

**Miles College
Student Code of Conduct
2008-2009**



**MILES
COLLEGE**

**AN ACADEMY
FOR THE
21ST CENTURY**

STUDENT CODE OF CONDUCT 2008-2009

Miles College places marked emphasis on proper conduct, social graces, orderly behavior, good manners, grooming, and concern for the individual and functions to provide teaching, learning, and social interchange in a healthy environment. Accordingly, certain rules and regulations must exist and be enforced. Such rules and regulations have been standardized into a **STUDENT CODE OF CONDUCT**. This Code of Conduct applies to all students enrolled at Miles College. Miles College is a community like any other which has certain standards of behavior. Students, faculty, and staff are expected to conduct themselves in a manner that supports the educational goals and mission of the college. All individuals must abide by the law and college policies. Students who do not abide by the college guidelines and Student Code of Conduct are subject to discipline. Violations of the Student Code of Conduct are processed through the Office of the Dean of Students. The administration of student discipline is recognized as a vital part of the educational process. The College must exercise its rules within the fair and proper established procedures of due process.

Definitions

The following definitions and explanations apply to terms used in the Miles College Student Code of Conduct:

“**College**” or “**institution**” means Miles College.

“**Student**” includes all persons taking courses at the college, both full-time and part-time. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the college are considered “students.”

“**College official**” includes any person employed by the college, performing assigned administrative or professional responsibilities.

“**College premises**” includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the college (including adjacent streets and sidewalks).

“**Community**” includes any person who is a student, faculty member, college official, or other college employee. A person’s status in a particular situation shall be determined by the Dean of Students

“**College-sponsored activity**” means any activity on or off campus that is initiated, aided, authorized, or supervised by the college.

“**Admonition**” means a warning.

“**Expulsion**” means permanent severance of the student’s relationship with the college. Request for readmission and/or review of the case at a future date may be done only through written communication to the President of the College.

“Suspension” means temporary severance of the student’s relationship with the college for a specific period of time, though not less than one semester. A student expelled or suspended shall leave the campus and not visit the campus during the period of expulsion or suspension, except when on official school business. To violate this stipulation would affect adversely the student’s chance for readmission. During the suspension, the student shall not: (1) attend classes, or (2) participate in any College authorized activities. This status of suspension shall be reflected on the transcript only for the duration of the suspension, and will be removed by the Dean of Student Affairs when the student regains eligibility to re-enter the College. A record of the disciplinary suspension remains a part of the student’s confidential record concerning individual suspension and shall indicate: (1) the date at which the suspension begins, and (2) the earliest date at which application may be accepted for readmission. The student must submit a written request to the Dean of Student Affairs requesting readmission.

“Probation” means subjection of any individual to a period of testing and trial. Notice is given to the student that any further disciplinary violation may result in suspension or expulsion. Disciplinary probation may also include any or all of the following: the setting of restrictions or fines; the issuance of a reprimand; or a requirement of public work. A student on disciplinary probation will not be permitted to hold an elected or appointed office or to participate in or attend any contest, performance, or other extracurricular activity, on or off campus, that is sponsored by the college or with which the college is involved. This penalty is for a definite period of time determined by the circumstances of the case and is the most severe penalty under which a student may remain in the College. A record of the disciplinary probation remains a part of the student’s confidential record in the Office of the Dean of Student Affairs.

Inappropriate Conduct

Inappropriate conduct by students at Miles College is discouraged and will not be tolerated. If a student engages in conduct that violates one or more provisions of the Student Code of Conduct, he or she will be subject to disciplinary action.

Such action normally includes:

- (1) Determination by the Dean of Students to impose or recommend corrective measures, such as probation, suspension, or expulsion
- (2) the right to appeal to the Judicial Council in cases of suspensions or expulsions, whose recommendation is final
- (3) a right to appeal to the President, who has the final responsibility of all disciplinary decisions under the Constitution and By-laws of the College (Article II, Section IV) to review the recommendation of the Judicial Council.

Should a student be charged with a criminal offense, the nature of which may present a clear and present likelihood of serious physical or mental harm to the student or to any other member of the college community, the Dean of Students may impose such temporary sanction on the student, including suspension, as may be deemed necessary to protect the student, college community, and/or property from such danger. Such temporary sanction may exist and be enforced only until such time as final disposition has been made of the case by the Judicial Council.

Further, the Dean of Students shall have the power to impose such temporary sanctions (interim actions), including suspension, pending a hearing, when the student or group of students engages in conduct that materially and substantially interferes with the requirements of appropriate discipline in the operation of the college.

Sanctions

Experience suggests that most inappropriate behavior will involve violations of more than one section of the Student Code and, as such, may yield sanctions beyond those minimums spelled out in this code.

The following list of sanctions is illustrative rather than exhaustive. *The college reserves the right to create other sanctions as it deems appropriate:*

- Expulsion from the college with permanent notation on transcript of disciplinary action.
- Suspension from the college with permanent transcript notation.
- Loss of eligibility for college funded scholarships or funds, including part-time work.
- Cancellation of residence hall contract.
- Probation—repeat violation of same code section or violation of any other code section while on probation could lead to the sanctions listed below.
- Loss of membership on teams, clubs, and officially recognized organizations.
- Community service/uncompensated labor.
- Loss of institutional titles such as Miss Miles College or SGA President
- Restitution.
- Loss of guest privileges on campus or residence halls.
- Letter of censure or reprimand.
- Requirement of a letter of apology.
- Requirement of counseling, education, or chapel attendance

Due Process

For offenses that may result in suspension and/or expulsion, the procedures to be followed are:

Adequate Notice: A student who faces expulsion or suspension must be informed of the accusations and apprised of them with such specificity that an adequate defense can be prepared. Records of improper conduct should be maintained, and the rule broken must be legally defensible.

Rules and Regulations governing student conduct shall be distributed to the students and/or posted in a conspicuous place. These rules should be contained in the Student Handbook. A Miles College Student Handbook is available to each student when he/she is admitted to the College or when revisions are made.

Copy of Procedures: The involved student should be provided with a copy of the Judicial Council's decision in order to insure that they know all of their rights.

Student Violations and Related Sanctions

A: Physical Abuse

Physical abuse of others (staff, students, members of the community) including but not limited to, fights and injury caused by endangering behavior.

Sanction: A violation of this section may result in one or a combination of the following: expulsion, suspension, a fine of not less than \$100 and not more than \$250, probation, mandatory counseling and/or community service.

B: Rape

Rape is the oral, anal, or vaginal penetration by an inanimate object, penis, or other bodily part without consent. The act of penetration will be considered forced and without consent if the victim was unable to give consent due to a condition of which the offending student was or should have been aware (e.g., the victim was intoxicated due to the excessive use of alcohol or other drugs, coerced, or threatened verbally, including being threatened with future physical harm).

Sanction: EXPULSION

C: Breaking and Entering/Theft

Breaking and entering of any college building or a part thereof; or theft including, but not limited to, the unauthorized use of ATM, phone, credit cards, checks, Miles College ID cards, or computer systems, and knowingly possessing stolen property.

Sanction: A violation of this section may result in one or a combination of the following: expulsion, suspension, a fine of not less than \$100 and not more than \$250, probation, or community service.

D: Weapons, Firearms and Explosives

Possession or use of weapons, firearms, fireworks, bullets, or other explosive devices on college property. (The term weapon may be defined as any object or substance designed to inflict a wound, cause injury, or incapacitate.)

Sanction: EXPULSION (No appeal to Judicial Council)

E: Illegal Substances

The illegal sale, distribution, or possession of illegal substances

Sanction: A violation of this section may result in one or a combination of the following: referral to authorities, expulsion, suspension, a fine of not less than \$200 and not more than \$500, probation, mandatory drug counseling, or community service.

F: Breaching Campus Safety or Security

Breaching campus safety or security includes, but is not limited to:

A. Unauthorized access to college facilities; intentionally damaging door locks; unauthorized possession of college keys or access cards; duplicating college keys or access cards; or propping open of exterior residence hall doors;

B. Tampering with fire safety equipment, such as fire extinguishers, smokedetectors, alarm pull stations, or emergency exits;

C. Placement of equipment or vehicles (including bicycles) so as to obstruct the means of access to or from college buildings.

Sanction: A violation of this section may result in one or a combination of the following: suspension, termination of housing contract, a fine of not less than \$100 and not more than \$250, probation, or community service.

G: Hazing

Miles College upholds the position on hazing adopted by the Association of Fraternity Advisors (AFA) and the National Pan-Hellenic Council; however, for brevity, the following policy should be utilized by all student organizations as a guideline. Enforcement of this policy falls under the jurisdiction of the Office of Student Affairs. For purposes of this section, hazing means any activity or situation intentionally or unintentionally created, with or without consent, whether on or off the organizations premises that: (1) endangers the mental or physical health of the participants; which produces physical discomfort; which subjects the individual to embarrassment, harassment, or ridicule; or which creates excessive fatigue; or (2) threatens physical or psychological harm to the individual; which requires participation by the individual in quests, treasure/scavenger hunts, stunts, morally degrading or humiliating games and activities; which requires late or early work sessions; or any activity that is not consistent with the laws, rituals, and policies of the organization or the regulations and policies of the college. Any individual member or members of the organization participating in hazing activities will forfeit the organization's campus privileges, including its rights to license or its existence on the campus. The following are examples of conduct that constitute hazing activities:

A. Actions that recklessly or intentionally endanger the physical and mental health or safety of students.

B. Forced or required consumption of any food, drink, drug, or any other substance.

C. Forced or required participation in physical activities, such as calisthenics, exercises, or so-called games.

D. Exposure to the weather.

E. Excessive fatigue resulting from sleep deprivation, physical activities, or exercises.

F. Assignment of activities that would be illegal or unlawful, or might be morally offensive to the individual.

G. Physical brutality, including paddling, striking with fists, open hands, or objects; and branding.

H. Kidnapping, transportation, or stranding of individuals ("Road trips").

I. Verbal abuse, including "Line-ups" and berating of individuals.

J. Forced or required conduct that could embarrass or adversely affect the dignity of the individual, including the wearing of apparel that is conspicuous or extraordinary, and the performance of public stunts and activities.

K. Forced servitude, including errands and cleanup activities.

L. The intentional creation of cleanup work or labor for pledges by active members or alumni.

M. Denial of sufficient time to study.

N. Nudity or lewd behavior.

O. Any other activities not consistent with the policies of the college.

Sanction: A violation of this section may result in one or a combination of the following: referral to authorities, expulsion, suspension, a fine of not less than \$250 and not more than \$1,000, probation, or community service.

H: Sexual Assault

Sexual assault is defined as the unwanted touching of the intimate body parts of another (e.g., breasts, buttocks, groin, genitals, or the clothing covering any such body part). These acts will be considered unwanted and without consent if the victim was unable to give consent due to a condition of which the offending student was or should have been aware (e.g., the victim is intoxicated due to the excessive use of alcohol or other drugs, coerced, or threatened verbally, including being threatened with future physical harm).

Sanction: A violation of this section may result in one or a combination of the following: referral to authorities, expulsion, suspension, a fine of not less than \$200 and not more than \$500, probation, community service.

I: Academic Dishonesty

Academic dishonesty, including any attempt of a student to present as his or her own work that which is not his or her own work, aiding or abetting others in such an attempt, or any other forms of cheating.

Sanction: A violation of this section may result in one or a combination of the following: expulsion, suspension, a fine to be determined by the Office of Academic Affairs Judiciary Committee.

J: Disruptive Behavior/Disorderly Conduct/Obscene Behavior/Endangering Behavior

Participation in promoting disruptive behavior that would interfere with teaching, disciplinary proceedings or other college activities. Such activity may include, but is not limited to:

Classroom behavior that interferes with either (a) the instructor's ability to conduct the class, (b) the ability of other students to profit from the instructional program, or (c) any behavior not otherwise specified that is not acceptable and detrimental to the College Community.

Endangering behavior is defined as conduct demonstrating that the student constitutes a danger to others or to the proper functioning of the college, including threats, possession of mace or other chemical sprays, possession or use of knives, propping safety doors open, etc.

Sanction: A violation of this section may result in one or a combination of the following: referral to authorities, cancellation of residence hall agreement, expulsion, suspension, a fine of not less than \$100 and not more than \$500, probation, restitution, mandatory counseling, or community service.

K: Intimidation

Intimidation or harassment on the basis of race, religion, national origin, age, sex, sexual orientation, handicap, or veteran status.

Sanction: A violation of this section may result in one or a combination of the following: expulsion, suspension, a fine of not less than \$100 and not more than \$250, probation, mandatory counseling, or community service.

L: Sexual Harassment

Sexual harassment occurs when a person is the recipient of unwelcome sexual advances, unwelcome requests for sexual favors, or other unwelcome verbal, visual, or physical conduct of a sexual nature where:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education or employment;
- Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting the individual's welfare; or
- Such conduct has the purpose or effect of substantially interfering with an individual's welfare, academic or work performance, or creates an intimidating, hostile, offensive or demeaning education or work environment.

Examples of Prohibited Behavior

Prohibited acts that constitute sexual harassment may take a variety of forms.

Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- Repeated unwelcome sexual propositions, invitations, solicitations and flirtations.
- Stated or implied threats that a person's employment, wages, academic grade, promotional opportunities, classroom or work assignments or other conditions of employment or academic life may be adversely affected by not submitting to sexual advances.
- Repeated and pervasive unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene gestures.
- Unwanted exposure to sexual graffiti, photographs, electronically transmitted images or suggestive objects that substantially interfere with an individual's welfare, academic or work performance.
- Unwelcome and inappropriate touching, patting or pinching.

Sanction: A violation of this section may result in one or a combination of the following: expulsion, suspension, a fine of not less than \$200 and not more than \$500, probation, or community service.

M: Stalking

Any repeated conduct directed specifically at another person that causes that person to fear his or her safety. Such conduct includes following another person and actions (internet, phone calls, and text messages) that threaten or intimidate another person through fear of bodily injury.

Sanction: A violation of this section may result in one or a combination of the following: referral to authorities, expulsion, suspension, a fine of not less than \$100 and not more than \$250, probation, or community service.

N: Possession or Consumption of Alcohol

Drinking or having in possession any alcoholic beverage on campus or in campus housing; possession and/or consumption by a minor; and public intoxication.

Sanction: A violation of this section may result in one or a combination of the following: cancellation of housing contract, suspension, a fine of not less than \$50 and not more than \$150, probation, community service, counseling or letter of reprimand.

O: Furnishing False Information/ Fraud/ Forgery

Forgery, alteration, or misuse of college documents, records (including all

software and computer databases) or identification, or possession of an altered driver's license, ID, credit card that belongs to someone else. Deliberate misrepresentation of facts that could adversely affect the mission of the college.

Sanction: A violation of this section will result in one or a combination of the following: referral to authorities, expulsion, suspension, a fine of not less than \$200 and not more than \$500, probation, or community service.

P: Vandalism

Vandalism to or destruction of any property of the college on college premises or at college-sponsored activities.

Sanction: A violation of this section will result in one or a combination of the following: referral to authorities, expulsion, suspension, a fine of not less than \$100 and not more than \$200, probation, or community service and restitution.

Q: Failure to Vacate

Failure to vacate a College building after fire alarm or other emergencies.

Sanction: A violation of this section will result in a fine of not less than \$25 and not more than \$100.

R: Noise Disturbances

Noise disturbances in residence halls, campus grounds, classroom buildings, campus buildings, or community.

Sanction: A violation of this section may result in a fine of not less than \$50 and not more than \$150, and cancellation of residence hall agreement, probation, community service or a combination of any of the above.

S: Inappropriate Sexual Behavior/Illegal Visitation

Inappropriate sexual behavior includes sexual intercourse or any activity involving the sexual organs of the male or female on college property (dormitory rooms, buildings, lobby, grounds, vehicles).

Sanction: A violation of this section may result in one or a combination of the following: cancellation of residence hall agreement, fine of not less than \$200 and not more than \$500, probation, or community service.

T: Unauthorized Use of Others' Property/Stealing

Sanction: A violation of this section may result in referral to authorities, a fine of not less than \$75 and not more than \$150, expulsion, suspension, restitution, probation, or community service.

U: Abuse of Residence Hall Agreement

Abuse of residence agreement as it relates to guests in residence hall including having overnight guests, disrespecting residence hall staff, failure to attend mandatory residence hall meetings, and failure to leave identification at front desk for guests.

Sanction: A violation of this section may result in cancellation of residence hall agreement, a fine of not less than \$25 and not more than \$200, probation, or community service.

V: Failure to Obey College Authorities/Insubordination

Failure to follow reasonable directions of college authorities that are necessary for the proper conduct of the college or disrespect to an administrator, faculty, staff member, or another student acting as an agent of the college.

Sanction: A violation of this section may result in one or a combination of the following: expulsion, suspension, a fine of not less than \$100 and not more than \$250, probation, community service and restitution.

W: Unauthorized Use of College's Name

Unauthorized use of the college's name or other identifying mark.

Sanction: A violation of this section may result in one or a combination of the following: referral to authorities, expulsion, suspension, a fine of not less than \$100 and not more than \$200, probation, community service and restitution.

X: Gambling

On-campus gambling.

Sanction: A violation of this section may result in one or a combination of the following: cancellation of residence hall agreement, expulsion, suspension, a fine of not less than \$100 and not more than \$250, probation, community service and restitution.

Y: Inappropriate Dress

Inappropriate dress includes, but is not limited to, any violation of the dress code, wearing an undershirt customarily worn as an undergarment ("wife beater," low cut tank top, white gauze shirt, "see through materials") not wearing underwear, wearing clothing too tight, too short, too loose, wearing bedtime clothing outside of the residence hall, having sagging pants, etc. Athletic attire (tights, swimwear, etc.) is not to be worn in public places or classrooms other than the gymnasium.

Sanction: A violation of this section may result in a fine of not less than \$75 and not more than \$150, probation, or a combination of both.

Z: Misconduct either on or off campus of such a nature as to be detrimental to the college community or a violation of any college policy or regulation not otherwise specified but not limited to those policies or regulations pertaining to college facilities, student activities, conduct in campus housing, conduct in off-campus housing, and civic enterprises.

Can include but not limited to trespassing, domestic violence, unauthorized assembly, shoplifting, fighting on or off-campus (non-violent), indecent exposure, prostitution and/or solicitation, lewd and indecent behavior, public nudity, obscene behavior, possession of stolen property, sexual misconduct, setting a fire/arson, using or possessing fireworks on campus, aiding, abetting or conspiring, computer misuse, reckless behavior, driving while impaired, committing a city, state or federal crime, or unauthorized entry.

Sanction: A violation of this section may result in one or a combination of the following: referral to authorities, cancellation of residence hall agreement, cancellation of off-campus housing contract, expulsion, suspension, a fine to be determined by the Dean of Students, probation, community service, mandatory counseling and restitution.