

Student Code of Conduct

Article I: Statement of Purpose

The Board of Trustees, administration, faculty, and staff of Muskegon Community College have a primary concern for the academic achievement standards and personal integrity of our students. We recognize our obligation to protect MCC property and we take a special interest in the mental and physical health and safety of our community. We are committed to preserving the peace, uplifting campus morale, and creating a civil climate on our campus. Students enrolling in MCC as well as visitors on campus assume an obligation to behave in a manner compatible with the MCC's function as an educational institution. MCC has adopted the following policies and procedures as an expression of its expectations of student conduct.

Article II:

Section A:

Jurisdiction of MCC

College jurisdiction extends to individuals and conduct on college premises as well as student conduct which occurs off college premises or on-line and which adversely affects members of the MCC community and/or the pursuit of the MCC mission.

Section B:

Conduct-Rules and Regulations

Any student or organization found to have committed or to have attempted to commit any of the following acts of misconduct is subject to the disciplinary sanctions outlined in Article IV.

Section 2.01

Acts of being dishonest or facilitating academic dishonest, including, but not limited to:

- (a) Cheating, including cyber cheating
- (b) Fabricating
- (c) Plagiarizing, including internet plagiarizing
- (d) Committing acts of forgery
- (e) Bribing, purchasing or receiving another's work and using or submitting it as one's own
- (f) Submitting the same assignment to more than one instructor without the permission of the instructors

Section 2.02

Violation of any provisions of the professional and/or ethical codes of programs in the fields of respiratory therapy, nursing, or any other applicable programs.

Section 2.03

Interference with the college-approved operation of any college-recognized student organization.

Section 2.04

Disorderly conduct affecting (but not limited to): administration, disciplinary proceedings, disruption or obstruction of teaching, research, and other college and campus activities.

Section 2.05

Conduct which alarms, threatens, or in some manner unreasonably disrupts the learning process of another student and/or the ability of faculty to teach.

Section 2.06

Physical abuse, verbal abuse, threats, intimidation, stalking, coercion and/or other conduct which threatens or endangers the health, well-being, or safety of any person.

Section 2.07

Sexual misconduct. (See the Sexual Misconduct Policy)

Section 2.08

Harassment which serves to degrade the status of another person. Most often, harassment focuses on a personal attribute, singling it out for ridicule, attack, or disparagement. Such attributes include, but are not limited to age, economic class, gender, gender identity, transgender status, physical or mental disability, race or ethnic origin, religion, and sexual orientation, gender identity and transgender status. Harassment may include physical contact, written, electronic or verbal comments or suggestions, obscene or offensive pictures or jokes, hostile or threatening gestures or other forms of degradation. This includes acts of harassment carried out by one or more students on behalf of and/or at the request of another student.

Section 2.09

Theft or unauthorized use or possession of and/or damage to property of MCC, property of a member of the MCC community, or other personal or public property.

Section 2.10

Hazing, which is an act which endangers the mental or physical health or safety of a student, or involves the forced consumption of liquor or drugs, or which destroys or removes public or private property for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. Consent of the participants is not a defense against a complaint of hazing.

Section 2.11

Failure to comply with directions of an MCC employee, or emergency or service personnel acting in performance of their official duties.

Section 2.12

Failure to identify oneself to an MCC employee, or emergency or service personnel acting in performance of their official duties when requested to do so.

Section 2.13

Unauthorized possession, duplication or use of keys, combinations, or access cards or codes to any MCC premise, or unauthorized entry to or use of MCC property.

Section 2.14

Violation of published MCC policies, rules, or regulations found in, but not limited to, the college course catalog.

Section 2.15

Use, possession, or distribution of illegal drugs, narcotics or other controlled substances, and drug-related paraphernalia, except as permitted by federal, state, and/or local law. (See the Drug-free Campus Policy.)

Section 2.16

Public intoxication or the use, possession or distribution of alcoholic beverages except as expressly permitted by federal, state, and/or local law and MCC regulations (See the Drug Free Campus Policy.)

Section 2.17

Possession of firearms, explosives, or other weapons, or unauthorized use of dangerous chemicals or substances on MCC premises. (See the Weapons Policy.)

Section 2.18

Participation in a campus demonstration which disrupts the normal operations of MCC and infringes on the rights of other members of the MCC community; leading or inciting others to disrupt scheduled, and/or normal activities within any campus building or area.

Section 2.19

Intentional obstruction of the free flow of pedestrian or vehicular traffic on MCC premises or at MCC sponsored or supervised functions.

Section 2.20

Conduct which is disorderly, lewd, or indecent; a breach of peace; or aiding, abetting, or procuring another person to breach the peace on MCC premises or at functions sponsored by, or participated in, by MCC.

Section 2.21

Theft or other abuse of computer resources, including, but not limited to:

- (a) Commercially using computing resources
- (b) Intercepting data
- (c) Committing acts of forgery
- (d) Willfully engaging in practices that place undue burdens on MCC resources (spamming, for example)
- (e) Engaging in or disseminating defamatory, discriminating, privately embarrassing, fraudulent, harassing, illegal, intimidating, obscene, threatening, or unwelcome electronic communications
- (f) Unauthorized copying, modifying, or destroying the MCC network or Internet-based files
- (g) Accessing or attempting to access or use the MCC network or Internet resources for which the user is not authorized or granted explicit permission

Section 2.22

Abuse of the disciplinary, including but not limited to:

- (a) Failing to comply with the directive to appear attend or attend a meeting with an administrator after having received appropriate notification of such directive, falsifying, distorting, or misrepresenting information.
- (b) Disrupting or interfering with the orderly conduct of a disciplinary proceeding
- (c) Influencing or attempting to influence another person to commit an abuse of the disciplinary system
- (d) Attempting to discourage an individual's proper participation in, or use of the disciplinary system

- (e) Attempting to influence the impartiality of a disciplinary administrator during the course of a disciplinary proceeding
- (f) Harassing (verbal or physical), threatening, intimidating, and/or retaliating against any person involved in a disciplinary proceeding
- (g) Failing to comply with a sanction imposed under the Student Rights and Responsibilities
- (h) Failing to comply with an agreed upon informal resolution

Section 2.23

Engaging in gambling activities defined as illegal by federal, state or local law and/or MCC regulations.

Section 2.24

Engaging in behavior prohibited by federal, state, and/or local laws.

Article III: Disciplinary Procedures

Student misconduct may be handled in one of two possible ways: counseling or disciplinary action. Counseling will occur when a student appears to have behavioral problems that stem from emotional or psychological difficulties. Disciplinary action may be taken immediately in an emergency situation by the Dean of Student Services or designee if the welfare of the individual or other is endangered. Action taken should be documented to the Provost and Chief Student Services Officer of MCC.

**Section A:
Complaints and Resolution**

Section 3.01

Any member of the MCC community may file a complaint against a student for allegedly violating the Code of Conduct. The person who files the complaint shall be the reporting party. The student alleged to have violated the code of conduct shall be the responding party.

Section 3.02

All complaints shall be prepared in writing and directed to the Dean of Student Services or designee. A complaint shall contain:

- (a) The identity of the reporting party and the responding party;
- (b) The specific element(s) of the code of conduct alleged to have been violated;
- (c) The date, time, and place of the alleged violation(s);
- (d) Supporting documentation if any exists; and
- (e) The names of any witnesses.

Section 3.03

All reports or complaints should be made as promptly as feasible after the concurrence. A delay in reporting may be reasonable under some circumstances, as determined on a case-by-case basis. An unreasonable delay in reporting, however, may be taken into consideration in evaluating the complaint or report.

Section 3.04

The Dean of Student Services or designee shall determine if the alleged conduct may constitute a violation of the code of conduct. If so, the case shall proceed for adjudication.

**Section B:
Resolution**

Section 3.05

Filing a complaint shall not always require a formal adjudication process. In the event that the Dean of Student Services or designee elects to seek an informal resolution, he/she may review all relevant information, interview pertinent witnesses and bring together the reporting party and responding party, if desirable.

Section 3.06

Resolution shall be achieved when the Dean of Student Services or designee, reporting party, and responding party, are satisfied that the behavior at issue has been addressed and a mutually acceptable outcome has been achieved. The resolution shall be written by the Dean of Student Services or designee and emailed to both parties.

Section 3.07

A party's failure to respond to a request by the Dean of Student Services or designee's request to participate in an informal resolution or the failure to appear or participate in an informal resolution may result in a letter to both parties, warning that failure to respond may result in a referral of the complaint to the disciplinary board for a hearing.

Section 3.08

If the Dean of Student Services or designee is unable to resolve the complaint to the mutual satisfaction of both the reporting party and the responding party, the Dean of Student Services or designee shall advise the reporting party and responding party of his/her rights to proceed formally.

Section C:

Findings of Fact and Recommendations

Section 3.09

After reading statements, interviewing responding party, witnesses, and reviewing evidence, a member of the Behavioral Intervention Team shall either dismiss the complaint or find that the responding party violated the code of conduct.

Section 3.10

Finding that the responding party violated the code of conduct shall be made on the basis of whether it is more likely than not that the responding party violated the code of conduct.

Section 3.11

The responding party shall be presumed not responsible for a violation of the code of conduct until it has been demonstrated through credible information and evidence that it is more likely than not that the student committed the violation.

Section 3.12

If the Behavioral Intervention Team member determines that the responding party violated the Code of Conduct, they shall recommend a sanction for the violation.

Section D:

Appeal Procedure

Section 3.13

A student may appeal the outcome of the matter. A review of the matter will be prompt. A party may seek review only on the following grounds.

- (a) To consider new information sufficient to alter the decision, or other relevant facts not brought out in the original hearing, because such information was not known

or knowable to the person appealing during the time of the hearing.

- (b) To allege a procedural error within the process that may have substantially impacted the fairness or outcome of the investigation.

Section 3.14

Appeals must be submitted in writing to the Provost and Chief student Services Officer or designee within 7 business days from the day of the parties are notified about the outcome of the Formal Resolution. Upon receipt of an appeal the Provost and Chief Student Services Officer or designee will appoint an appellate review panel of 3 members from a pool of trained Behavioral Intervention Team members. The panel will review the material within 15 days of receipt of the appeal. The panel will examine all documentation of the process and report to determine if there is a reasonable basis for changing the outcome. The panel will issue a written determination of the appeal, which could include:

- (a) Affirm the original finding and sanction
- (b) Affirm the original finding but issue a new sanction, which may be of greater or lesser severity, based on the new information.
- (c) Change original finding to not responsible for violation of the code of conduct due to a procedural or factual defect. All sanctions are dismissed.

Section 3.15

The panel's determination is final. The student shall receive written notice of the outcome of the appeal which will include any change to the result that occurs prior to the time that such results become final; and when such results become final.

Section 3.16

Potential student sanctions will be applied based upon the facts and circumstances of the case. Possible student sanctions may include those listed in Article IV Section A but may include counseling and/or disciplinary action including but not limited to: reprimand, warning, no contact order, loss of privileges, suspension, probation, or dismissal from the College.

Section 3.17

Recommended sanctions will not be imposed while the appeal is being reviewed unless the nature of the conduct under review or other circumstances involved dictate otherwise.

Article IV: Sanctions

Section A:

Interim Suspension of Privileges

Section 3.18

Faculty members retain the right to remove from the classroom (for the duration of that class period) any student demonstrating disruptive behavior. It is the responsibility of the faculty member to report the incident to the Dean of Student Services or designee and to indicate if they do not want the student to return to class (interim suspension) and the rationale for that request. This request will be acted upon by the Dean of Student Success or designee prior to the next class session.

Section 3.19

The Dean of Student Services or designee may issue an interim suspension of privileges for the following reasons.

- (a) To insure the safety and well-being of members of the MCC community or to preserve MCC property;
- (b) To insure a student's safety or wellbeing; or
- (c) If a student poses a threat of disruption or interference with the normal operations of MCC.

Section 3.20

During the interim suspension, a student may be denied access to MCC activities, facilities, classes, or other privileges for which the student might otherwise be eligible, as the Dean of Student Success or designee may determine to be appropriate.

Section 3.21 The decision to suspend privileges for an interim period shall be communicated by the Dean of Student Success or designee in writing to the responding party and shall be effective immediately. Notification shall either be delivered via student's MCC email account or sent by certified mail. Failure or refusal to take receipt of notification shall not negate or postpone said action. The appropriate MCC officials shall be notified of the interim suspension including those directly involved in the pending complaint.

Section 3.22

The interim suspension of privileges shall remain in effect until a final decision has been made regarding pending complaints or until the Dean of Student Success or designee determines that the reason for imposing the interim suspension of privileges no longer exists. Absent exigent circumstances, or unless otherwise agreed to by both parties, an expedited hearing shall take place within 10 business days of notification of the interim suspension.

Section B:

Other Sanctions

Section 3.23

The following sanctions may be imposed individually or in combination for any violation(s) of the code of conduct:

(a) Reprimand. A verbal or written reprimand may be issued for minor forms of misbehavior. The reprimand will be recorded in the Office of the Provost and Chief Student Services Officer but will not become part of the student's official record.

(b) Warning. A written notice to the student, identifying the nature of the code of conduct violation(s). The warning shall be placed in the student's official record.

(c) Loss of privileges. Revocation of specified privileges for a specified time period (use of MCC facilities, co-curricular activities, and work study, for example).

(d) Restitution. Compensation for loss, damage, or injury. Restitution may be monetary, an appropriate form of service, or the replacement of specific materials, as dictated by the situation.

(e) Educational project. Completion of a project specifically designed to help the student understand why the violation of the code of conduct was inappropriate.

(f)

Probation. A written reprimand for violation of a specified item in the code of conduct. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found responsible for violating the code of conduct during the probationary period.

(g) Suspension. Separation from MCC for a specified period of time after which the student is eligible to return or the organization may resume its activities.

(h) Permanent separation from MCC.

Section 3.24

The proper MCC authorities shall be notified of any sanction imposed.

Section 3.25

Sanctions shall be recorded in the student's official file and a record of it will be maintained in the office of the Provost and Chief Student Services Officer. (Minor forms of misbehavior will not become part of the student's official record.) To the maximum extent permitted under FERPA, all records are considered educational records.

Section 3.26

The following sanctions may be imposed upon student clubs or organizations:

- (a) The sanctions are listed above in Section B: Other Sanctions
- (b) Deactivation or loss of recognition for a specified period of time.

Article V: Withdrawal and Readmission

The Provost and Chief Student Services Officer shall be advised of any student who voluntarily withdraws from MCC while a complaint is pending. The student must present adequate evidence of permission to re-enroll. Permission for reenrollment may be granted only after the complaint has been resolved, unless circumstances dictate otherwise. If the complaint cannot be resolved because the complainant, witnesses or evidence are not available, such permission may be denied by the Provost and Chief Student Services Officer.

Academic/Classroom Conduct

Muskegon Community College is a community of scholars whose members include administrators, faculty, staff, and students. Mutual respect and civility are expected in the classroom or other college related academic settings, as well as, in any communication.

- ♦ MCC has the duty of providing students with privileges, opportunities, and protections that best promote learning;
- ♦ Students have the right to a non-threatening learning environment;
- ♦ Students have the responsibility to refrain from infringing on the right of others to learn or the right of teachers to teach; and
- ♦ Any student whose behavior disrupts learning may be subject to disciplinary action.

Academic Integrity Policy

Muskegon Community College expects that all faculty and students will adhere to high standards of personal and academic honesty. This means that all academic work will be done by the student to whom it is assigned without unauthorized aid of any kind. Faculty members, for their part, will exercise care in the planning and supervision of academic work so that honest effort will be positively encouraged.

Definitions

Academic dishonesty consists of, but is not limited to:

- A. Cheating.** Cheating is defined as using or attempting to use, giving or attempting to give, and obtaining or attempting to obtain, materials or information, including computer material pertaining to a quiz, examination, or other work that a student is expected to do alone.
- B. Plagiarism.** Plagiarism is defined as the use of another's words or ideas without acknowledgement.

Penalties for violation of these standards of conduct may result in sanctions of up to and including suspension or expulsion from MCC.

Dispute Resolution Process

Should a student not agree with a faculty member's decision or actions as they may relate to this policy, the following steps shall be followed:

- A. A student suspected of academic dishonesty shall be notified in writing within two school days of the time the violation is discovered. Copies of the written notification shall also be filed with the department chair and the Provost and Chief Student Services Officer.
- B. The student should try to reach resolution of the matter through direct discussion with the involved faculty member within three school days of the written notification.
- C. If the matter is not resolved in Step B, the student shall bring the matter to the attention of the department chairperson of the involved faculty member.
- D. If the matter is not resolved at the department chairperson level, the student shall bring the matter to the attention of the Vice President for Academic Affairs who shall render a decision within five school days of the receipt of the dispute information.
- E. If a satisfactory solution is not reached at the Step D level, the student may file a written request with the Provost and Chief Student Services Officer for a hearing before the disciplinary board. This meeting shall be held not more than 20 days following the written request. A student may request a hearing before the disciplinary board.

Computer Usage Policy

Standards for Acceptable Computer Use at Muskegon Community College

Muskegon Community College would like to promote the free exchange of ideas for learning, teaching, and research through the use of our technology including the Internet, personal computers, local networks, specialized hardware, and software applications. Computers on campus are intended for enrolled college students. Permission may be granted to adult college visitors.

Acting in ways that are mutually respectful of others are good foundations for responsible, legal, and ethical uses of our technology. In addition, you should consider your actions with respect to the following standards when using MCC's technological resources:

- ♦ Respecting the personal privacy of others
- ♦ Honoring the intellectual property of others
- ♦ Following established laws and college policies
- ♦ Treating people and equipment around you with care and respect as well as not engaging in any activities that would disrupt others
- ♦ Honestly representing yourself and the information you provide others
- ♦ Freeing limited technological resources for others to complete their college assignments whenever possible
- ♦ Not exposing others to materials which may reasonably be construed as offensive
- ♦ Not changing the setup or configuration of software or hardware that does not belong to you

Unacceptable Computer Use at Muskegon Community College

Access to technology at MCC is a privilege that can be withdrawn when an individual abuses it. By logging into an MCC computer you agree to the above standards of acceptable computer use. An individual can lose MCC computer privileges by committing any of the following transgressions:

- ♦ Unauthorized Actions. This would include access to any computer system to modify or view files, passwords, or other data along with damaging or altering software components on any network or database.
- ♦ Illegal Actions. This would include making copies of licensed or copyrighted software and data without documented permission.
- ♦ Malicious Actions. This includes exposing our wireless network to viruses or other destructive software, as well as, sending unsolicited email messages, including spam or other advertising material to individuals who did not specifically request such material, except as approved under the Email Policy.
- ♦ Disruptive Actions. This includes, but is not limited to, port scanning, Internet protocol spoofing, network analysis, network monitoring, running traffic generating applications, installing illegal software, or sending offensive electronic communications.
- ♦ Disrespecting Others. This includes loud talking, listening to loud music, aggressive behaviors, and sending offensive electronic communications.
- ♦ Misrepresenting oneself as another user or sharing passwords with others.
- ♦ Displaying or playing text, graphics, audio or video, which may reasonably be construed as offensive to the public.
- ♦ Failing to pay fees or fines assessed by MCC.

Wireless Computer Access Policy

Scope

This policy applies to the deployment and operation of wireless network equipment and other devices operating in unlicensed frequencies on the campus of Muskegon Community College. The policy also applies to all segments of MCC's wireless computer network. This includes all administrative, academic, and commercial areas which are part of MCC's family of buildings, as well as, any outdoor spaces on the campus.

Responsibilities

MCC would like to encourage people to use their own technology on our campus. To promote this we provide wireless access to various computer networks. Users of wireless connections at MCC are required to keep their computer's virus protection up-to-date, as well as, install the latest operating system security patches.

In addition, users need to be aware that MCC does not filter wireless access to the Internet and cannot provide secure wireless connections or printing services to those wireless connections. As a result, MCC is not responsible for the loss or damage that may occur, directly or indirectly, to personal equipment and data through the use of our wireless connections. Parents or guardians are responsible for children brought onto campus.

MCC's computing and telecommunication networks, computing equipment and computing resources are owned by MCC and are provided to support its academic and administrative functions. Federal and state laws, along with MCC policies and standards, govern the use of this equipment and technologies. While departments may adopt additional rules and regulations to meet specific administrative or academic needs, any additional requirements must be in compliance with applicable federal and state laws, and this policy.

Access to MCC's wireless computer networks is a privilege that can be withdrawn when individuals abuse it. Behaviors that result in the loss of computer network privileges and possibly disciplinary actions are found in the Computer Usage Policy.

Enforcement

The Office of Information Technology (OIT) is solely responsible for implementation of wireless technology, enforcing campus network standards, and has the authority to resolve frequency interference issues. OIT determines the identity and authenticates all users connecting to the campus network.

Standards

MCC has adopted the Institute of Electrical and Electronic Engineers, Inc. (IEEE) standard protocols for wireless networking. The primary purpose of these protocols is not so much to provide separate networks but to ensure that adjacent access points with slightly overlapping areas of coverage do not interfere with each other. It is therefore not feasible to allow individuals to install their own access points without centralized coordination, due to the resulting signal interference and greatly degraded performance of the common wireless network. Access points can interfere with each other and other communications devices or appliances if not administered or deployed properly. Potential problems using microwave ovens and cordless telephones is a prominent example. The IT department will manage the shared use of unlicensed frequencies for the campus community and campus authority to resolve interference issues.

SSID for Muskegon Community College wireless is MCC Students & Staff

It is therefore not feasible to allow individuals to install their own access points without centralized coordination, due to the resulting signal interference and greatly degraded performance of the common wireless network. Access points can interfere with each other and other communications devices or appliances if not administered or deployed properly. Potential problems using microwave ovens and cordless telephones is a prominent example. OIT will manage the shared use of unlicensed frequencies for the campus community and campus authority to resolve interference issues.

Email Policy

General Statements

Electronic mail is provided to students, employees, and retirees for the official business and educational purposes of MCC. However, MCC recognizes that use of email will occasionally be personal. Accordingly, MCC authorizes the incidental, non-commercial, and personal use of email services, provided that such use does not interfere with the business or mission of MCC.

MCC is a public institution: legally, email is treated the same as any other form of written communication. Messages are subjected to the same legal restrictions and potential liabilities as those of paper documents. Email messages may be subpoenaed, and are subject to the Freedom of Information Act (FOIA). MCC reserves the right, during an investigation for inappropriate use or compromised accounts, to review the messages sent or received through individual email accounts. This action can be conducted without notice. This is intended to protect the integrity of MCC's information systems and its users against unauthorized or improper use.

Specific Guidelines

- A. All users of the MCC email system are expected to conduct themselves in a legal, professional, and ethical manner. Messages that may be viewed as harassing or intimidating are prohibited.
- B. MCC email shall be used in accordance with all applicable federal, state, and local laws, as well as, all other applicable MCC policies and procedures, including those pertaining to copyrighted material. Questions regarding copyrighted material should be directed to www.copyright.gov.
- C. Altering, dismantling, disfiguring, or other actions intended to hide or disguise the identity of the originator of an email message is prohibited. Any attempt to read, delete, copy, or modify the messages of others is prohibited.
- D. MCC email may not be used for commercial purposes, other than those that may be sanctioned by MCC.
- E. Users should make every effort to protect themselves and others by keeping their anti-virus software up-to-date, and avoiding suspicious emails and attachments. It is also a good idea to only open outside messages that are from a familiar source.
- F. Employees should notify their manager and contact the faculty/staff helpdesk if they think email accounts are being abused. Students who suspect email abuse are encouraged to contact the student help desk at (866)718-5170. Violations of this policy may lead to, or include, withdrawal of email privileges.

Enforcement Procedure

Students

Failure to follow acceptable standards will result in the removal of authorization and privileges to use MCC's computer networks along with associated hardware and software as outlined in the MCC Code of Conduct.

Community Members

Failure to follow acceptable standards will result in the removal of authorization and privileges to use MCC's computer networks.

Reinstatement of lost authorization to use MCC's Technology

When privileges are withdrawn for violation of this policy and the individual feels that he/she has been unfairly treated in the implementation of this policy, the individual may file an appeal with the Provost and Chief Student Services Officer. This will convene a meeting of the relevant parties. His/her decision will be binding.

Equal Opportunity, Harassment, and Nondiscrimination for All Faculty, Students, Employees, and Third-Parties

Commitment to Our Campus Community

Muskegon Community College (MCC) is committed to developing and sustaining a healthy and diverse learning and working environment that recognizes the value of each individual. MCC advances a safe, pleasant and respectful culture for all, free from prohibited discrimination and harassment.

EEO Statement

It is the policy of Muskegon Community College to provide equal opportunities and not discriminate in enrollment, education, employment, public accommodations, activities, or services, and the College prohibits discrimination based on the basis of age, citizenship, color, disability, ethnicity, gender identity or expression, genetic information, height, marital status, national origin, political persuasion, race, religion, sex (including the condition of pregnancy), sexual orientation, veteran status, weight, or other legally protected categories.

Title IX Coordinator and Deputy Coordinators

Jason Cooper, (Title IX Coordinator)
Director of Compliance and Title IX Coordinator
231-777-0690, Room 1055E

Kristine Anderson, Executive Director of
Human Resources
231-777-0447, Room 2109M

Marty McDermott, Dean of College Services and
Athletics
231-777-0462, HWC 124A

Eli Fox, Institutional Research Analyst
231-777-0207, Room 2109V

Tonette Brown-Garner, Evening College Services
Coordinator
231-777-0654, Room 1353

Seth York, Counselor
231-777-0296, Room 1050E

Classroom Speech and Content

MCC's sexual harassment policies do not prohibit instructors from bringing relevant sexual content into their courses. It is understood that the academic setting is distinct from the typical workplace in that latitude is required in determining the appropriate content of academic material. However, speech that is not necessary to teach the material, or is objectively offensive and severe or pervasive is prohibited by College Policy and may lead to discipline.

Amnesty to MCC Student Code of Conduct to Encourage Reporting

Students who in good faith report incidents of sexual assault or other sexual violence may be granted immunity for drug and alcohol use violations provided that such violations did not or do not place the health or safety of any other person at risk. The College, may, however, initiate an educational program or discussion with the individual regarding alcohol or drug use.

General Student Complaints

The General Student Complaint Form is available at: https://cm.maxient.com/reportingform.php?MuskegonCC&layout_id=4

Student complaints regarding College operations not otherwise covered in the catalog's Petitions section should report in writing the concerns to the Provost and Chief Student Services Officer or designee. Student complaints shall not be the basis for any discipline against a supervisor, staff member, or faculty member. There are separate academic and disciplinary appeal processes and procedures to resolve academic and disciplinary issues.

The following procedures shall apply for general student complaints:

1. The Provost and Chief Student Services Officer or designee will receive a student's verbal or written complaint. The Provost and Chief Student Services Officer or designee will consider the merit of the complaint and will take any action considered appropriate or necessary. At this level, the student has the right to remain anonymous.
2. If the student's verbal or written complaint is not resolved to the student's satisfaction and the student wishes to continue to pursue the complaint, the student must submit a request in writing to the Provost and Chief Student Services Officer or designee requesting further resolution. The written request must include the specific nature of the complaint, reasons for filing the complaint, and specific remedy requested. At this level, the student may no longer remain anonymous. The Provost and Chief Student Services Officer or designee will seek a resolution by contacting the appropriate College employee who is responsible for the College operation complained about and arrange a meeting between the parties involved to discuss a possible resolution. The written complaint will be forwarded to all appropriate parties involved in the conflict prior to the meeting.
3. Should resolution not be reached, the Provost and Chief Student Services Officer or designee will review the complaint and all supporting material and render a written decision regarding the complaint with rationale.
4. In the event that the Provost and Chief Student Services Officer or designee is unable to resolve the complaint, the complaint will be forwarded to the Student Services Council for review and action. The student has the option to attend the meeting to provide verbal explanation. If the student plans to attend the meeting, he/she must indicate on the appeal form the request to the meeting. The student will be notified of the meeting location, date and time by the Registrar upon receipt of the completed appeal. Only the student submitting the appeal will be allowed to attend the review meeting. The student will be notified of the outcome by mail. The determination of the Student Services Council is final. No further appeal will be considered. In considering all other types of petitions/appeals, the Council reviews requests and refers students to the appropriate campus office for action. These referrals may be accompanied by the recommendation of the Council. Students may present questions

Campus Safety and Security

In compliance with the “Jeanne Clery Disclosure of Campus Security Policy and Campus Statistics Act,” formerly known as the Crime Awareness and Campus Security Act of 1990, a guide is issued each year to provide information regarding safety and security procedures and crime statistics.

Refer to our webpage at

www.muskegoncc.edu/safety

If a threat to human welfare or security of personal or college property should occur, please report it to the Physical Plant office, Room 1107. For emergency situations, please dial Security at 545 on a MCC phone. Keep your vehicle locked at all times.

Crime Statistics

Muskegon Community College is a very safe place to be, as indicated by the statistics stated below. However, you need to be aware that the college is subject to many of the same problems that occur in the community in which it is located. The following information has been prepared to increase your awareness of any problems that may exist.

Refer to the Annual Safety Report page 15 on the Web for our Crime Statistics:

www.muskegoncc.edu/crime

False Alarm(s)

A false alarm entails activating the fire alarm system in any MCC building or on the property and/or reporting a fire, bomb threat or tampering with any lockdown device (i.e. The Boot) when no emergency exists. Any student making a bomb threat or reporting a false fire or lockdown alarm will be reported to law enforcement officials. Tampering with fire alarms, The Boot and related devices are a criminal offense, which may lead to criminal charges.

Weapons Policy

It is the policy of Muskegon Community College that no person employed by MCC or any student or visitor to the MCC buildings, facilities, grounds, vehicles, or other MCC property shall possess a weapon in an MCC building, on MCC grounds, during an MCC-sponsored activity, or during such times as students are under the supervision of MCC authorities.

Each student enrolled in Muskegon Community College shall abide by the terms of the MCC policy respecting a weapon-free zone.

Any student who violates the terms of this policy shall be subject to immediate removal from MCC property, and the matter shall be referred to the appropriate law enforcement agency for possible prosecution. MCC reserves the right to impose such sanctions as shall be called for by MCC administrative policies, procedures, and regulations.

This policy is not intended to apply to on or off-duty law enforcement personnel under performance of their duties, armed carriers, and others who have legal cause to carry a weapon and have the President's permission.

First Aid and Emergencies

First aid boxes are mounted on walls in lab areas and are intended for the student's use, when needed.

For major emergencies please call 911 first, then call security at (231) 777-0545.

For minor emergencies or any incident dealing with campus security, please call (231) 777-0545 on any MCC phone to report the incident. In case of fire, pull the nearest fire alarm and leave the building by the nearest exit. Emergency guidelines are posted around campus.

Evacuation

Due to various circumstances and emergencies, the buildings at MCC may need to be evacuated. This could occur with the sounding of a fire alarm bell or by someone alerting your instructor in the classroom. Under any circumstances, we ask that you leave the building(s) immediately and in an orderly fashion utilizing exits to the exterior of the buildings. You may need to reference your emergency evacuation maps and/or locations for evacuation points. Please take all of your personal belongings with you upon evacuation.

School Closing

When an emergency situation necessitates the closing of one or more of the MCC campus locations, MCC will disseminate an emergency message across various communication vehicles. These modes of communication include: RAVE Mobile Safety alert text messages sent to the mobile phones of MCC students and employees who have registered at www.muskegoncc.edu/rave; announcements on West Michigan television and radio outlets via the GRAIL web system; as well as messages on the MCC web home page, the MyMCC Portal, campus e-mail, the MCC Facebook page, and on the main campus phone. All announcements should be noted carefully in as much as only morning, afternoon, or evening classes may be canceled.

The canceling of on-campus classes may not affect off-campus classes. Muskegon Community College classes taught off-campus will be canceled based upon cancellation of classes by individual schools. (*i.e., Grand Haven, Fremont, etc.*)

Severe Weather

When warned of a tornado or other severe weather conditions, staff and students should proceed to sheltered areas outlined on the severe weather poster which is posted in most rooms on campus. No one should leave the building under these circumstances.

Drug-free Campus

Muskegon Community College complies with federal, state, and local laws including those which regulate the possession, use, and sale of alcoholic beverages and controlled substances. The following represents the drug alcohol policies of MCC.

In compliance with the Board of Trustees' policies 4.02.00 and 5.20.00 and the Drug-free Schools and Communities Act Amendments of 1989, the following represent the Drug-free Workplace Regulations of MCC:

- ♦ Students and guests may not manufacture, distribute, dispense, possess, or use alcoholic beverages on MCC premises.
- ♦ Students and guests may not unlawfully possess, use, or distribute controlled substances and alcohol on MCC premises or while engaged in MCC activities such as conferences or field trips.
- ♦ Being under the influence of alcohol or any controlled substance while on MCC premises or engaged in MCC activities is prohibited.
- ♦ Students and guests are personally accountable for having knowledge of federal,

state, and local laws relating to alcoholic beverages and controlled substances, the minimum drinking age, the transportation of open containers of alcoholic beverages, and the false representation of age by a minor.

- ♦ Student employees of MCC shall comply with the terms of this policy. Violation of such policy may result in disciplinary action, up to and including termination of employment and referral for prosecution. Any sanctions imposed will be consistent with local, state, and federal law.
- ♦ Student employees are required to notify MCC of any criminal conviction for a violation of the policy occurring in the workplace no later than five days after such conviction.

Violation of this policy by students may result in disciplinary action of up to, and including, suspension or expulsion from MCC and referral for prosecution. All guests on campus are expected to follow the above requirements. Failure to do so may result in a request to leave the MCC property or an MCC activity.

Tobacco/E-Cigarette Free Environment

Muskegon Community College is committed to the health, comfort, and safety of students, employees and the general public, thereby, minimizing the harmful effects and discomfort smoking produces in the workplace. In compliance with Federal and State laws, fire regulations, and Board of Trustees policy, the use, distribution or sale of tobacco, electronic cigarettes (e-cigarette) in addition to the possession, use or smoking of medical marijuana is prohibited in college buildings, extension centers, on college premises and in vehicles owned, rented

or leased by the college. If College facilities are rented by non-College individuals or groups, they and their participants/guest shall be required to comply with this policy. Muskegon Community College will offer and promote programs and services that include practical evidence-based approaches to decrease or stop tobacco use for students and employees.

Dress Code

There is no formal dress code. However, students whose dress is obviously inappropriate may be asked to leave the campus. Shoes should be worn in the buildings. Certain classes may mandate specific articles of clothing to meet safety standards.

Student Conduct Policies

To view the entire policy, visit:
www.muskegoncc.edu/conduct

Freedom of Expression

MCC is an institution that believes in the freedom of expression, freedom of speech and right to peaceably assemble. People or groups are supported when exercising these freedoms when on our grounds. The purpose of this policy is to facilitate expressive activities while ensuring that such activities do not interfere with College operations and the learning environment.

For anyone lawfully present on the College's campuses, the outdoor common areas are designated as venues for free expression, including spontaneous expression, speeches, demonstrations and distribution of information. Anyone who wishes to engage in commercial solicitation is required to reserve time and space for such activities following the terms of this policy.

For purposes of this policy, the term "expressive activity" includes such activities as:

- Group activities;
- Speeches, performances, demonstrations, parades, marches, rallies, vigils and other events;
- Distributions of informational materials, such as circulars, newspapers, leaflets and pamphlets;
- Any other expression, including spontaneous expression, protected by the First Amendment to the U.S. Constitution.

MCC maintains its authority to regulate the time, place and manner of expressive activities, it shall not consider or regulate the content or viewpoint of expressive activities when enforcing this policy, including by restricting students' expression based on concerns about other person(s)' negative reaction to that expression. MCC will work to ensure that expressive activities transpire without interference by the College, provided the learning environment is not substantially and materially disrupted and campus safety is not compromised by the expressive activities. If persons react negatively to expressive activities occurring on campus, the College will take necessary steps to ensure campus safety while allowing the expressive activity to continue, unless

the College's operations are materially and substantially disrupted.

For purposes of this policy, the term "outdoor common" refers to such areas as:

- Lawns, sidewalks, benches and other outdoor areas that are not otherwise reserved for use.

For purposes of this policy, the peaceful distribution of informational materials in the outdoor common areas does not, without more, represent a substantial or material disruption to the learning environment at the College.

Expressive activities, as defined by this policy, are allowed on campus during the periods that College facilities are open to the general public.

No expressive activity at MCC shall be permitted to:

- Violate or infringe upon the rights of others;
- Falsely defame an individual;
- Constitute a genuine threat or harassment;
- Infringe privacy or confidentiality interests;
- Block access to campus buildings;
- Impede entry or exit to the College or any College property, pedestrian pathway, parking lot, building, facility or event;
- Obstruct vehicle or pedestrian traffic;
- Include the use of audio amplification devices, unless specifically authorized by the College;
- Include the use of fire or pyrotechnics, unless specifically authorized by the College;
- Affix materials to College buildings, equipment, fences, trees or property, unless specifically authorized by the College.

MCC does not assume any obligation or responsibility for the content of expressive activities or materials distributed. People engaging in expressive activities assume responsibility for damages to College property, for the cleanup of materials immediately following the conclusion of expressive activities and for remaining in compliance with applicable local, state and federal laws.

Muskegon Community College Equal Opportunity, Harassment, and Nondiscrimination Policy

Muskegon Community College is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities, that are free from discrimination, harassment, and retaliation. To ensure compliance with federal and state civil rights laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the educational program or activity, Muskegon Community College has developed internal policies and procedures that provide a prompt, fair, and impartial process for those involved in an allegation of discrimination or harassment on the basis of protected class status, and for allegations of retaliation. Muskegon Community College values and upholds the equal dignity of all members of its community and strives to balance the rights of the parties in the grievance process during what is often a difficult time for all those involved.

To view the entire policy, visit <http://www.muskegoncc.edu/human-resources/wp-content/uploads/sites/83/2020/09/2020-Equal-Opportunity-932020.pdf>