

Southwest Wisconsin Technical College (College) promotes a learning-centered environment dedicated to the advancement of personal growth and knowledge. The College believes every student has the right to pursue an education in a community that values respect, integrity, and inclusivity. To this end, the College prohibits conduct on its campus and in its student housing, which impedes learning, disrupts a peaceful campus environment, and does not promote a cohesive culture based on professionalism, fairness, and trust.

The Student Code of Conduct (Code) sets forth the rights and responsibilities of students at the College, outlines the process for addressing unacceptable behavior, and identifies a range of disciplinary consequences. The Code is designed to provide students with due process and procedural fairness, to ensure equal protection for all students, and to ensure consistency in the process and the consequences. At the same time, the Code reflects the need to consider the individual circumstances of each student, including prior disciplinary history. Further, when possible, the Code is intended to provide students an opportunity to align their conduct with the expectations of the College.

In general, matters involving behavioral misconduct will be addressed first by the Chief Student Services Officer, Executive Director of Safety, Security and Facilities, and/or Director of Public Safety and Advising, and matters involving academic misconduct will be addressed by the Chief Academic Officer. No matter the process implemented for each matter, final authority over all matters of student misconduct remains under the authority of the President of the College.

Jurisdiction

The Code applies to students (and their guests) on property owned, leased, or controlled by the College, Foundation or Real Estate Foundation, at College-sponsored activities and events, and in College housing. This Code may apply to off-campus activities and locations when conduct has an actual or potential adverse impact on the College community, including conduct which presents a danger or threat to the health or safety of self or others, significantly impinges upon the rights, property or achievements of self or others, significantly breaches the peace and/or causes social disorder, or is detrimental to the educational mission and/or interests of the College.

The Code applies to conduct that occurs in-person, in writing, via cellphone, and online via email or other electronic mediums including blogs, web postings, chats, and social networking sites.

Finally, the Code applies to all students enrolled in credit and non-credit courses.

Due Process

Students alleged to have violated the Code are entitled to the following due process:

- Written notice of the allegations;
- Timely investigation of the allegations;
- Notice of the applicable range of consequences;
- Opportunity to respond to the allegations and participate in the adjudicatory process, including the right to provide relevant information and witnesses; and
- Appeal, if applicable.

BEHAVIORAL MISCONDUCT

The following conduct constitutes a violation of the Code and will subject a student to disciplinary action. Some violations below will also trigger a report to law enforcement.

1. *Noncompliance with Policies and Procedures* - Noncompliance with College policies and procedures applicable to students (and their guests) and student housing, including the lease and any other applicable housing regulations.
2. *Noncompliance with Law* - Noncompliance with any local, state, or federal law, including statutes, regulations, and ordinances.
3. *Failure to cooperate with Southwest Tech administration or faculty* - Failure to appear when requested at conferences, meetings, or hearings; failure to respond to verbal or written inquiries; knowingly furnishing false information, and failure to comply with a reasonable request regarding a Southwest Tech matter.
4. *Failure to comply with a directive from Southwest Tech employee*. Failure to comply with any verbal or written directive communicated in person, in writing, via cellphone, and online via email or other electronic medium.
5. *Forgery* - Alteration or misuse of any College document, record, form, or instrument of identification.
6. *Trespassing* - Unauthorized entry into or use of property owned, leased, or controlled by the College, Foundation or Real Estate Foundation or at College-sponsored events or activities. Unauthorized possession, duplication or use of keys/swipe cards/lock codes to any property owned, leased, or controlled by the College, Foundation or Real Estate Foundation.
7. *Trademark* - Unauthorized use (including misuse) of College names and images;
8. *Misuse of Technology* – Violation of the College’s [Acceptable Use of Information Technology Services Resources Policy](#), and otherwise unethical, inappropriate, or illegal use of College technology and IT resources.
9. *Use of Prohibited Items* - The use of hover boards, drones, fireworks, explosives and other prohibited items is not permitted
10. *Invasions of Privacy* - Using electronic or other means to record or photograph any person in a location where there is a reasonable expectation of privacy. This includes, but is not limited to, recording or photography in shower/locker rooms, restrooms, and student housing. The storing, sharing, and/or distributing of such unauthorized recordings or photographs by any means is also prohibited.
11. *Disruptive Behavior* – Intentional or reckless conduct that disrupts College operations including, but not limited to: the obstruction of teaching, administration, activities which occur on the College campus (whether or not sponsored by the College); and acts that impair, interfere with, or obstruct the orderly conduct, processes and functions of the College. Classroom disruptions include conduct that a reasonable person would view as substantially or repeatedly interfering with faculty’s ability to teach or student’s right to learn. [See Classroom Disruptions Below]
12. *Assault or Battery* - Threats of physical harm or physical harm against another individual.
13. *Disorderly conduct/fighting* – Conduct which is inappropriately loud, lewd, indecent or obscene and conduct that constitutes prohibited behavior in designated areas (e.g. Knox Learning Center, Testing Center, Charley’s, housing, laboratory areas), with or without the presence of formal signage.
14. *Abusive acts* - Acts of verbal or physical abuse, or acts which intimidate, harass, threaten, coerce, or otherwise endanger the health or safety of any person or create a hostile learning or working environment.
15. *Hazing* - Doing, requiring or encouraging any forced activity, whether or not the act is voluntarily agreed upon, in conjunction with initiation, admission into, or continued membership or participation in any group that causes or creates a reasonable risk of mental or physical harm or humiliation. Hazing may include: any brutality of a physical

nature, such as whipping, beating, or branding; forced consumption of any food, liquor, drug or other substance; forced confinement; or any other forced activity which endangers the physical health or safety of a student.

16. *Bullying and cyberbullying* – Deliberate or intentional behavior, including behavior conducted on computers, cell phones, and other electronic devices, using words or actions, intended to cause fear, intimidation or harm. Bullying and cyberbullying may be repeated behavior and involve an imbalance of power.
17. *Sexual harassment under Title IX of the Education Amendments*. Sexual harassment under Title IX is defined as follows:
 - a. A College employee conditioning the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct (often called "*quid pro quo*" harassment);
 - b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, **and** objectively offensive that it effectively denies a person equal access to the College's education program or activity; or
 - c. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)A(v), or "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

Reports of sexual harassment under Title IX will be addressed under the College's Gender Discrimination and Sexual Misconduct (Title IX) policy at: [Gender-Discrimination-Sexual-Misconduct-Title-IX-Pending-Approval.pdf \(swtc.edu\)](https://www.swtc.edu/uploadedpdfs/academic/Student-Handbook.pdf)

18. *Gender Discrimination and Sexual Misconduct*. Conduct in violation of the College's Gender Discrimination and Sexual Misconduct policy in the Student Handbook (<https://www.swtc.edu/uploadedpdfs/academic/Student-Handbook.pdf>) 2021-2022, including but not limited to verbal, written or physical conduct that is sufficiently serious (i.e. severe, persistent or pervasive) as to limit or deny an individual's ability to participate in or benefit from the college's programs; unwelcome or unwanted and forced or coerced sexual intercourse or sexual contact; making unwelcome sexual advances, unwelcome requests for sexual favors, unwelcome physical contact of a sexual nature, and/or unwelcome verbal or physical contact of a sexual nature; and sexual abuse of individuals through the exchange of sex or sexual acts for drugs, food, shelter, protection, other basics of life, and/or money.
19. *Weapons* – Unauthorized use, possession or distribution of weapons, firearms, explosives or hazardous objects or substances on property owned or leased by the College, Foundation or Real Estate Foundation or at College-sponsored events. Weapons include knuckles; a nunchaku or any similar weapon; knives; a knife blade; baton of any type; explosive devices of any type; "look-alike" instruments or weapons (e.g., BB gun, pellet gun, or any instrument designed to look like a weapon); and pepper spray or any other device used in a threatening and/or unlawful manner.

The following are exempt from this provision:

 - a. Authorized law enforcement officers in uniform or plain clothes officers with a badge on display.
 - b. Individuals participating in authorized law enforcement training activities.
 - c. Individuals transporting firearms for authorized training classes.
 - d. The possession of handguns is permitted in parking and outdoor areas when in the possession of properly licensed persons to the extent required by law.
 - e. The possession of knives as eating utensils or for the purpose of food preparation or as tools when authorized by an instructor (such as in a lab setting) is permitted.
20. *Brandishing objects* - Displaying, showing, waving, or exhibiting any object in a manner which a reasonable person might find threatening.

21. *Illegal use of substances*- Illegal use, possession, sale, or distribution of controlled substances, associated paraphernalia, and/or alcohol on property owned or leased by the College, Foundation or Real Estate Foundation or at College sponsored activities.
22. *Retaliatory acts* – Conduct that harms, threatens to harm, harasses, intimidates, or bullies for the purpose of discouraging the filing of a complaint or acting as a witness in a complaint proceeding or for the purpose of reprisal against any person or group who initiated a complaint or any person who acted as witness in such a proceeding.
23. *Theft* - Intentional and unauthorized taking of property owned or leased by the College, Foundation or Real Estate Foundation or property of any visitor or member of the College Community.
24. *Damage to Property* – Intentional damage to property owned, leased, or controlled by the College, Foundation or Real Estate Foundation or property of any visitor or member of the College Community.
25. *False reports* – Knowingly making false reports of an alleged occurrence or impending occurrence knowing that such false report is likely to cause: evacuation of a building, place of assembly, or transportation facility; public inconvenience or alarm; or an emergency response.
26. *Endangering Safety* - Failing to report a fire, interfering with the response of the College or public officials to emergency calls or engaging in similar conduct which demonstrates a disregard for safety or property. Endangering safety may occur due to action (e.g., making a bomb threat or pulling a fire alarm) or inaction (e.g., failing to report).

Classroom Disruptions

Both instructors and students have a right to an educational environment which is conducive to learning. It is the responsibility of instructors to create and maintain this environment in individual classes. Nothing in the Code is intended to infringe upon the academic freedom of instructor or student. To this end, the College will adhere to two fundamental principles:

1. Students have the right to express opinions germane to the subject matter of a course.
2. Instructors have the right to guide classroom discussion and to set reasonable time limits on discussion.

The responsibility for striking a balance between these principles rests with instructors.

Disruptive Behavior: Disruptive behavior includes conduct in and out of the classroom that a reasonable person would view as substantially or repeatedly impairing, interfering with, or obstructing the orderly conduct, processes, and functions of the College or the rights of other members of the College community to teach or learn.

If a student is disruptive in class, the instructor will generally first talk with the student informally outside of class to articulate the problem and expectations clearly. Under most circumstances, the instructor will address the behavioral disruptions outside of class.

If a student engages in behavior disruptive to the learning environment, the student may be denied access to the classroom upon the instructor's determination that the behavior impedes student learning and/or the health and safety of peers, self, or the staff. The instructor will notify the immediate supervisor of the disruptive activity, and the instructor and Academic Program Dean will determine best course of action, up to and including denied access and/or dismissal of the course. This restriction of access may apply to online classrooms as well as face-to-face classrooms.

In some instances, it may be necessary to dismiss the student from class immediately for that class period only and discuss the matter after class. The instructor is strongly encouraged to document the meeting and all other activity. When a student is denied access to the classroom due to behavioral misconduct, the related Academic Program Dean and Chief Academic Officer will be notified within three (3) business days. Students who are removed from class have a right to due process procedures to ensure fair treatment in such circumstances.

If the instructor feels that there is an immediate threat to the health or safety of others, the instructor will call 9-911(from a college phone) or 911 from a mobile device and then call the Executive Director of Facilities, Safety and Security. A Behavioral Intervention Team ticket MUST be submitted if a faculty or staff members feels there is a threat to safety and security.

Common Disruptive Behaviors: Examples of disruptive behavior include, but are not limited to:

- Persistent late arrival or departure that disrupts the class
- Repeated cell phone use during class
- Intentionally disrupting class with use of language or physical behaviors
- Loud and/or frequent interruption of class flow with inappropriate questions or remarks
- Persistent contact outside of class that hampers the instructor's ability to do normal work or assist other students
- Belligerent behavior
- Verbal and/or physical threats
- Threatening or harassing emails, letters, messages or voicemails
- Inappropriate contact at the instructor's home
- Any behavior indicating a romantic or obsessive interest
- Distressing, disturbing or other dangerous behaviors

Disruptive behavior, particularly when such behavior is repeated, threatening, harassing or dangerous, is a violation of the Student Code of Conduct and shall be handled accordingly.

Behavioral Misconduct Procedure & Sanctions

Any member of the College community may report a violation of the Code. Individuals who report a violation are referred to as "complainants" and individuals alleged to have violated the Code are referred to as "respondents." Reports should be made using the reporting form on the college website or reported directly to the Chief Student Services Officer. Reports should be sent as soon as possible following the alleged conduct to ensure timely investigation. All reports of behavioral misconduct made to other College employees will be referred to the Chief Student Services Officer or designee.

Complaints of behavioral misconduct will be addressed through the procedures set forth below. Complaints of sexual harassment under Title IX of the Education Amendments of 1972 will be addressed under the College's Gender Discrimination and Sexual Misconduct (Title IX) policy at: [Gender-Discrimination-Sexual-Misconduct-Title-IX-Pending-Approval.pdf \(swtc.edu\)](#)

Generally, the process for addressing reports of behavioral misconduct will be completed within sixty (60) days although the College reserves the right to extend the timeline when necessary to complete an investigation.

Note: When the severity of the circumstances warrants, the Chief Student Services Officer, Executive Director of Facilities, Safety, & Security, Director of Public Safety & Advising, Vice President of Administrative Services, Chief Human Resources Officer, and/or President may impose upon the respondent a temporary suspension or separation from the College, including classes and College housing.

Step 1:

Notification of Incident

- Upon receipt of a report, the Chief Student Services Officer or designee will determine if the report alleges a violation of the Code. If so, the Chief Student Services Officer will designate assigned College officials to take the following steps:
 - Contact law enforcement, if appropriate.
 - Meet with the complainant to understand the nature of the report and offer supportive services.
 - Gather other relevant information, if necessary.
 - Report to the Chief Student Services Officer who will determine whether to initiate an informal or formal resolution process.
 - Provide written notice to the respondent and complainant of the allegations in the report and inform them whether the College will initiate a formal or informal resolution process.

Informal Resolution

- When both a complainant and respondent agree to informal resolution and an informal resolution process is warranted, the Chief Student Services Officer will conduct the informal resolution process.
- During the process, the respondent will be given the opportunity to respond and provide information relevant to the allegations in the report.
- If needed, the Chief Student Services Officer will seek additional relevant information from the complainant or other witnesses.
- Following completion of the informal resolution process, the Chief Student Services Officer will notify the complainant and respondent (if appropriate) of the outcome.
- Matters resolved through informal resolution often involve sanctions such as:
 - Service requirements
 - Restitution
 - Loss of privileges
 - Education Requirements

Step 2:

Notification & Investigation

- If a formal resolution process is warranted, the Executive Director of Safety, Security and Facilities, and/or Director of Public Safety and Advising will take the following steps:
 - Conduct a thorough investigation which includes the following:
 - Interview complainant, respondent, relevant witnesses, and College officials, if appropriate.
 - Review relevant documents including: student records, disciplinary records, police reports, and audio and video recordings.
 - Review College policies and procedures.
 - After gathering all relevant information, meet with the respondent, share the information obtained, and provide respondent an opportunity to respond to the information.
 - If needed, conduct additional interviews or gather additional information.

Step 3:

Findings & Sanctions

- Upon completion of the investigation, the Chief Student Services Officer will review the evidence and make findings based on a preponderance of evidence standard (whether a violation is more likely than not).
- Based on the findings, the Chief Student Services Officer will determine appropriate sanctions, in conjunction with other college officials when appropriate.
The respondent will be notified in writing, delivered by email, mail or in person, of the findings and disciplinary sanctions (Decision).
- The Chief Student Services Officer is given broad authority to determine sanctions, based on the best interest of the respondent, complainant, other individuals, and the College. Discipline may include one or more sanctions listed below. All Decisions regarding behavioral misconduct will be maintained by the College in accordance with state and federal law.

Sanctions for Behavioral Misconduct

The range of outcomes, consequences, and sanctions include, but are not limited to:

1. *Verbal reprimand* – Verbal notice to the student that his/her actions are inappropriate and the individual must act more responsibly in the future.
2. *Written reprimand* - Written notice to the student that his/her actions are inappropriate and the individual must act more responsibly in the future.
3. *Corrective Action* – Required corrective action including, but not limited to, academic counseling, substance abuse screening, writing a letter of apology, etc.
4. *Educational program* – Enrolling in an educational program addressing the related issues. Referral to an off-campus education program may be recommended.
5. *Loss of privileges/access* - Denial of specified privileges for a designated period of time such as a restriction from hosting visitors and/or guests in housing; prohibitions on entering a specified housing facility; restriction from College-sponsored extracurricular activities or work positions on campus; other restrictions, as approved by the Chief Student Services Officer or designee.
6. *Restitution/Compensation*. Monetary penalties for loss, damage, or injury.
7. *No Contact Directive*. Directive to avoid all contact with complainant or other individual including via in-person, email, cellphone, social media, or other electronic medium.
8. *Mandated Housing Reassignment* – Immediate relocation of the respondent to another housing residence.
9. *Probation* - Probation for a designated period of time. Additional disciplinary sanctions will be imposed if the student engages in behavioral misconduct during the probationary period.
10. *Housing Probation* - Housing probation for a designated period of time. Additional disciplinary sanctions will be imposed if the student engages in behavioral misconduct during the probationary period.
11. *Disciplinary Suspension* - Suspension results in separation from the College for a specific minimum period of time, after which the respondent is eligible to return, usually after meeting certain conditions. During the suspension period, the student is banned from property owned, leased, or controlled by the College, Foundation or Real Estate Foundation, including student housing and is banned from school-sponsored events and activities. The sanction may be enforced with a trespass action as necessary. Students suspended for disciplinary reasons are not entitled to any refund of tuition or housing fees.
12. *Housing Suspension* - Separation from the student housing area for a specific period of time, after which the student may be eligible to return. During the suspension period, the

student is banned from student housing. The sanction may be enforced with a trespass action as necessary. Students suspended for disciplinary reasons are not entitled to any refund of housing fees.

13. *Expulsion* - A permanent separation from the College. The student is banned from property owned, leased, or controlled by the College, Foundation or Real Estate Foundation, including student housing, and at College-sponsored events. This sanction may be enforced with a trespass action as necessary. Students that are expelled for disciplinary reasons are not entitled to any refund of tuition or housing fees.
14. *Housing Expulsion* - Permanent removal of the student from student housing. The sanction will most likely result in a permanent ban from all student housing properties. Students dismissed from student housing for disciplinary reasons are not entitled to any refund of housing fees.
15. *Academic Removal* - Removal of student from an academic course ("W" grade shown on transcript).
16. *Confiscation of Prohibited Property* – Confiscation of illegal or prohibited items for specified period of time. Any controlled substances, including alcohol, will be discarded or turned over to law enforcement.

Step 4:

Seeking an Appeal

- Within five (5) business days of the date of the Decision, the respondent may request an appeal, in writing, on the following basis:
- To consider new evidence, unavailable or not considered during the original investigation which may substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included with the appeal request.
- A procedural or substantive error occurred that significantly impacted the outcome of the Decision. The specific error(s) alleged to have occurred must be identified in the appeal request.
- The sanctions imposed are substantially outside the guidelines set by the College for this type of offense or the cumulative conduct record of the responding student.
- Written appeals based on new evidence should be submitted to the Chief Student Services Officer.
- Written appeals based on procedural error or disproportionate sanctions should be submitted to the Chief Academic Officer
- If an appeal is not timely or warranted under these procedures, the Decision will be final.

Appeal Based on New Evidence

Upon receipt of an appeal based on new evidence, the Chief Student Services Officer, or designee, shall:

- Notify the complainant or respondent when appropriate under the law.
- Review the appeal to determine if the appeal is warranted.
- Notify the appellant, in writing, whether the appeal is granted or denied and the basis for that decision.
- If an appeal is warranted, review all new evidence submitted to determine if it substantially impacts the findings or sanctions in the original Decision.
- If not, notify the appellant, in writing, that for this reason, the Decision is affirmed.
- If the new evidence substantially impacts a finding or sanction, conduct further investigation if necessary.

- Notify the appellant, in writing, whether the Decision is affirmed, reversed, or modified.

Appeals Based on Procedural Error or Disproportionate Sanctions

Upon receipt of an appeal based on procedural error or disproportionate sanctions, the Chief Academic Officer, or designee, shall:

- Notify the complainant or respondent when appropriate under the law.
- Review the appeal to determine if the appeal is warranted.
- Notify the appellant, in writing, whether the appeal is granted or denied and the basis for that decision.
- If an appeal is warranted, convene an Appeals Panel.

Step 5:

Appeal

If an appeal is warranted, the appeal process shall commence within fifteen (15) business days after the written appeal request is received by the Chief Student Services Officer or Chief Academic Officer.

See Appeals Panel Guiding principles for further details.

Step 6:

Notification of Appeal Outcomes

- The decision of the Chief Student Services Officer (for appeals on the basis of new evidence) or Appeals Panel (for appeals on the basis of a procedural error or disproportionate sanctions) is final.
- Within two (2) business days following a decision by the Chief Student Services Officer or Appeals Panel, the Chief Student Services Officer shall notify the appellant, in writing, of the decision and implement any issued sanctions.

Note: Decisions with respect to disciplinary matters will be treated as confidential student records subject to the Family Educational Rights and Privacy Act.

Parental Notification

The College reserves the right to notify parents/guardians of dependent* students of violations of the Code, and may do so for drug and alcohol violations. The College may also notify parents/guardians of all students who are under the age of 21 of drug and alcohol violations. (*A dependent is defined by FERPA as a student who is dependent for tax purposes.)

MISCONDUCT AND POSSIBLE SANCTIONS

The table below sets forth the general range of sanctions for student misconduct. Students should note that the College reserves the right to issue additional and/or different sanctions should individual circumstances warrant. In doing so, the College may consider factors including, but not limited to, prior violations, severity of conduct, effect of conduct on other students and staff, number of individuals affected, and opportunity for education, resolution, and restorative justice.

Behavioral Misconduct	Possible Sanctions
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Abusive Acts	Written reprimand, Corrective action, Educational program, Probation, Housing probation, No contact directive, Disciplinary suspension, Housing suspension, expulsion, Housing expulsion
Bullying and cyberbullying	Verbal reprimand, Written reprimand, Educational program, Corrective action, Probation, Housing probation, Disciplinary suspension, Housing suspension, Expulsion, Housing expulsion
Damage to Property	Corrective action, Probation, Housing probation, Restitution/Compensation, Loss of privileges/access
Disruptive Behavior	Verbal reprimand, Written reprimand, Corrective action, Probation, Housing probation
Noncompliance with Policies and Procedures	Verbal reprimand, Written reprimand, Corrective action, Educational program, Loss of privileges/access, Probation, Housing probation
Sexual Harassment	Educational program, Probation, No Contact Directive, Housing Probation, Disciplinary suspension, Housing suspension, Expulsion, Housing expulsion
Sexual Misconduct	No Contact Directive, Expulsion, Housing Expulsion
Substance abuse - first offense	Written reprimand, Educational program, Probation, Housing Probation, Confiscation of prohibited property
Substance abuse - repeat offense	Educational program, Probation, Housing probation, Mandated housing reassignment, Disciplinary suspension, Housing suspension, Confiscation of prohibited property, Expulsion, Housing Expulsion
Theft	Probation, Housing probation, Restitution/Compensation, Loss of privileges/access, Disciplinary suspension, Housing suspension
Use of Prohibited Items	Verbal reprimand, Written reprimand, Restitution/Compensation, Loss of privileges/access, Probation, Housing probation
Weapons	Housing suspension, Housing expulsion, Confiscation of prohibited property, Probation, Housing probation, Suspension, Housing suspension, Expulsion, Housing expulsion, Confiscation of prohibited property

ACADEMIC MISCONDUCT

Students are expected to operate with Academic Integrity. The following issues are identified as Academic Misconduct and warrant formal sanctions:

1. Seeking to claim credit for the work or efforts of another without authorization or citation.
2. Using unauthorized information, materials, or fabricated data in any academic exercise.

3. Forging or falsifying academic documents or records or otherwise purposely furnishing false information to the College in connection with academic work.
4. Intentionally impeding or damaging the academic work of others.
5. Engaging in conduct aimed at making false representation of a student's academic performance.
6. Cheating on an examination, including the unauthorized use of information, materials or aids, or use of unauthorized additional time (special needs accommodations require approval of instructor and Disability Support Services staff).
7. Asking another student, verbally or in writing, to share information about the contents of an examination or assessment, without written permission from the instructor, specific to that examination or assessment.
8. Submitting, without the explicit approval of the course instructor, work previously presented in another course.
9. Violating course rules as contained in the course syllabus or other information provided to the student.
10. Violating program policies, professional standards and/or regulations as established by a division or department and made available to students.
11. Assisting other students in any of these acts.

Academic Consequences and Sanctions

Academic Misconduct will be addressed by the procedure set forth below.

Step 1:

Notification of Incident and Instructor Investigation

If an instructor suspects that a student has engaged in academic misconduct, the instructor will:

- Notify the Academic Division Dean.
- Notify, in writing, the student alleged to have engaged in the conduct.
- Commence an investigation.

Investigation of academic misconduct

- The student shall be afforded an opportunity to respond to the alleged misconduct, including providing relevant documentation or other evidence, and identifying relevant witnesses.
- Generally, an investigation will be completed within five (5) business days.

Step 2:

Instructor Findings and Sanction

- If the instructor determines that no academic misconduct occurred, the matter will be considered concluded.
- If the instructor determines that academic misconduct occurred, the instructor and Academic Program Dean shall take one of the actions below.
 1. Determine appropriate academic sanctions and notify the student, in writing, of the determination and sanctions (Decision), which may include any of the following:
 - Documented verbal reprimand
 - Written reprimand
 - Removal of student from course
 - Required resubmission of the work to be graded on its merits
 - A lower grade on the particular assignment or test
 - A failing grade on the particular assignment or test

- A lower grade in the course
- A failing grade in the course

-OR-

2. If the instructor determines that the above sanctions are inadequate, the instructor will refer the matter to the Academic Division Dean for elevated sanctions. In such case, the Academic Program Dean will notify the student, in writing, that the matter has been referred for elevated sanctions.

Step 3:

Elevated Sanctions

- Upon referral of academic misconduct for elevated sanctions and review of the instructor's Decision, the Academic Division Dean may impose additional sanctions, including any of the following:
 - Removal of the student from the course in progress (optional: ("W" grade shown on transcript))
 - Removal of the individual from student worker positions, athletic teams, or other student-related activities
 - Place the student on Disciplinary Probation
 - Impose Disciplinary Suspension
 - Expel the student from the College
- The Academic Division Dean will notify the student, in writing, of all sanctions issued.
- Two Academic Code violations (including classroom sanctions in Step 2 and elevated Sanctions in Step 3) may result in suspension from Southwest Tech for a period of two (2) years. Prior to re-enrollment, the student will be required to meet with the Academic Division Dean and satisfy other conditions of enrollment, if appropriate. Any further violations may result in permanent expulsion from the college.

Step 4:

Appeal

- Students have three (3) business days from receipt of a written Decision from the instructor or Academic Program Dean to request an appeal.
- The appeal must be in writing, directed to the instructor (if sanctions were issued by instructor) or Academic Program Dean (if elevated sanctions were issued) and provide information that supports an appeal for one of the following reasons:
 - To consider new evidence, unavailable or not considered during the original investigation, which could substantially impact the original findings or sanction. A summary of this new evidence and its potential impact must be included.
 - A procedural or substantive error occurred that significantly impacted the outcome of the Decision.
 - The sanctions imposed are disproportionately outside the guidelines set by Southwest Tech for this type of offense or the cumulative conduct record of the responding student.
- All appeals shall be referred to the Chief Academic Officer to determine if the appeal is timely and meets the criteria above. If the matter is not eligible for appeal, the original finding and sanctions will be final.
- If the appeal meets all required criteria, the Chief Academic Officer may review the appeal or refer the appeal to an Appeals Panel.

- The Chief Academic Officer will notify the student, in writing, whether the appeal was granted and how it will be reviewed.

Step 5:

Appeal

- Generally, appeals will be conducted within fifteen (15) business days after receipt of a student's request, unless additional time is needed and approved by the Chief Academic Officer.
- The appeal review is limited to the documentation presented in the written appeal.
- On review, the Appeals Panel or Chief Academic Officer will prepare a report with findings and make a determination to do one of the following:
 - Affirm the Decision in whole
 - Affirm the Decision with modifications
 - Reverse the Decision and dismiss the complaint
 - Reverse the Decision and order further investigation

See Appeals Panel Guiding principles for further details.

Step 6:

Notification of Appeal Outcome

- The decision of the Appeals Panel or Chief Academic Officer is final. The Chief Academic Officer will implement the final decision. The Chief Academic Officer will notify the student of the decision, in writing, within two (2) business days following completion of the appeal.

GRADE DISPUTE

Assignment, Project and Test Grades

Students who wish to dispute a grade received during the semester, other than the final grade (e.g., grade on a test, essay, homework, performance, computer program project), may do so informally by discussing the matter with the instructor who issued the grade. However, the instructor's decision is final and may not be further appealed.

Final Grade Dispute

When a student believes that the final grade he/she has received in a course is inaccurate or unjustified, the student must use the following dispute procedures:

1. Within thirty (30) business days from posting of the final grade, the student shall contact the instructor who issued the final grade and discuss the grade in question. If the student is unable to contact the instructor, he or she may seek assistance through the Academic Program Dean. The instructor shall provide a written response to the student within five (5) business days of discussing the grade with the student.
2. If the student and instructor are not able to resolve the dispute and the student wishes to pursue the matter, he or she shall contact the Academic Program Dean in writing within ten (10) business days of the date of the instructor's decision. The Academic Program Dean, or designee, will work to attempt a resolution. The Academic Program Dean or designee shall provide a written response to the student within ten (10) business days of receipt of the request to resolve the dispute.
3. If the dispute is not resolved by the Academic Program Dean, the student may make a written request to the Chief Academic Officer, or designee, within five (5) business days of the written response from the Academic Program Dean. If the request is not filed within the prescribed time, the student forfeits the right to any further appeal. The appeal letter must include the student's reasons for disputing the final grade.

4. The Chief Academic Officer will respond to the student within ten (10) business days. This decision is final.

APPEALS

APPEALS PANEL COMPOSITION

- The Chief Academic Officer will select a three-member Appeals Panel from a pool of individuals which includes faculty, staff, and students who have completed DL Stafford training as a Campus Safety Authority. If the Chief Academic Officer was involved in academic misconduct sanctions under appeal than the Chief Student Services Officer will select the Appeals Panel.
- One member of the Appeals Panel will serve as the chairperson.

Eligibility of Appeals Panel Members

Individuals (other than students) are eligible to serve on the Appeals Panel if they meet the following criteria:

- The individual received training on appeal procedures.
- The individual was not involved in any part of the complaint process.
- Students may serve on an Appeals Panel if they meet the following criteria:
 - The student is in good academic standing and have completed at least 15 credits with a cumulative GPA of 2.0.
 - The students is not under investigation for misconduct under any policy of the College.
 - The student has not received disciplinary sanctions for misconduct under any policy of the College during any period of enrollment.

The President has final authority to approve all members of an Appeals Panel.

APPEALS PANEL PROCESS AND GUIDING PRINCIPLES

- The Appeals Panel (Panel) conducts administrative reviews, not hearings or other legal proceedings. The Panel will review only information relevant to the reason for the appeal and give appropriate deference to the Decision. The Chief Student Services Officer may not participate in the appeal of behavioral misconduct sanctions.
- The appellant shall have the opportunity to provide the Panel written information relevant to procedural error or disproportionate sanctions.

The Appeals Meeting

- Prior to the meeting, the Panel shall be provided with the following:
 - Decision including evidence
 - Request for appeal
 - Student Code of Conduct
 - Any applicable College policies
 - Guidelines for Sanctions
 - Written information relevant to procedural error or disproportionate sanctions provided by the appellant.
- The Panel will meet in closed session to decide the appeal. The chairperson will lead the meeting. A member of the panel will be assigned by the chairperson to keep a written record of the meeting.
- Participants at the meeting will include:
 - The Chief Academic Officer in a non-voting capacity to advise the Panel on the process. If the Chief Academic Officer was involved in academic misconduct

- sanctions under appeal then the Chief Student Services Officer will participate in a non-voting capacity to advise the Panel on the process.
- 3 (three) Panel members
 - The College attorney in a non-voting capacity to advise the Panel on legal issues
 - The Panel will consider only the written information submitted to the Panel and may not consider information based on personal knowledge of any member of the Panel.
 - Following review of all written information, the Panel will deliberate and decide, by majority vote, to take one of the following actions:
 - Affirm the Decision in whole
 - Affirm the Decision with modifications
 - Reverse the Decision and dismiss the complaint
 - Reverse the Decision and order further investigation
 - A written record of the appeals meeting will be maintained by the College.

NOTICE

When written notice is required herein, such notice may be provided in any of the following ways:

- Email to a College-issued email account;
- Mail through the U.S. Postal Service
- Hand-delivery

If notice cannot be effectuated using any of the methods set forth above, the College will utilize such other method that ensures actual notice to an individual. In any case, the method of notice utilized will be documented in the complaint record.

APPROVAL

The Student Code of Conduct was approved by the Executive Team on September 14, 2021.