the College's educational or employment programs or activities.

Quid Pro Quo Harassment is (1) unwelcome sexual advances, (2) requests for sexual favors, and (3) other verbal or physical conduct of a sexual nature by a person having power or authority over another when submission to such sexual conduct is made either explicitly or implicitly a term or condition of (a) employment or educational opportunities, or (b) receiving the benefits of any educational or employment program or activity, or (c) rating or evaluating an individual's education or employment progress, development, or performance

3.26 Stalking means a course of harassment directed at a specific person that would cause a reasonable person to feel frightened, intimidated, threatened, harassed, or molested, or to fear for her, his, their, or others' safety, or to suffer substantial emotional distress. Conduct that can amount to stalking may include any combination of actions directed at another person, whether done directly, indirectly, through others, via devices, or by any other methods or means (specifically including electronic means), including but not limited to:

- Following, appearing within sight of, or confronting a person;
- Being or remaining in close proximity to a person;
- Appearing at a person's residence or place of employment;
- Monitoring, observing, or conducting surveillance of a person;
- Threatening (directly or indirectly)

- a person;
- Communicating with a person by telephone, mail, or electronic communications;
- Placing an object on or delivering an object to a place owned, leased, or occupied by a person;
- Interfering with or damaging a person's property (including pets).

3.27 Student includes all persons currently admitted or enrolled (or upon the issuance of a student number) at the College, full-time or

part-time.

3.28 Student Code refers to the College's Student Code of Conduct.

3.29 Student Group or Organization is a group of students who have been recognized by the College as having a specific affiliation (such as registered student organizations and clubs, athletic teams, college-sponsored groups, etc.).

SECTION 4: Standards of Conduct

Conduct - Rules and Regulations

This section outlines prohibited conduct. Sanctions, as outlined in Section 6, may be imposed for any student who accepts responsibility for or is found responsible for violating the following rules and regulations:

- 4.1** Acts of dishonesty, including but not limited to:
 - a. Cheating (as defined in Section 3).
 - b. Plagiarism (as defined in Section 3).
 - c. Academic negligence (as defined in Section 3) and any other forms of academic dishonesty.
 - d. Misrepresentation of facts or furnishing false information to any College Official, faculty member, employee, or office, or representing or acting on behalf of the College or another individual when not authorized to do so.
 - e. Forgery, alteration, misrepresentation, or misuse of any official document, record, or instrument of identification used by or issued by the College.
 - f. Attempted, or actual Financial Aid fraud or corresponding behaviors that would allow a student to receive a monetary benefit for which they are not eligible.

- 4.2** Disruption or obstruction of teaching and learning, research, administration, disciplinary proceedings, College activities, events, or service functions.

- 4.3** Physical violence or assault; threats of physical violence; or threatening behavior which causes harm, or produces a risk of harm that would cause fear in a reasonable person; or other conduct which threatens or endangers the health or safety of any person or group of persons or the College community (including, but not limited to, messages stated in-person, by phone, via text message, by email, via messaging apps, on social media networks, or any electronic format, etc.).

- 4.4** Intimidation; harassment; coercion; bullying; or other conduct which creates an intimidating or threatening environment which causes harm, or produces a risk of harm that would cause fear in a reasonable person; or threatens or endangers the health or safety of any person or group of persons (including, but not limited to, certain messages stated in-person, by phone, via text message, by email, via messaging apps, on social media networks, or any electronic format, etc.).

- 4.5** Unlawful discrimination or related harassment

The College is an educational institution that embraces and promotes diversity, equity, and inclusion in all aspects of its operations.

No student or applicant for admission to any of the College's educational programs or services shall be discriminated against on the basis of race, color, sex, age, religion, national origin, creed,

ancestry, height, weight, sexual orientation, gender identity, gender expression, disability, familial status, marital status, military status, veteran status, or other status protected by law or genetic information that is unrelated to the person's ability to participate in educational programs, courses, services, or activities offered by the College.

The College prohibits retaliation or reprisals against any individual because the individual has filed a complaint or report about, participated in an investigation of, or otherwise opposed unlawful discrimination.

Anyone who is aware of possible retaliation or has concerns regarding the response to a complaint of prohibited discrimination or harassment should immediately report such concerns to the Equal Opportunity Officer, who will investigate the matter and pursue any appropriate corrective action.

See the [College Nondiscrimination Policy](#) for more information and the [Consumer Information website](#) for contact information to file a complaint.

4.6 Sexual misconduct, including:

- a. Dating or Domestic Violence (as defined in Section 3)
- b. Sexual Assault – Non-Consensual Sexual Contact (as defined in Section 3)
- c. Sexual Assault – Non-Consensual Sexual Penetration (as defined in Section 3)
- d. Sexual Exploitation (as defined in Section 3)
- e. Sexual Harassment (as defined in Section 3)
- f. Stalking (as defined in Section 3)
- g. Retaliation (as defined below)

All members of the LCC community, regardless of their sexual orientation or their gender or gender expression, or gender identity, have the right to engage in their College education, work, and other activities free from all forms of sex or gender-based discrimination or harassment, including sexual misconduct. Sexual misconduct includes all forms of sexual harassment as well as acts of sexual assault, dating or domestic violence, stalking, sexual exploitation and intimidation, and retaliation. Consensual or non-consensual sexual activities are prohibited in non-residential areas of the College. All members of the LCC community are required to conduct themselves in a manner that does not infringe upon the rights of others.

No person will be penalized for good faith utilization of channels available for resolving concerns dealing with prohibited discrimination or harassment. The College strictly prohibits any adverse action against any individual for making a good faith report, providing information, exercising one's rights or responsibilities under College policy, or otherwise being involved in the process of responding to, investigating, or addressing, or opposing any alleged incidents of prohibited discrimination or harassment, including allegations of sexual misconduct. Any person who engages in any retaliatory actions against any such individual for having engaged in these legally protected activities will be subject to disciplinary action that may include, but is not limited to, expulsion from the College and termination of employment. In addition, any person who engages in such retaliatory actions may be subject to criminal prosecution and may become liable in civil litigation.

Making deliberately false accusations of discrimination or harassment violates College policy and may violate other standards of conduct. In such instances, the complainant will be subject to disciplinary action. However, failure to prove a claim of discrimination or harassment does not constitute proof of a false and/or malicious accusation.

Anyone who is aware of possible retaliation or has concerns regarding the response to a complaint of prohibited discrimination or harassment, including allegations of sexual misconduct, should immediately report such concerns to the Title IX Coordinator or the Deputy Title IX Coordinator, who will investigate the matter and take appropriate corrective action.

See the [College Prohibited Sex or Gender-Based Discrimination, Harassment, and Sexual Misconduct Policy](#) for more information and the [Student Title IX and Sexual Misconduct Procedure](#) for procedures and information to file a complaint.

- 4.7 Attempted or actual theft of College property or property of a member(s) of the College community; unauthorized use or possession of College property or property of a member(s) of the College community; and/or damage to College property or property of a member(s) of the College community, or other personal or public property, on or off campus.
- 4.8 Hazing means any act that endangers the mental or physical health or safety of an individual (including, without limitation, an act intended to cause degradation, cruelty, or humiliation), or that destroys or removes public or private property, for the purpose of initiation in, admission to, affiliation with, or as a condition for continued membership in a student group or organization regardless if the group or organization is registered with the College. The expressed or implied consent of the victim is not a defense.
- 4.9 Failure to comply with the directions of College officials or law enforcement officers acting in performance of their duties.
- 4.10 Unauthorized possession, duplication, or use of keys or access cards to any College property; unauthorized entry to or use of any College property; or providing to an unauthorized person the means of unauthorized access.
- 4.11 Violation of any College policies, rules, or procedures published in hard copy, included in a course syllabus or program handbook, or available electronically on the College website.
- 4.12 Violation of any federal, state, or local law.
- 4.13. Use, possession, purchase, sale, dispensation, distribution, or manufacture of any drug (*substance*), or being impaired by any drug (*substance*) on College property, at College-sponsored events, and while pursuing an academic program. Drugs (*substances*) are defined as a controlled substance in the Federal Controlled Substance Act; an illegal drug that is unlawful to use, possess, sell, or transfer under state or federal law (where federal and state laws conflict, federal law applies); inhalants that produce mind-altering effects when inhaled; and prescription drugs (including prescriptions not issued to the student) and over-the-counter medications which cause impairment to the point of incapacitation. Use, possession, purchase, sale, dispensation, or distribution of drug paraphernalia is also prohibited on College property. Drugs (*substances*) are further defined in Section 3.

Drug (*substance*) violation type:

- a. Use and/or possession
- b. Purchase, sale, and/or dispensation
- c. Distribution and/or manufacture
- d. Impairment
- e. Use, possession, purchase, sale, dispensation, or distribution of drug paraphernalia

See the [Drug and Alcohol Policy](#) for more information.

- 4.14** Use, possession, purchase, sale, dispensation, distribution, or manufacture of alcohol, or being impaired by alcohol (except as expressly permitted by College regulations) on College property, at College-sponsored events, and while pursuing an academic program. Alcohol is defined as any beverage in liquid form which contains not less than one-half of one percent of alcohol by volume. Alcohol may not, in any circumstance, be used by, possessed by, purchased or sold by, dispensed or distributed by or to any person under twenty-one (21) years of age on College property, at College-sponsored events, and while pursuing an academic program.

Alcohol violation type:

- a. Use and/or possession
- b. Purchase, sale, and/or dispensation
- c. Distribution and/or manufacture
- d. Impairment
- e. Under age 21

See the [Drug and Alcohol Policy](#) for more information.

- 4.15** Smoking and vaping of tobacco or other products, including, but not limited to cigarettes, cigars, pipes, smokeless tobacco, vaporizing/vapor-producing devices, and e-cigarettes on all College property, at College-sponsored events, or in vehicles owned, rented, leased, or otherwise under the control of the College.

See the [Smoking Policy](#) for more information.

- 4.16** Possession or use of weapons including firearms (even as permitted by law); devices from which an electrical current, impulse, wave, or beam may be directed that is designed to incapacitate temporarily, injure, or kill; instruments or devices that operate based on spring, gas, or air, or contains explosive materials; instruments or devices such as a knife that has a sharp blade greater than 3 inches; instruments or devices such as brass knuckles designed or customarily possessed for use as a weapon; chemicals, biological, radioactive, or other dangerous substance or compound used as a weapon; or any explosive device on College property, at College-sponsored events, and while pursuing an academic program.

College property includes buildings, grounds, structures, and real estate owned, rented, leased, or otherwise under the control of the College (including adjacent streets and sidewalks), and vehicles that are owned, rented, leased or otherwise utilized by or under the control of the College.

See the [Weapons Policy](#) for more information.

- 4.17** Engaging in disorderly conduct at or in connection with a riot. Without authorization, assembling

together anywhere on the campus for the purpose of creating any excessive noise or any disturbance, riot, or raid; or assembling in a manner which obstructs the free movement of persons about the campus or the free and normal use of College buildings and facilities or which prevents or obstructs the normal operations of the College.

See the Advocacy - [Freedom of Speech Policy](#) for more information.

- 4.18** Obstruction of the free flow of pedestrian or vehicular traffic on College property or at College sponsored events.
- 4.19** Conduct that is disorderly; breach of peace; or aiding, abetting, or procuring another person to breach the peace on College property or at College-sponsored events. Disorderly conduct also includes the use of any device to capture audio, video, or digital record or photograph of any person while on College property, at College-sponsored events, and while pursuing an academic program where there is a reasonable expectation of privacy (i.e., restrooms, locker rooms, etc.).
- 4.20** Theft, abuse, unethical use, and/or misuse of College technology, computing facilities, and resources, including but not limited to:
- a. Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
 - b. Unauthorized transfer of a file.
 - c. Use of another individual's identification and/or password.
 - d. Use of computing facilities and technology resources to interfere with the work of another student, faculty member, staff, or College Official.
 - e. Use of computing facilities and technology resources to send obscene or abusive messages.
 - f. Use of computing facilities and technology resources to interfere with normal operation of College computing systems.
 - g. Use of computing facilities and technology resources in violation of copyright laws.
 - h. Any violation of the [LCC Acceptable Use Policy](#).
- 4.21** Abuse or obstruction of the Student Conduct Process, including but not limited to:
- a. Falsification, distortion, or misrepresentation of information.
 - b. Disruption or interference with the orderly process of a student conduct meeting or hearing proceeding.
 - c. Attempting to influence, intimidate, or discourage an individual's participation throughout the conduct process directly or indirectly.
 - d. Attempting to influence the impartiality of a Conduct Officer, a Presiding Officer, a Hearing Panel member, or Appellate Officer.
 - e. Harassment (verbal or physical) and/or intimidation of a Conduct Officer, a Presiding Officer, a Hearing Panel member, an Appellate Officer, or any individual involved in the Conduct Process.
 - f. Failure to comply with the decisions, sanction(s), and/or interim or supportive measures imposed under the Student Code of Conduct.
 - g. Influencing or attempting to influence another person, or aiding, abetting, conspiring, or hiring another person, or being an accessory to a prohibited act, to violate the Student Code of Conduct or commit an abuse of the Student Conduct Process.

- 4.22** Students are expected to follow ethical standards and conduct themselves as responsible members of the College community.

Violation of Law and Student Code of Conduct

The Conduct Process may be instituted for conduct that potentially violates both law and the Student Code of Conduct without regard to any arrest or the pendency of any civil litigation or criminal prosecution. The Conduct Process may be carried out prior to, simultaneously with, or following civil or criminal proceedings at the discretion of the Dean of Student Affairs (or designee). Determinations made or sanctions imposed pursuant to this process are independent of the outcome of any civil or criminal processes.

Section 5: Student Conduct Process and Procedures

Any member of the College community should submit a report when they become aware of potential violations by a student of the Student Code of Conduct or Student General Rules and Guidelines. Reports may be made to the Office of Student Compliance via the [online reporting form](#).

Initial Steps

- 5.1 The Director of Student Compliance (or designee) will conduct a preliminary review and investigation of the report to determine if the allegations have merit. If the allegations are determined to not have merit, the reporting party will be notified stating the reasons, and the matter will be closed. Such disposition shall be final and there shall be no subsequent proceedings unless the College becomes aware of additional material information that may lead to a different conclusion.
- 5.2 If it is determined that the allegations have merit, the responding student will be notified in writing of the allegations and alleged violation(s). The notification will direct the student to schedule an appointment with the Director of Student Compliance (or designee) to review the facts concerning the alleged violation(s) in order to determine if the process will move forward.

Student Meeting

- 5.3 During the meeting, the responding student meets with the Director of Student Compliance (or designee). Additional staff from the Office of Student Compliance may also be present. Meetings are not open to the public, but the student may have a support person or advisor present during the meeting. The responding student is responsible for presenting their own information, and therefore, a support person or advisor is not permitted to speak or to participate directly in the meeting. If the responding student would like a support person or advisor present during the meeting, they must make this known at the time of scheduling the meeting, and completion of a [Release of Information \(FERPA\) form](#) will be required. Meetings may be facilitated via video conference at the sole discretion of the Director of Student Compliance (or designee).
- 5.4 After reviewing the facts with the responding student and completing any additional witness meetings, investigation, or follow-up as needed, a decision will be made as to whether to move forward with a violation(s) of the Student Code of Conduct. The standard used in the determination is the preponderance of the evidence defined as "more likely than not" whether the responding student violated the Student Code of Conduct and/or Student General Rules and Guidelines. Based on the facts and circumstances presented, the charges may be amended, changed, or dismissed, and the student will be made aware of those changes as soon as possible.
- 5.5 In the event that the responding student fails to contact the Office of Student Compliance within five (5) business days of the written notification, a hold may be placed on the student's record which may result in the student's enrollment being delayed. The Director of Student Compliance (or designee) will then review the facts available without the student and make a decision whether to move forward with charges of the Student Code of Conduct.
- 5.6 If a decision is made to move forward with charges, the responding student will be notified in

writing of the alleged violation(s), and may elect to do one of the following:

- a. The responding student may admit the alleged violation(s) and request, in writing, that the Director of Student Compliance (or designee) determine sanctions; or
- b. The responding student may admit the alleged violation(s) and request a Student Conduct Hearing for determination of sanctions; or
- c. The responding student may deny the alleged violation(s), and request a Student Conduct Hearing for determination of responsibility and sanctions, if found responsible.

5.7 In the event that the responding student does not make an election of one of the three options listed above in 5.6 within ten (10) business days of the written notification, then the Director of Student Compliance (or designee) will determine sanctions.

Student Conduct Hearing

5.8 A hearing will be scheduled as promptly as possible for students who request a hearing as determined under Section 5.6.

5.9 The responding student and complainant shall be given written notice of the time, date, and place of the hearing; a list of the Hearing Chairperson and Hearing Panel members; the alleged violations of the Student Code of Conduct; and additional instructions regarding Student Conduct Hearing preparation.

5.10 Members of the Student Conduct Hearing Panel are selected from a pool of trained members appointed by the Dean of Student Affairs (or designee) and are comprised of the following:

- A Hearing Chairperson who conducts the hearing but does not participate in the deliberation;
- One college administrator;
- Two college faculty members; and
- Two current students from the student body.

In cases involving sexual misconduct, the board will be comprised of the following:

- A Hearing Chairperson who conducts the hearing but does not participate in the deliberation;
- One college administrator; and
- Two college faculty members.

In these cases, students do not serve in order to protect the privacy of the parties involved.

5.11 Student Conduct Hearings shall be carried out according to the following guidelines:

- a. The Student Conduct Hearing will be scheduled at the convenience of the sitting Panel members. Efforts will be made, however, to schedule the hearing within three (3) weeks of the date the student requested a hearing. Depending on their complexity, it may take longer to schedule a hearing.

- b. The parties will provide the Hearing Chairperson with a list of witnesses, and copies of documents and/or evidence they propose to present, if any, at the hearing, on or before a date set by the Chairperson (as communicated in the written hearing notice to the parties referenced in 5.9). The Chairperson will then provide each party with the list of Hearing Panel members, witnesses and identification of case documents and/or evidence submitted by each party, if any, not later than four (4) days before the scheduled hearing date. Depending on case complexity, timelines and deadlines for identification and notification of witnesses, documents, and/or evidence may be extended.

In the absence of good cause, as determined by the Chairperson at their sole discretion, the parties may not introduce witnesses, documents, and/or other evidence at the hearing that were not provided to the Chairperson on or before the date set by the Chairperson (as communicated in the written hearing notice to the parties referenced in 5.9). The parties are also responsible for the attendance of their witnesses at the hearing.

- c. Student Conduct Hearings are not open to the public. In cases involving sexual misconduct under the Student Code of Conduct, the College will keep the complaint and investigation confidential to the extent possible or as required by law.
- d. The complainant and the responding student may have a support person or advisor present during the hearing. The complainant and the responding student are responsible for presenting their own information, and therefore, a support person or advisor is not permitted to speak or to participate directly in the hearing. Parties should select a support person or advisor whose schedule allows attendance at the scheduled date and time of the hearing. If the complainant or responding student would like a support person or advisor present during the hearing, they must make this known on or before a date set by the Chairperson (as communicated in the written hearing notice to the parties referenced in 5.9), and completion of a [Release of Information \(FERPA\) form](#) will be required.
- e. The complainant, responding student, and their support person, or advisor will attend the entire hearing (excluding deliberations). Admission of any other person(s) to the hearing beyond the Hearing Panel members and Office of Student Compliance staff, shall be at the sole discretion of the Chairperson (or designee).
- f. In Student Conduct Hearings involving more than one responding student, the Chairperson (or designee), at their sole discretion, may permit the hearings concerning each student to be conducted either separately or jointly.
- g. The complainant, responding student, and witness will provide information to and answer questions from the Hearing Panel. Questions among the parties will be directed through the Hearing Chairperson. Acceptance of potential information/questions shall be at the sole discretion of the Chairperson.
- h. Pertinent records, exhibits, and written statements (including Student Impact Statements) may be accepted as information for consideration by a Hearing Panel at the sole discretion of the Chairperson.
- i. All procedural questions are subject to the final decision of the Chairperson.
- j. Requests for a continuance shall be at the discretion of the Chairperson.
- k. After all pertinent information has been received, the Hearing Panel shall determine (by

majority vote) whether the responding student is responsible or not responsible for each alleged violation of the Student Code of Conduct. The Hearing Panel will also recommend an appropriate sanction(s) to the Chairperson.

- l. The Panel may also recommend a different charge(s) to the Chairperson if they believe the facts support other violation(s) of the Student Code of Conduct. If the Panel recommends new charges, and they are approved by the Chairperson, a new notice of alleged violation(s) will be sent to the responding student beginning with step 5.1.
- m. The Hearing Panel's standard used in the determination shall be made based on the preponderance of the evidence defined as "more likely than not" whether the responding student violated the Student Code of Conduct and/or Student General Rules and Guidelines.
- n. If a disruption occurs during the hearing, the Chairperson, at their sole discretion may have the disruptive party removed from the hearing.
- o. There shall be a single verbatim record of all Student Conduct Hearings. Deliberations shall not be recorded. The record shall be the property of the College. Any digital recording will be maintained only until the appeal process has concluded (if applicable) or until the time of appeal has lapsed. The digital recordings are not part of the public domain.
- p. If a responding student or complainant, with notice, elects not to participate in the Student Conduct Hearing, they shall be considered to have waived the right to appeal. The hearing will proceed as scheduled and a determination will be made by the Hearing Panel with the student in absentia.
- q. The Chairperson may accommodate concerns for personal safety and well-being of all parties by providing separate facilities, by using a visual screen, or by authorizing participation by video conference. In such cases, written notice will be given to all parties as to the reason for the decision.
- r. Once the Hearing Panel has made a decision as to whether more likely than not the responding student, student group, or organization has violated the Student Code of Conduct and/or Student General Rules and Guidelines, the Hearing Panel will make recommendations to the Chairperson regarding appropriate sanction(s).
- s. After receiving the Panel recommendations, the Chairperson shall make a final determination of the most appropriate sanction(s) proportionate to the violation(s), taking into consideration the Hearing Panel's recommendations.

Informal Resolution

- 5.12** If the complainant requests an alternate form of resolution, and the responding student agrees, then the parties will engage in an informal process. If the Informal Resolution results in mutual satisfaction of both parties, then the case will be considered adjudicated. If the case is not adjudicated, then it will be forwarded to the Hearing Panel for a Student Conduct Hearing.
- 5.13** The College will obtain the parties' voluntary, written consent to the Informal Resolution, and will provide the parties written notice disclosing the allegations and the requirements of the

Informal Resolution Process. The College may also determine when an Informal Resolution may be appropriate. Either party can withdraw from an Informal Resolution at any time prior to agreeing to the resolution. The College may propose sanctions as part of the Informal Resolution, and both parties must agree to the resolution.

- 5.14** Informal Resolution provides an opportunity for the complainant and the responding student to state their positions regarding the incident as well as to communicate their proposed solutions. Both parties must attend the Informal Resolution in front of a Presiding Officer, who facilitates the Informal Resolution. Both parties must fully participate in a respectable manner.
- 5.15** A Presiding Officer will facilitate the Informal Resolution. Staff from the Office of Student Compliance may also be present. Informal Resolution proceedings are not open to the public, but the parties may have a support person or advisor present. The parties are responsible for presenting their own information, and therefore, a support person or advisor is not permitted to speak or to participate directly in the proceeding. If the complainant or responding student would like a support person or advisor present, they must make this known at the time of consenting to the Informal Resolution, and completion of a [Release of Information \(FERPA\) form](#) will be required.
- 5.16** If the responding student elects to acknowledge their actions and take responsibility for the alleged violation(s), the Presiding Officer will ask for input from the parties in deciding the appropriate sanction(s). The Presiding Officer will present the proposed sanction(s) to the parties. The parties must agree on the sanction(s). If the parties disagree, further discussion will take place until the parties are in agreement. Once an agreement on sanctions has been reached, the Informal Resolution will be concluded, and the case will be resolved without any further rights of appeal by either party. The Presiding Officer may also issue supportive measures such as a no-contact order agreed upon by the parties as deemed appropriate. In the event an agreement cannot be reached regarding sanction(s), the case will be forwarded to the Hearing Panel for a Student Conduct Hearing.
- 5.17** If the responding student elects to contest their actions and deny responsibility for the alleged violation(s), and the complainant agrees, the Informal Resolution will be concluded, and the case will be closed without any further rights of appeal by either party. The case, however, may be reopened if material additional information becomes known. If the complainant disagrees, further discussion may take place with agreement from the parties, or the case will be forwarded to the Hearing Panel for a Student Conduct Hearing. The parties may also discuss mutually agreed upon supportive measures such as a no-contact order or change in schedule that may bring resolution to the matter without a finding of responsibility.

Outcome of Student Meeting, Hearing, or Informal Resolution

- 5.18** The complainant will receive information regarding the notification of alleged violations to the responding student, as well as the outcome and final decision of the meeting, hearing, or informal resolution including a rationale for the decision. Complainants of sexual misconduct under the Student Code of Conduct will receive a copy of the actual notification and sanction letter sent to the responding student.

Section 6: Sanctions

6.1 The Conduct Officer, Presiding Officer, or Hearing Panel and the Chairperson will consider the sanctions listed below for any student found responsible for a violation(s) of the Student Code of Conduct or Student General Rules and Guidelines that they find to be fair and proportionate to the violation(s). In determining an appropriate sanction(s), they endeavor to be educational and restorative in nature and may also consider any record of past violations of the Student Code of Conduct or Student General Rules and Guidelines as well as the nature and severity of such past violation(s). Any sanction(s) issued will include a rationale in the written determination. The College will issue sanctions consistent with the impact of the offense on the College community. Progressive sanctioning principles will be followed in that the student's prior discipline history at the College will be taken into account. The following sanctions may be issued:

- a. Written Warning - A written notice to the student that the student has violated College regulations.
- b. Probation - A period of observation and review of conduct during which the student or student group or organization must demonstrate compliance with College standards. Probation is for a designated period of time and includes the probability of additional sanctions if the student or student group or organization is found to violate any College regulation(s) during the probationary period. Probation may be issued for any violation(s), but will be issued for all alcohol and drug violations and all violations resulting in sanctions of suspension or dismissal.
- c. Restrictions - Denial of access to specific areas of the College or participation in certain groups or activities for a designated period of time and for clearly stated reasons.
- d. Discretionary Sanctions - Educational assignments, essays, or other related discretionary assignments.

Discretionary sanctions may be issued for any violation(s). Discretionary sanctions for drug and alcohol offenses specifically, may include assignments, essays, informational meetings, meeting with an LCC Counselor to discuss drug and alcohol abuse, Random Preliminary Breath Test (PBT), and completion of community drug and/or alcohol rehabilitation programs, and education programs. Discretionary sanctions for sexual misconduct offenses specifically, may include meeting with an LCC Counselor to discuss sexual harassment and/or completion of education programs.

- e. No contact order – an order prohibiting contact between the responding student and the complainant, witnesses, and/or other individuals including any/all unwarranted communications between the parties including, but not limited to, communication via technology, third party communication, or face to face.
- f. Suspension - Separation of the student from the College for a specified length of time (usually a year or less) after which the student is eligible to return. Conditions for readmission may be specified. Suspensions may be effective immediately or deferred (e.g., a suspension issued toward the end of a semester may be deferred to the day after the end of that semester).

When students are issued a suspension, re-entry to the College is determined at the return from suspension meeting with the Office of Student Compliance. All sanctions must be completed prior to the return from suspension meeting. The College does

not have a specific re-entry program for students with alcohol and drug violations beyond what is listed here.

- g. Dismissal - Separation of the student from the College for a year or more. The student may be eligible for return. Conditions for readmission may be specified. Dismissals will be effective immediately.

When students are issued a dismissal, re-entry to the College is determined at the return from dismissal meeting with the Office of Student Compliance. All sanctions must be completed prior to the return from dismissal meeting. The College does not have a specific re-entry program for students with alcohol and drug violations beyond what is listed here.

- h. Expulsion - Termination of the student from the College permanently. Expulsions will be effective immediately.
- i. Revocation of Admission and/or Degree - Admission to or a degree awarded from the College may be revoked for fraud, misrepresentation, or other violation of College standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- j. Withholding Degree or Certificate - The College may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Code of Conduct, including the completion of all sanctions imposed, if any.

6.2 More than one of the sanctions listed above may be imposed for any single violation.

6.3 The following sanctions may be imposed for student groups or organizations:

- a. Those sanctions listed above in 6.1 (a-j).
- b. Loss of selected rights and privileges for a specified period of time.
- c. Loss of Recognition- Registered Student Organizations may lose recognition and will be deprived of the use of College resources, the use of the College's name, and the right to participate in College or campus-sponsored activities. The loss of recognition may be for a specific period of time or for an indefinite period of time until stated all conditions are met.

Interim Suspension

6.4 In certain circumstances, the Dean of Student Affairs (or designee), may impose an interim suspension at the onset of the Student Conduct Process.

6.5 Interim suspension may be imposed only in the following circumstances:

- a. to ensure the safety and well-being of members of the College community or preservation of College property; or
- b. to ensure the student's own physical or emotional safety and well-being; or
- c. if the student causes disruption of, or interference with, the normal operations of the College.

6.6 During the interim suspension, a student shall be denied access to the campus (including classes) and/or all other College activities or privileges for which the student might otherwise

be eligible, as determined by the Dean of Student Affairs (or designee).

- 6.7** Students may appeal an interim suspension by submitting a written statement within two business days of receiving written notification of the interim suspension to the Office of Student Compliance. The written statement should outline why the interim suspension is inappropriate. The Provost (or designee) will review the appeal and provide a response within 5 business days.
- 6.8** The interim suspension does not replace the regular process, which shall proceed on the normal schedule, up to and including the completion of a Student Conduct Hearing, if required.

Section 7: Appeals

- 7.1** Either party (responding student or complainant) may appeal the decision of the Director of Student Compliance (or designee) or the decision of the Hearing Panel within ten (10) business days of the date of the decision. Such appeals shall be in writing by completing the appeal form, including any additional information, and submitting it to the Office of Student Compliance. Both parties will be notified in writing upon receipt of an appeal.
- 7.2** The Provost (or designee) shall have the sole authority to determine whether or not an appeal warrants further review. An appeal that has been accepted for review shall be limited to a review of the information submitted in the appeal. In addition, for appeals regarding the Hearing Panel's decision, the review may include the verbatim record of the Student Conduct Hearing and supporting documents. Appeals may be considered for one or more of the following reasons only:
- a. A procedural irregularity that affected the outcome of the matter;
 - b. New evidence that was not reasonably available at the time determination regarding responsibility was made, that could affect the outcome of the matter;
 - c. A demonstrable bias by a member(s) of the Hearing Panel;
 - d. A sanction that is (substantially) disproportionate to the severity of the violation(s).
- 7.3** If an appeal is based on 7.2 (a), (b) or (c) (as listed above) and is approved by the Provost (or designee), the matter shall be returned to a new Student Conduct Hearing Panel and Chairperson for a hearing or rehearing, which will take into consideration the suggestions made by the Provost (or designee) in addition to the facts that were originally presented.
- 7.4** If an appeal is based on 7.2 (d) (as listed above) and is approved by the Provost (or designee), the matter will be returned to a new Student Conduct Hearing Panel and Chairperson to determine sanction(s) only.
- 7.5** The decision of the new Hearing Panel and Chairperson, after it has rendered its decision in any of these cases, shall be final and binding upon all involved.
- 7.6** If an appeal is not approved by the Provost (or designee), the matter shall be considered final and binding upon all involved.
- 7.7** Both parties will be notified simultaneously in writing of the appeal outcome, including the rationale for the decision.

Section 8: Revisions

This Procedure may be revised, in writing, by the College at any time in compliance with regulatory guidance, College policies, and procedures. The College will maintain the most updated procedure on the LCC website.

Non-Discrimination Statement:

LCC provides equal opportunity for all persons and prohibits discriminatory practices based on race, color, sex, age, religion, national origin, creed, ancestry, height, weight, sexual orientation, gender identity, gender expression, disability, familial status, marital status, military status, veteran's status, or other status as protected by law, or genetic information that is unrelated to the person's ability to perform the duties of a particular job or position or participate in educational programs, courses, services or activities offered by the College.

The following individuals have been designated to handle inquiries regarding the nondiscrimination policies: Equal Opportunity Officer, Washington Court Place, 309 N. Washington Square, Lansing, MI 48933, 517-483-1730; Employee Coordinator 504/ADA, Administration Building, 610 N. Capitol Ave. Lansing, MI 48933, 517-483-1875; Student Coordinator 504/ADA, Gannon Building, 411 N. Grand Ave. Lansing, MI 48933, 517-483-1885; Human Resource Manager/Employee Title IX Coordinator, Administration Building, 610 N. Capitol Ave. Lansing, MI 48933, 517-483-1879; Student Title IX Coordinator, Gannon Building, 411 N. Grand Ave. Lansing, MI 48933, 517-483-9632.

Revised: 03/11/2024