

STUDENT CODE OF CONDUCT: Itasca Community College offers each student the freedom to learn and the freedom to enjoy college life in an orderly and lawful manner. In return, Itasca Community College expects every student to assume the obligation and responsibilities that accompany these freedoms. By enrollment at ICC, the student assumes the obligation and responsibility of conducting him/herself in accordance with reasonable and lawful requirements. Violations of these responsibilities may result in sanctions that can include warning, restitution, probation, suspension, or expulsion from the college.

Students have the right to establish their own personal life and behavior so long as they do not violate college regulations or interfere with the rights of others or the educational process. ICC has both the right and responsibility to protect members of its community from both physical harm and property damage.

Students, by their association with ICC, will abide by college conduct policies. However, this code of student conduct does not replace nor does it reduce any requirements of civil or criminal law imposed upon citizens as members of the larger community. Therefore, students who violated civil or criminal law may be subject to both legal and college sanctions for the same conduct when the conduct occurs off campus but is related to the college community.

Students may be held accountable for violations of the behaviors committed off campus when:

- Hazing is involved
- The violation is committed while participating in a college sanctioned or sponsored activity
- The victim of the violation is a member of the college community
- The violation constitutes a felony under state or federal law
- The violation adversely affects the education, research, service or image of the college

The following list of Student Rights and Responsibilities can be found in its entirety at www.mnscu.edu/board/policy/301.html:

1. Freedom to Learn
2. Freedom of Expression
3. Freedom of Association
4. Student-Sponsored Forums
5. Student Publications
6. Student Policies
7. Catalog and Course Information

8. Student Academic Standing Information
9. Academic Evaluation
10. Property Rights
11. Student Review and Consultation

In addition:

- Students have the right to freedom from discrimination or harassment on the basis of race, ethnicity, gender, sexual orientation, religion, creed, political beliefs, national origin or disability.
- Students have the right to be safe and free from all physical violence.
- Students have the right to expect that their personal property will be safe from theft, damage, and destruction.
- Students have the right to accurate and timely information regarding academic issues, such as course requirements and expectations, and graduation requirements.
- Students have the right to expect that all of their records will be maintained in accordance with the Family Educational Rights and Privacy Act of 1974.
- Students have the right to fair and impartial treatment and due process in the investigation of any alleged violation.
- Students have the right to fair, consistent, and appropriate discipline, in line with the disciplinary policies authorized by the MnSCU Board, if they are found guilty of violating a rule or regulation.
- Students have the right to grieve actions and policies that they consider unfair and inconsistent.
- Students have the right to freely engage in inquiry and discussion, the cornerstone of education at Itasca Community College. Therefore, in accordance with the guarantees of federal and state constitutions, students have the right to speak, write, and discuss freely all ideas relevant to their educational development.

Examples of Student Code of Conduct Violations: While it is not possible to define each instance of misconduct, the following examples are intended to convey offenses which might result in student conduct action.

- Violation of MnSCU Board of Trustees and college policies, rules or regulations.
- Violation of local, state or federal laws on college property or off-campus when the violation is directly related to the college community.
- Violations off-campus when it adversely affects the educational, research, or service functions of the college.
- Violations constituting a felony under state or federal law.

- Academic dishonesty including, but not limited to, cheating and plagiarism.
- Disruption by an individual or group in college operations or the rights of others to participate in college programs or services.
- Unauthorized entry into or use of the college facilities or equipment.
- Violation of student electronic mail rules and regulations.
- Alleged or actual criminal violence such as possession of weapons or incendiary devices. This could include theft, vandalism, or physical violence against property or another person.
- Possession, use, sale or distribution of alcoholic beverages and 3.2% malt liquor at Itasca Community College.
- Physical or psychological/emotional abuse including, but not limited to stalking, intimidation, or harassment.
- Hazing – an act which endangers the mental or physical health or safety of a student, 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. Disciplinary action can be taken against both individuals and organizations, with the officers of the organization service as representatives during any hearing.
- Disorderly conduct on campus – threats, physical abuse, or harassment which threatens or endangers the health, safety or welfare of a member of the college community; breaching the peace; physically assaulting another; fighting, obstructing or disrupting teaching, research, administrative and public service functions; obstructing or disrupting disciplinary procedures or authorized college activities; or vandalism.

Investigation and Informal Process: Following the filing of an accusation against a student, the college shall conduct an investigation of the charges. If evidence suggests the accusation is unwarranted, the proceedings may be discontinued. If there is sufficient evidence to support the accusation, the accused student will have an opportunity to resolve the violation at an informal meeting with the Dean of Academic Affairs. Five (5) school days prior to this meeting, the student shall be given oral or written notice of the charges against him/her and of the evidence available to support the charge. If a mutually acceptable resolution cannot be reached during the informal meeting, including any applicable sanctions, the case shall be referred to the formal adjudication process.

Formal Hearing and Due Process Rights: The formal hearing panel, if one is necessary, will include three students (selected by the ICC Student Association), two faculty members and one support staff person selected by the ICC Provost. A

college administrator, selected by the ICC Provost, will serve as facilitator. The student will be notified in writing at least five (5) school days prior to the hearing, of the time, place, and date of the formal hearing. The student's failure to appear at the hearing will not prevent the hearing from proceeding as scheduled.

At the time of the hearing, the student will be notified in writing of the charges, the evidence to be presented, a list of witnesses, and the nature of their testimony. The student may have an advisor present at the hearing. The advisor may not participate in the questioning, but may provide advice to the student during the proceeding. The student will be given opportunity to speak in his/her defense and to question any witnesses. A written notice of findings and conclusions will be provided to the student within ten (10) school days after the hearing. The notice will inform the student of any sanctions to be imposed.

Appeal: The student will have the right to appeal the sanction imposed by the formal hearing panel to the Provost within ten (10) school days following the hearing. The Provost will have ten (10) school days to respond to the appeal. Students suspended for ten (10) or more days have the right to appeal the Provost's decision to an Administrative Law Judge at the Office of Administrative Hearings. The Administrative Law Judge will conduct a hearing and make a recommendation regarding the sanction to the President. The decision of the President will be final.

Sanctions: The college has the authority to impose sanctions for violations of the Student Code of Conduct. One or more of the following sanctions may be imposed:

- **Warning** – A warning is a written notice to students that their conduct has been inappropriate. The warning will note that future violations will result in more serious sanctions. The written warning will be placed in the student record.
- **Probation** – A probation period is a specified period of time during which students will have an opportunity to remediate their behavior. Students may be restricted from participation in college classes or activities. Additionally, students may be required to perform some type of work function or attend counseling sessions and complete follow-up recommendations.
- **Summary Suspension** – a suspension, not to exceed ten (10) school days, imposed without a formal hearing to ensure the safety and well-being of members of the college community.
- **Suspension** – Denial of the privilege of enrollment for a specified period of time after which the student is eligible to return. Conditions for re-admission may be specified.
- **Expulsion** – Permanent denial of the privilege of enrollment.

Classroom Civility: The following statement has been adopted by the college as part of the Student Code of Conduct to ensure that all students have a safe and conducive learning environment. Students who do not follow this code of conduct may be reported to the Dean of Academic Affairs. The administration reserves the right to remove students from classes who do not adhere to the guidelines of this code of conduct statement.

"It is essential that instructors and students maintain a safe and mutually respectful environment in which they can teach and learn. Any student behavior that is threatening or distracting to instructors, students, or the learning experience is unacceptable and will not be tolerated at Itasca Community College.

Consequences for such unacceptable conduct may include a verbal reprimand, temporary or permanent removal from class, or expulsion from Itasca Community College.

Instructors have the right to request a meeting with the disruptive student and an administrator if they feel such a meeting is necessary. Students also have the right to ask for the attendance of another college employee at the meeting."

Adopted by the ICC Faculty Association and Administration – February 2005

ACADEMIC INTEGRITY: Academic honesty and integrity are highly valued in the ICC community. Students who enroll and remain at Itasca should therefore realize that to submit work which is not academically honest violates the purpose of the college. Academic dishonesty is unethical behavior which adversely affects not only the college's academic environment but also the larger community. It seriously compromises the integrity of the academic experience and will be neither tolerated nor condoned at Itasca. Specific programs (i.e. nursing) may also have policies regarding academic integrity.

Definition: No student shall engage in behavior that, in the judgment of the instructor of the class, may be construed as academically dishonest. Academic dishonest or cheating includes, but is not limited to, the following:

1. Plagiarism – presenting the ideas and/or words of others as if they were one's own as if they were one's own without acknowledging their origins.
2. Dishonesty in testing:
 - a. the unauthorized acquisition and/or possession of unadministered tests or other academic materials, and/or the distribution of these materials.
 - b. copying from another student's test paper and/or collaborating during a test with any other person by giving or receiving information without authority.

3. Selling or giving an assignment (e.g., theme, report, term paper, essay, painting, drawing, sculpture) to another student for use in a course, or submitting an assignment prepared totally or in part by someone else.
4. Submitting nearly identical work that one has previously offered for credit in another course without prior approval of the instructor.
5. Violating authorized guidelines established by instructors for individual assignments.
6. Sabotaging or damaging the work of others.

Penalties: Students who violate this policy are subject to penalties as determined by the instructor. These penalties may include one of the following:

1. Failure (or 0 points) on the assignment or test on which the academic dishonest occurred.
2. Failure in the course (i.e., student is in effect "expelled" from the class).
3. Expulsion from the institution.

Faculty will be expected to inform the Academic Dean in writing of the violation in circumstances of course failure and recommended expulsion from ICC.

Appeals: Students have the right to appeal decisions regarding academic dishonesty through the Academic Dean.

CHILDREN ON CAMPUS: Children are welcome on campus at appropriate activities and college events (performances, athletic events, open houses). Students may not bring children to class without prior consent from the instructor. Also, it is not appropriate to bring children to the college in the following circumstances: work-study job sites, new student orientations, and assessment appointments. In addition, college employees should not be asked to supervise children. Children are the responsibility of the responsible individual while on campus. Violations will be addressed through the Student Conduct Policy.

COMPUTER POLICIES: All students are assigned a unique computer account providing them with access to campus lab computers and network resources. Students must activate their account prior to using any of the campus provided computer/information technology resources.

You can activate your account by going to <http://www.itascacc.edu> and selecting "Students" from the main menu and follow the link to "Activate Account." This will take you to a web page that allows you to review the MnSCU and ICC technology policy. At the bottom of the policy page, you will be required to create a new account password and sign off on a statement indicating that you have read and understand

the Acceptable Use Policy for Campus Computing. Alternatively, students may review a paper copy available in the Computer Services office (Davies T235) and sign the acceptance form and submit it to the attendant on duty. Any questions about the policies may be directed to Chad Haatvedt, Director of Computer Services.

CRIME AWARENESS AND CAMPUS SECURITY – This information is being provided to you as part of Itasca Community College's commitment to safety and security on campus and is in compliance with the Federal Crime Awareness & Campus Security Act of 1990. A copy of Itasca Community College's Annual Security Report in its entirety can be obtained from the Student Services Assistant in 105 Backes Student Center, on information racks around campus, on the ICC website (www.itascacc.edu/about/iccsecurityreport.pdf) or the department of education website (<http://ope.ed.gov/security>).

Reporting of Criminal Actions or Emergencies: To report a crime or emergency, call the switchboard at 327-4460 during normal office hours (8 am – 4 pm, Monday through Friday). After hours, facility services/ maintenance can be contacted at 327-4470 or 244-3191. If you are reporting a medical emergency, you should call the same number or call 911 in case of serious injury or loss of consciousness. There are free phones available in the lower level of Donovan Hall, the lobby of Davies Hall, the Backes Student Center entrance and lounge area, and the entrance to Wilson.

Law Enforcement Authority: Itasca Community College maintains a close working relationship with the Itasca County Sheriff's Department. Crime related reports and statistics are routinely exchanged. The college reports all incidents to the Sheriff's Department, and they also assist in patrolling our parking lots.

Campus Security: This function is coordinated through the Facilities office. An escort service is available after 4 pm by phoning 327-4470 or 244-3191. ICC Facility Services personnel also can be contacted at 244-3191 in an emergency.

Crime Statistics: Itasca Community College believes that an informed public is a safety-conscious public. The following statistics, provided in compliance with the Crime Awareness and Campus Security Act of 1990, are for your information.

Number of Incidents Occurring at Itasca Community College

	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
<u>Occurrences Reported</u>					
Murder/Non-Negligent					
Manslaughter	0	0	0	0	0
Rape.....	0	0	0	0	0
Robbery.....	0	0	0	0	0

Burglary	8	11	3	5	5
Aggravated Assault	0	1	0	0	0
Motor Vehicle Theft	0	1	0	0	0
<u>Arrests Reported</u>					
Liquor Law Violations	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0
Weapons Possession	0	0	0	0	0

If you have any questions regarding campus security, contact the Director of Finance & Facilities at 327-4207 or stop in 105 Backes Student Center.

DRUG-FREE STUDENT POLICY – PUBLIC LAW 101-226 – According to the Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226) and Minnesota

Statutes 152 Prohibited Drugs, 340A Liquor Act, and 624.71 Liquors in Certain Buildings or Grounds, Itasca will implement a program to prevent the use of illicit drugs and the abuse of alcohol by its students and employees.

Standards of Conduct, as outlined below, apply to all students and employees at Itasca Community College. Reviewed 7/2007.

- No student or employee shall use, manufacture, sell, give away, barter, deliver, exchange or distribute; or possess with the intent to use, manufacture, sell, give away, barter, deliver, exchange, or distribute, a controlled substance or drug paraphernalia as defined in Minnesota Statutes, Chapter 152, while on campus, or while involved in a college activity, service, project, program or work situation, off-campus.
- No student or employee shall possess a controlled substance, except when the possession is for that person's own use, and is authorized by law, 1) while on campus, or 2) while involved in a college activity, service, project, program or work situation off-campus.
- Except as allowed by Minnesota Statute 624.701, no student or employee shall introduce upon, or have possession upon, any college campus, or while involved in a college activity, service, project, program or work situation, any alcoholic beverage as defined in Minnesota Statute 340A.101.
- Employees working on federal grants or contracts who are convicted of a criminal drug statute violation occurring in the workplace are required to inform the principal campus administrator of this fact within five calendar days of the conviction. The college will notify the federal government within ten days after receiving notice of such an employee being convicted of a criminal drug statute violation occurring in the workplace.

- No employee shall report to work, and no student shall report to campus, while under the influence of alcohol, or a controlled substance, except as prescribed by a physician, which affects alertness, coordination, reaction, response, judgment, decision-making or safety.

Campus Sanctions: Administrative and legal sanctions up to and including: 1) termination of employment for employees and expulsion for students; and 2) referral for prosecution, will be imposed on students and employees who violate the above standards of conduct. A disciplinary sanction may include the completion of an appropriate rehabilitation program.

Legal Sanctions: Federal and state sanctions for illegal possession of controlled substances range from up to one year imprisonment and up to \$100,000 in fines for a first offense, to three years imprisonment and \$250,000 in fines for repeat offenders. Additional penalties include forfeiture of personal property and the denial of federal student aid benefits. Under federal laws, trafficking in drugs such as heroin or cocaine may result in sanctions up to and including life imprisonment for a first offense involving 100 gm or more. Fines for such an offense can reach \$8 million. First offenses involving lesser amounts, 10-99 gm, may result in sanctions up to and including 20 years imprisonment and fines of up to \$4 million. A first offense for trafficking in marijuana may result in up to five years imprisonment and fines up to \$500,000 for an offense involving less than 50 kg, and up to life imprisonment and fines up to \$8 million for an offense involving 1,000 kg or more. The State of Minnesota may impose a wide range of sanctions for alcohol-related violations. For example, driving while intoxicated (blood alcohol content of .10 or more) may result in a \$700 fine, 90 days in jail, and/or revocation of driver's license for 30 days. Possession of alcohol under age 21 or use of false identification to purchase alcohol results in \$100 fine. Furnishing alcohol to persons under 21 is punishable by up to a \$3,000 fine and/or one year imprisonment.

HEALTH RISKS ASSOCIATED WITH THE ABUSE OF ALCOHOL & ILLICIT DRUGS:

- Alcohol is the most abused drug in the U.S. today.
- Alcohol is a drug that acts on the brain. It is potentially addicting, both physically and mentally.
- Alcohol abuse is drinking which harms or endangers the drinker or other people.
- Alcohol abuse can result in violence, poor judgment and loss of coordination.
- Alcoholism is a disease characterized by a physical and mental dependence on alcohol. About one in ten drinkers become alcoholic.

- Alcohol consumed in heavy amounts over a period of years can result in damage to health. It can cause malnutrition; brain damage; cancer of the mouth, stomach and esophagus; heart disease; liver damage; ulcers and gastritis as well as damage to other body organs.
- Prolonged excessive drinking can shorten life span by 10-12 years.
- Drug abuse is a major problem that results when drugs are used improperly.
- Drug abuse is using natural or synthetic chemical substances for non-medical reasons to affect the body, mind and behavior.
- Abusing drugs can be dangerous, especially when taken for a long time, in the wrong combinations or in excess.
- If drugs are taken, there is a risk of overdose and dependence, both physical and psychological.
- Long-term drug abuse can lead to mental illness, malnutrition and organ damage.
- The risk of AIDS, hepatitis and other diseases increases if drugs are injected.
- When drugs make individuals lose control, they may do things beyond their ability and take foolish risks. Accidents and injuries can result to the user and others.
- Abusing drugs can also cause legal, economic and personal problems.
- Individuals who abuse drugs often need help. Breaking a drug habit without outside help can be dangerous because of withdrawal symptoms and difficult because of the psychological need.

ICC is concerned about students' health, ability to learn, and ability to gain skills that will lead to productive lives. ICC also believes that chemical dependency, including alcoholism, is a treatable disease which can be permanently arrested allowing students to return to a productive, healthy lifestyle. Students who have a chemical dependency problem should speak in confidence with a college counselor. These staff members can assist the student in dealing with the problem and make referrals to community agencies for additional assistance. Area agencies offering support, referrals and treatment programs include:

Children's Mental Health	218-327-4886
Hope House	218-326-1443
Meth/Drug Hotline	218-326-8565
Northland Recovery Center	218-327-1026
Range Mental Health	Hibbing 218-263-9237 or Virginia 218-362-6663
Rapids Counseling	218-327-2001
Hazelden Chemical Dependency	800-257-7800

Lake Superior Methadone Treatment218-786-0223

Miller-Dwan Medical Center Chemical Dependency Services888-826-0099

National Drug & Alcohol Abuse800-662-4357

FINAL EXAM: Final exams will be scheduled on campus in two-hour blocks during the last three to four days of the semester, or on the last day of blocked scheduled classes. This includes both comprehensive finals and unit or chapter exams which constitute the last exam given during the semester. Such exams, whether comprehensive or unit/chapter tests, are not to be given prior to the exam period that is set aside. Final exams for evening classes will be held during exam week at the regularly scheduled class time. Final exams for arranged classes will be conducted as arranged by individual instructors. During the final exam period, faculty are expected to meet their classes on campus at the regularly scheduled exam time. If a scheduling conflict arises, the student must assume responsibility for contacting faculty prior to the start of the exam period to make alternate arrangements. Students will not be allowed to take final exams early. However, in the case of extenuating circumstances, a student may petition to take exams early. Decisions regarding final exams at times other than regularly scheduled exam times will be made by the Dean of Academic Affairs after consulting with the appropriate faculty. Faculty are expected to be on campus and available to students during the final exam period for an average of five (5) hours per day. Any circumstances that are not covered by the above should be referred to the Dean of Academic Affairs.

HANDGUN POLICY: The new "conceal and carry" law is officially known as the Minnesota Citizens' Personal Protection Act of 2003, Minnesota Statutes section 624.714 ("MCPA"). The section of the law most directly affecting MnSCU states:
Subd. 18. [Employers; Public Colleges and Universities.]

- (a) An employer, whether public or private, may establish policies that restrict the carry or possession of firearms by its employees, while acting in the course and scope of employment. Employment related civil sanctions may be invoked for a violation.
- (b) A public postsecondary institution regulated under chapter 136F or 137 may establish policies that restrict the carry or possession of firearms by its students while on the institution's property. Academic sanctions may be invoked for a violation.
- (c) Notwithstanding paragraphs (a) and (b), an employer or a postsecondary institution may not prohibit the lawful carry or possession of firearms in a parking facility or parking area.

This policy can be read in its entirety at <http://www.mnscu.edu/board/policy/521.html>

1B.1 NONDISCRIMINATION IN EMPLOYMENT AND EDUCATION OPPORTUNITY:

Part 1. Policy Statement

Itasca Community College is committed to a policy of nondiscrimination in employment and education opportunity. No person shall be discriminated against in the terms and conditions of employment, personnel practices, or access to and participation in, programs, services, and activities with regard to race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, or sexual orientation. In addition, discrimination in employment based on membership or activity in a local commission as defined by law is prohibited.

Harassment on the basis of race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, or sexual orientation is prohibited. Harassment may occur in a variety of relationships, including faculty and student, supervisor and employee, student and student, staff and student, employee and employee, and other relationships with persons having business at, or visiting the education or working environment.

This policy is directed at verbal and physical conduct that constitutes discrimination /harassment under state and federal law and is not directed at the content of speech. In cases in which verbal statements and other forms of expression are involved, Itasca Community College will give due consideration to an individual's constitutionally protected right to free speech and academic freedom. However, discrimination and harassment are not within the protections of academic freedom or free speech.

The college shall maintain and encourage full freedom, within the law, of expression, inquiry, teaching and research. Academic freedom comes with a responsibility that all members of our education community benefit from it without intimidation, exploitation or coercion.

This policy shall apply to all individuals affiliated with Itasca Community College, including but limited to, its students, employees, applicants, volunteers, and agents, and is intended to protect the rights and privacy of both the complainant and respondent and other involved individuals, as well as to prevent retaliation or reprisal. Individuals who violate this policy shall be subject to disciplinary or other corrective action.

This policy supersedes all existing college non-discrimination policies.

Part 2. Definitions

Subpart A. Consensual Relationship. A sexual or romantic relationship between two persons who voluntarily enter into such a relationship. Employees who are members of the same household should also refer to the MnSCU Board of Trustees Nepotism policy 4.10.

Subpart B. Discrimination. Discrimination is defined as conduct that is directed at an individual because of his or her protected class and that subjects the individual to different treatment by agents or employees so as to interfere with or limit the ability of the individual to participate in, or benefit from, the services, activities, or privileges provided by the college or otherwise adversely affects the individual's employment or education.

Subpart C. Discriminatory harassment. Discriminatory harassment is defined as verbal or physical conduct that is directed at an individual because of his or her protected class, and that is sufficiently severe, pervasive, or persistent so as to have the purpose or effect of creating a hostile work or educational environment.

As required by law, Itasca Community College has further defined sexual harassment as a form of sexual discrimination which is prohibited by state and federal law. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education, evaluation of a student's academic performance, or term or condition of participation in student activities or in other events or activities sanctioned by the college; or
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions or other decisions about participation in student activities or other events or activities sanctioned by the college; or
3. Such conduct has the purpose and effect of threatening an individual's employment; interfering with an individual's work or academic performance; or creating an intimidating, hostile, or offensive work or educational environment.

Subpart D. Employee. Itasca Community College personnel include all faculty, staff, administrators, teaching assistants, residence directors and student employees.

Subpart E. Protected Class. Protected class for the purpose of this policy means that discrimination and harassment in employment and education are prohibited on the basis of: race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance or sexual orientation. In addition,

membership or activity in a local human rights commission is a protected class in employment.

Subpart F. Retaliation. Retaliation includes, but is not limited to, intentionally engaging in any form of intimidation, reprisal or harassment against an individual because he or she made a complaint under this policy or assisted or participated in any manner in an investigation, or process under this policy, regardless of whether a claim of discrimination or harassment is substantiated; or associated with a person or group of persons who are disabled or are of a different race, color, creed, religion, sexual orientation or national origin. Retaliation may occur whether or not there is a power or authority differential between the individuals involved.

Subpart G. Sexual harassment and violence as sexual abuse. Under certain circumstances, sexual harassment or violence may constitute sexual abuse according to Minnesota law. In such situations, the college shall comply with the reporting requirements in Minnesota Statutes Section 626.556 (reporting of maltreatment of minors) and Minnesota Statutes Section 626.557 (Vulnerable Adult Protection Act). Nothing in this policy will prohibit the college from taking immediate action to protect victims of alleged sexual abuse. Itasca Community College 1B.3 Sexual Violence Policy addresses sexual violence.

Subpart H. Student. "Student" means an individual who is:

1. admitted, enrolled, registered to take or is taking one or more courses, classes, or seminars, credit or noncredit, at the college; or
2. between terms of a continuing course of study at the college, such as summer break between spring and fall academic terms; or
3. expelled or suspended from enrollment as a student at the college, during the pendency of any adjudication of the student disciplinary action.

Part 3. Consensual Relationships

An employee of Itasca Community College shall not enter into a consensual relationship with a student or an employee over whom he or she exercises direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority or influence. In the event a relationship already exists, the college shall develop a procedure to reassign evaluative authority as may be possible to avoid violations of this policy. This prohibition does not limit the right of an employee to make a recommendation on personnel matters concerning a family or household member where the right to make recommendations on such personnel matters is explicitly provided for in the applicable collective bargaining agreement or compensation plan.

Part 4. Retaliation. Retaliation as defined in this policy is prohibited in the college. Any individual subject to this policy who intentionally engages in retaliation shall be subject to disciplinary or other corrective action as appropriate.

Itasca Community College, a member of Minnesota State Colleges and Universities (MnSCU) system, will follow Procedure 1B.1.1 Report/Complaint of Discrimination/Harassment Investigation and Resolution as can be found in its entirety on the MnSCU website at www.mnscu.edu/board/procedure/1b01p1.html. Contact Dr. Mike Johnson (218-327-4463) to report incidents of suspected harassment or discrimination.

1B.3 SEXUAL VIOLENCE POLICY

Part 1. Policy Statement

Sexual violence is an intolerable intrusion into the most personal and private rights of an individual, and is prohibited at Itasca Community College. Itasca Community College is committed to eliminating sexual violence in all forms and will take appropriate remedial action against any individual found responsible for acts in violation of this policy. Acts of sexual violence may also constitute violations of criminal or civil law, or other college or MnSCU policies that may require separate proceedings. To further its commitment against sexual violence, Itasca Community College provides reporting options, internal mechanisms for dispute resolution, and prevention training or other related services as appropriate.

Subpart A. Application of policy to students, employees, and others. This policy applies to all Itasca Community College students and employees and to others, as appropriate, where alleged incidents of sexual violence have occurred on college property. Incidents of sexual violence alleged to have been committed by a student at a location other than on college property are covered by this policy pursuant to the factors listed in MnSCU Policy 3.6, Part 2

(Off Campus Conduct). Incidents of sexual violence alleged to have been committed by an Itasca Community College employee at a location other than college property are covered by this policy.

Individuals alleged to have committed acts of sexual violence on college property who are not students or employees are subject to appropriate actions by Itasca Community College, including, but not limited to, pursuing criminal or civil action against them.

Allegations of discrimination or harassment are governed by college policy 1B.1 and procedure 1B.1.1.

Subpart B. Sexual Violence Procedure. Itasca Community College, a member of Minnesota State Colleges and Universities (MnSCU) system, will follow MnSCU Procedure 1B.3.1 (Sexual Violence Procedure).

Part 2. Definitions.

The following definitions apply to this Policy and Procedure 1B.3.1.

Subpart A. Sexual violence. Sexual violence includes a continuum of conduct that includes sexual assault, and non-forcible sex acts, as well as aiding acts of sexual violence.

Subpart B. Sexual assault. "Sexual assault" means an actual, attempted, or threatened sexual act with another person without that person's consent. Sexual assault is often a criminal act that can be prosecuted under Minnesota law, as well as form the basis for discipline under Itasca Community College student conduct codes and employee disciplinary standards. Sexual assault includes but is not limited to:

1. Involvement without consent in any sexual act in which there is force, expressed or implied, or use of duress or deception upon the victim. Forced sexual intercourse is included in this definition, as are the acts commonly referred to as "date rape" or "acquaintance rape." This definition also includes the coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another.
2. Involvement in any sexual act when the victim is unable to give consent.
3. The intentional touching or coercing, forcing, or attempting to coerce or force another to touch an unwilling person's intimate parts (defined as primary genital area, groin, inner thigh, buttocks, or breast).
4. Offensive sexual behavior that is directed at another such as indecent exposure or voyeurism.

Subpart C. Consent. Consent is informed, freely given and mutually understood. If coercion, intimidation, threats, and/or physical force are used, there is no consent. If the complainant is mentally or physically incapacitated or impaired so that the complainant cannot understand the fact, nature, or extent of the sexual situation, and the condition was known or would be known to a reasonable person, there is no consent; this includes conditions due to alcohol or drug consumption, or being asleep or unconscious. Whether the respondent has taken advantage of a position of influence over the complainant may be a factor in determining consent.

Subpart D. Non-forcible sex acts. Non-forcible acts include unlawful sexual acts where consent is not relevant, such as sexual contact with an individual under the statutory age of consent, as defined by Minnesota law, or between persons who are related to each other within degrees wherein marriage is prohibited by law.

Subpart E. College property. "College property" means the facilities and land owned, leased, or under the primary control of Itasca Community College.

Subpart F. Employee. "Employee" means any individual employed by Itasca Community College, including student workers.

Subpart G. Student. "Student" means an individual who is:

1. admitted, enrolled, registered to take or is taking one or more courses, classes, or seminars, credit or noncredit, at the college; or
2. between terms of a continuing course of study at the college, such as summer break between spring and fall academic terms; or
3. expelled or suspended from enrollment as a student at the college, during the pendency of any adjudication of the student disciplinary action.

Part 3. Reporting incidents of sexual violence.

Subpart A. Prompt reporting encouraged. Complainants of sexual violence may report incidents at any time, but are strongly encouraged to make reports promptly in order to best preserve evidence for a potential legal or disciplinary proceeding.

Complainants are strongly encouraged to report incidents of sexual violence to law enforcement (911) for the location where the incident occurred. Complainants are also encouraged to contact the local victim/survivor services office (Itasca Alliance Against Sexual Assault, 218-326-5008), counseling and health care providers, and campus security authorities for appropriate action.

Subpart B. Assistance in reporting. When informed of an alleged incident of sexual violence, all college students and employees are urged to encourage and assist complainants, as needed, to report the incident to local law enforcement, local victim/survivor services and campus security authorities.

Contact Dr. Mike Johnson (218-327-4463) to report incidents of suspected sexual violence.

PASS / FAIL GRADING: A student may enroll in certain ICC courses on a Pass/Fail (P/F) basis. A letter of "P" is issued for work that is judged average (C) or above. If, however, a grade of "A" is achieved, it will be recorded as such. While courses in which students earn "P" grades receive full college credit and count towards graduation, the "P" grades are not counted when computing a student's grade point average. If students elect to take a course under the P/F option and receive a grade of "F," the grade will affect their GPA. P/F grades become part of a student's permanent academic record at Itasca. Students selecting the P/F option must meet the stated pre-requisites for a given class, complete all course requirements, and take all examinations. The option to register on a P/F basis may be exercised until the end of the 7th day of class of a semester (3rd day of a summer session).

Application forms for the P/F option are available in the Records Office and must be signed by a counselor. Students should be aware of the possibility that P/F grades may not be accepted by transfer institutions. The following restrictions apply to the P/F grading option:

1. Students may accumulate no more than 9 semester credits for graduation under the P/F grading option.
2. Students may take no more than one (1) class per semester on a P/F basis (regardless of the total number of credits taken).
3. Students who are on Academic Probation will not be allowed to register for any courses on a P/F basis.
4. Students may not choose the P/F option for required (core) courses in career/technical programs leading to an AAS degree or in required courses for one-year certificate programs.
5. Prerequisite courses in an intended major may not be taken on a P/F basis.
6. No class taken initially for a letter grade may be repeated on a P/F basis.
7. Faculty in each discipline will create a list of courses which may be taken under the P/F option and will also indicate whether the option is available to non-majors only or to both majors and non-majors.

A list of courses which may be taken under the P/F option is available in the Counseling Office.

REPEATING COURSES: Itasca Community College permits students to repeat their courses for the purpose of improving their letter grade. Both the old and new grades remain on the student's transcript, but only the new grade will be used to compute the student's grade point average. Classes taken originally for a letter grade must be repeated for a letter grade. Students must complete the appropriate form, available in the Admissions/Records Office, if they wish to repeat a course. A student is required to pay tuition for any credits being repeated. Financial aid may be applied to only the first retake. Subsequent repeats will not be eligible for financial aid.

SATISFACTORY ACADEMIC PROGRESS: ICC maintains an open door admission policy, assesses students who are admitted, and provides a variety of support services to help ensure students' success. However, students must perform at an acceptable academic level to continue their enrollment at ICC and to receive financial aid. ☹

Effective June 2006

To earn a diploma, certificate or an Associate Degree from Itasca, a student must have a cumulative Grade Point Average (GPA) of 2.0 or better. You are not making

satisfactory academic progress whenever your cumulative GPA falls below the required minimum or your percent of cumulative credits earned is below 67%.

- I. Qualitative Measure – You are required to meet the minimum cumulative GPA requirements on the chart below. Grades of A, B, C, D, and F will be included in the GPA calculation:

Cumulative Registered Credits	Minimum Required GPA
1-30 credits	1.50
31-45 credits	1.75
46 and above	2.00

- II. Quantitative Measure
 - a. Required Completion Percentage – you are required to earn a minimum of 67% of cumulative registered credits. Grades of F, I, N, NC, W, Z, or blank/missing are treated as registered, NOT earned. Formula: % earned = (cumulative earned credits/cumulative registered credits)
 - b. Maximum Time Frame (financial aid recipients) – you are expected to complete your degree/diploma/certificate within an acceptable period of time. You may receive financial aid through attempting 150% of the required credits needed to complete each individual program.
- III. Evaluation Period – You will be evaluated at the end of each term – fall, spring, and summer.
- IV. Failure to Meet Standards – You will be sent a probation (warning) notice after any term in which your academic performance is below standards. You will be suspended from enrollment and financial aid at the end of the next evaluation period if you are not meeting satisfactory academic progress criteria OR if the college determines it is not possible for you to meet the minimum cumulative standards prior to completing your degree/certificate/diploma. However, you will be allowed to enroll and receive financial aid on a “continued probation” status if you have met the qualitative (GPA) and quantitative (completion percentage) standards for all courses during the probationary term. NOTE: The college may suspend you immediately in the event of extraordinary circumstances (failure to fulfill conditions of an approved appeal, an attendance pattern that demonstrates abuse of financial aid, etc.) You will immediately be suspended from financial aid after any evaluation showing you have failed to meet the maximum time frame.
- V. Notification – You will be notified in writing (by letter or email) of your probation or suspension. The notification will also include the process by which you may appeal for reinstatement.

- VI. Appeals – You have the right to appeal your suspension based on unusual or extenuating circumstances that may have affected your progress (death of a relative, medical problems, personal problems, transportation, childcare, etc.). You may request an appeal form from the ICC Records Office. Appeals are reviewed by the Dean of Academic Affairs (or the Financial Aid Director for financial aid ONLY appeals). Secondary appeals will be reviewed by the Student Appeals Committee. If an appeal is approved, you must meet specific minimum standards determined by the institution in order to have your appeal status extended for an additional period.
- VII. Reinstatement – After a one-year period, you will be allowed to enroll, but you are not eligible for financial aid until you have met “Satisfactory Academic Progress” standards OR you have any approved financial aid appeal.
- VIII. Additional Elements
- Registered Credits: Credits in which you are officially enrolled at the end of the registration “drop” period each term.
- Cumulative Registered Credits: The total number of credits registered for during the ALL terms of enrollment at the college.
- Earned Credits: Earned credits include letter grades of A, B, C, D, and P; the successfully completed credits that count toward the required completion percentage 67% as defined by the quantitative measure.
- Attempted, NOT earned: Letter grades of F, I, N, NC, W, Z, and blank/missing are considered credits attempted by NOT successfully completed (earned).
- Academic Amnesty: Credits for which a student has been granted academic amnesty WILL be included in all financial aid satisfactory academic progress measurements.
- Audited Courses: These are not eligible for financial aid and are not included in satisfactory academic progress.
- Consortium Credits: Consortium credits are those credits for which you are registered at another college, which are accepted in transfer by this college and are included for purposes of processing financial aid at this college. These credits are included in all satisfactory academic progress measurements.
- Developmental Credits: Developmental credits are those given for remedial coursework below 1000 level. You may receive financial aid for developmental credits up to a maximum of 30 credit hours; these credits are excluded from the maximum time frame calculation.
- Repeated Credits: You are allowed to repeat a course in order to improve a grade, as allowed by the college. The school will use the second grad in

calculating the grade point average. All repeated credits are included in the percent of completion and maximum time frame calculations.

Transfer Credits: Transfer credits are credits earned at another college that are accepted by Itasca. They are not included when calculating your cumulative grade point average or percent of cumulative credits completed, but ARE included when calculating the maximum time frame as long as the credits apply toward your specific program requirements at Itasca.

Withdraws: A "W" (withdraw) grade is given when you officially withdraw from a class after the drop/add period. It is not included when calculating your grade point average or earned credits. It does not impact GPA but will negatively impact earned credits and your completion percentage.

Incompletes: An "I" (incomplete) grade is a temporary grade assigned to you by an instructor if you cannot complete the work of a course on schedule because of illness or other circumstances beyond your control. An "I" grade will automatically become an "F" grade at the end of the next term (not including summer) if requirements of course completion have not been satisfactorily met.

SCHOOL CLOSINGS: The authority to cancel classes or close the college resides with the Provost or the Provost's designee. (The closure of state agencies by the Commissioner of the Dept. of Employee Relations does not apply to Itasca Community College.)

Non-faculty employees are asked to call their supervisor or the provost's phone at 218-327-4463 to clarify if the college is closed or classes are cancelled. The media does not necessarily differentiate when announcing the status of the college. When the college is closed, no employees are expected to report. If the classes are cancelled, non-faculty members are expected to work or make other arrangements with their supervisor.

Procedures:

1. The college's Building Maintenance Foreman will assess the conditions of the campus and inform the Provost or designee. The Provost or designee will then determine if classes will be cancelled or if the college shall be closed.
2. The most current information can be obtained by calling 327-4460 and a regularly updated recording will be available. Updated closing and/or cancellation information will also be posted on the ICC website (www.itascacc.edu). When possible, determination of closing or canceling shall be made by 5:30 a.m. or sooner for daytime classes and by 3 p.m. or sooner for evening classes.
3. Once a decision to cancel or close is made, the following radio and television stations will be notified:

Radio: KAXE, KOZY-KMFY, WKKQ-WTBX, KGPZ

Television: WDIO, KDLH, KBJR

4. You must assess your own travel conditions and report to work/school based on your personal assessment. When possible, annual leave and/or an alternate work schedule will be approved for employees.

You should not report for work or school if your personal situation is considered to be too dangerous to travel.

Definitions:

A. Closing the College – Closing all operations other than those which are deemed essential to the protection of life and property. Closing the college results in canceling classes, as well as canceling student, faculty and staff activities and meetings. All general offices are closed.

B. Delayed Opening – Closing for a designated period of time all operations other than those which are deemed essential to the protection of life and property.

C. Cancellation of Classes and/or Activities – Canceling one, several or all classes/activities (off campus or on-campus) in lieu of officially closing the entire college. Cancellation of non-academic activities refers to cancellation of an event, e.g., athletic events, theatrical productions, concerts, or workshops.

STUDENT RECORDS: ICC accumulates a great deal of valuable and confidential information on each of the students enrolled. This information is desirable for purposes of student guidance and educational planning. In providing the college with this information, the student is assured:

1. Only authorized college personnel will have access to or use of the information.
2. The information will only be used to further the student's educational program and for the student's benefit.
3. The Dean of Academic Affairs is responsible for the confidentiality and security of the information under the direction of the College Provost.
4. Student records are official records of ICC and will remain within the college, subject to the provisions of this policy.
5. FERPA allows an educational institution to disclose education records of a student to another educational institution without the student's prior consent if the institution's annual notification of FERPA rights includes the information that these disclosures will be made.

NOTICE: If you are currently enrolled in or receiving services from one college or university within the Minnesota State College and University System ("system"), your academic records at that institution are available to officials of other schools within the system while you are in attendance. A copy of the complete MnSCU

policy regarding Seamless Admission is available in the ICC Records Office. Section 438 of the Gen. Ed. Provisions Act, as amended, sets out requirements designated to protect the privacy of parents and students. In brief, the statute provides that the institution must provide students access to official records directly related to the student. Procedures must allow an opportunity for a hearing to challenge such records on the alleged grounds that they are inaccurate, misleading or otherwise inappropriate. The college must obtain written consent before releasing personally identifiable data about students except that information classified as unrestricted. Whenever a student has attained 18 years of age or is attending an institution of post-secondary education, the permission or consent required and the rights accorded to the parents of the student thereafter are only required of and accorded to the student. Public data may be accessible to any member of the public. A copy of the complete Student Records Policy and definitions of public and private data may be obtained from the ICC Records Office, 108 College Center Building.

SUSPENSION OR EXPULSION OF STUDENTS FROM CLASSES, PROGRAMS OR COLLEGES:

For Disciplinary Reasons - Clarification: The provisions of this regulation do not affect the rights of persons in authority to take any immediate and temporary actions necessary to retain the classrooms or program atmosphere, or to uphold established policies, regulations and laws.

Grounds for suspension or expulsion shall be:

1. The violation of Board policies, system regulations or college regulations that are published and distributed to students; or the violation of local ordinances, state laws or federal laws which have special relevance to the college.
2. Actions or threats of actions deemed harmful to other persons or property.
Situation Limitation: Suspension or expulsion shall result only from college related situations.

Procedure to be Used: When a student is involved in a situation where a decision has been made to suspend or expel, the procedures indicated below shall be used. Implementation of the procedures shall be carried out by the designee of the College Provost.

1. The student shall receive written notice which:
 - a. Describes the situation.
 - b. Explains the grounds for suspension or expulsion.
 - c. Includes a copy of the regulation, if the grounds for action involve the violation of a regulation.

- d. Has attached a copy of this regulation.
2. The student may request a hearing. If the student desires a hearing, he/she shall give written notification within five (5) class days of receipt of written notice. If the student does not file an appeal within the five days, any further right to appeal shall be waived.
3. The hearing shall be conducted within the "Contested Case Procedures," which have been adopted by the Office of Hearing Examiners. The "Contested Case Procedures" include the stipulation that the hearing shall be conducted by a hearing examiner appointed by the Chief Hearing Examiner pursuant to MN Stat. 15.052, Subd. 3.
4. The hearing examiner shall make his report, which contained his recommendation, to the College Provost.
5. Within five (5) class days following the hearing, a decision shall be made by the College Provost. The decision of the College Provost shall be final.

Student Status During Appeal Process: During any appeal process, the student shall have the right to attend classes and continue in other aspects of the college program until a final decision has been made, unless the process is the result of actions deemed harmful or potentially harmful to other persons or property.

Confidentiality: Where a closed hearing is held, as determined by the hearing examiner, all matters related to the situation in which a student is involved shall remain confidential with no release of any information to persons other than those involved in the hearing.

Admission: Students who have been suspended or expelled for disciplinary reasons from a postsecondary institution may be denied admission to any MnSCU college or university.

For Academic Reasons: - See policy on Satisfactory Academic Progress on page 27.

TOBACCO: On August 1, 1975, Chpt. 211, Session Laws of 1975, known as the MN Clean Indoor Air Act, became effective. The act prohibits smoking and use of tobacco in public places and at public meetings except in designated smoking areas. This law has been interpreted to apply to community colleges as follows: "Smoking and use of tobacco will no longer be permitted in any college building used by the public or serving as a place of work. This applies to classrooms, halls, cafeterias, lounges, auditoriums, reception areas, bathrooms, building entrances and any portion of college buildings." All areas inside the campus buildings shall be considered "Tobacco Free" areas. Designated outdoor smoking

shelters are located around campus. Concerns regarding the clean air policies should be brought to the Provost.

WITHHOLDING OF DIPLOMAS AND TRANSCRIPTS OF CREDITS: The college will withhold the issuance of diplomas and official transcripts to a student until all money due the college has been paid. A student with unpaid college financial obligations may not be permitted to register for subsequent semesters until the obligation has been met or arrangements have been made to pay.