



Student Code of Conduct

This Student Code of Conduct has been approved by the College of Southern Idaho Board of Trustees. The statutory authority and the enumerated general powers and duties of the Board of Trustees of a junior (community) college district are established in Sections 33-2101, 33-2103 to 33-2115, Idaho Code.

The Board has the authority and may modify or change the Student Code of Conduct at any time and without advanced notice. In addition, the College reserves the right to, at any time and without advance notice, change the procedures contained in the Student Code of Conduct. Changes shall go into force whenever the proper authorities so determine. Reasonable effort will be made to notify those impacted by the changes by publishing the changes on the CSI Website.

Last Updated/Revised: 08/01/2023

Table of Contents

Definitions

Introduction

Student Right to Due Process

Student Responsibilities

Applicability and Jurisdiction

Violations

1. Academic Integrity
 - a. Academic Dishonesty
 - i. Cheating
 - ii. Fabrication
 - iii. Plagiarism
 - iv. Unauthorized Collaboration
 - v. Facilitating Academic Dishonesty
 - vi. Interference with Others' Learning
2. Obstruction/Disruption
3. Noncompliance/Complicity
 - a. Non-Discrimination Policy
 - i. Verbal Harassment
 - ii. Physical Harassment
 - iii. Visual Forms of Harassment
 - b. Drug Free and Alcohol Free Campus Policy
 - c. Smoke Free Campus Policy
 - d. Firearms, Explosives, and Weapons Policy
 - e. Gambling Policy
 - f. Residence Hall Policy
 - g. Computer Use Policy
 - h. Copyright and Intellectual Policy
 - i. Student Government/Organizations Policy
4. Violations of Title IX
 - Consent
 - a. Sexual Harassment Policy
 - i. Sexual Harassment
 1. Quid pro Quo
 2. Hostile Environment
 - ii. Non-Consensual Sexual Contact
 - iii. Non-Consensual Sexual Intercourse
 - iv. Sexual Exploitation
 - b. Dating and Relationship Violence

- c. Domestic Violence
 - d. Sexual Assault
 - e. Fondling
 - f. Incest
 - g. Statutory Rape
 - h. Sexual Violence
 - i. Sexual Coercion
5. Parking and Traffic Regulations
 6. Violence, Harm, Threat
 7. Safety/Emergency
 8. Dishonesty/Fraud
 9. Theft/Destruction of Property
 10. Unauthorized Access/Entry/Use
 11. Fire/Arson
 12. Lewd/Obscene Conduct
 13. Stalking
 14. Hazing

Sanctions

1. Educational Conversation
2. Warning/Written Reprimand
3. Educational Project
4. Disciplinary Probation
5. Loss of Privileges
6. Fines
7. Restitution
8. Withholding Degree
9. Revocation of Admission and/or Degree
10. College Suspension
11. College Expulsion

Procedures

1. Initiating the Resolution Process
2. Resolution Process
 - a. Initial Meeting
 - b. Mutual Resolution
 - c. Alternative Dispute Resolution (ADR)
 - d. Hearing
3. Student Conduct Appeals

Special Procedures/Provisions

1. Attempted Violations
2. College as Complainant

3. False Report
4. Group Violations
5. Selection of Mediators and Student Conduct Officers
6. Student Access to Records
7. Parental Notification
8. Violation of Law and College Discipline
9. Interim or Emergency Suspension
10. Reports of Actions
11. Notification of Outcomes
12. Student Disciplinary Reports

Interpretation and Revision

Acknowledgements

Work Cited

Definitions

1. The term “College” and “institution” mean the College of Southern Idaho (CSI).
2. The term “student” includes all persons taking courses at the College, either full-time or part-time, as well as those participating in all outreach programs, off-campus programs, and such other activities as may be sponsored by the College. Persons who withdraw after allegedly violating the Student Code of Conduct, who are not officially enrolled for a particular term but who have a continuing relationship with the College or who have been notified of their acceptance for admission are considered “students” as are persons who are living in College residence halls, whether or not enrolled at the College. This Student Code of Conduct applies at all locations of the College.
3. The term “faculty” means any person employed by the College to conduct classroom or teaching activities (including labs, clinicals, tutoring, etc.) or who is otherwise considered by the College to be a member of its faculty.
4. The term “College official” includes any person employed by the College, performing assigned administrative or professional responsibilities.
5. The term “member of the College community” includes any person who is a student, faculty member, College official or any other person employed by the College. A person’s status in a particular situation shall be determined by the Dean of Students.
6. The term “College premises” includes all land, buildings, facilities, and other property in the possession of or owned, used, rented, leased, controlled or supervised by the College (including adjacent streets and sidewalks).
7. “College-sponsored activity” means any activity on or off-campus that is initiated, aided, authorized, or supervised by the College.
8. The term “organization” means any number of persons who have complied with the formal requirements for College recognition.
9. The term “Student Conduct Officer” means any person authorized by the Dean of Students to resolve Student Code of Conduct violation complaints including investigation, meeting and administering sanctions. The Dean of Students may serve in the role of a Student Conduct Officer.

10. The term “Student Conduct Administrator” means a College official or agent authorized by the College to impose sanctions upon any student(s) found to have violated the Student Code of Conduct. The Dean of Students is that person designated by the Vice President of Student Services to serve as the Student Conduct Administrator and be responsible for the administration of the Student Code of Conduct, except that another person may be authorized for the purpose of the College’s grievance process for sexual harassment complaints under Title IX.
11. The term “policy” means the written regulations of the College applicable to students published in print or electronically on the College website, including but not limited to, the Student Code of Conduct, CSI Civil Rights Policy, Drug-Free and Alcohol-Free Campus Policy, Smoke-Free Campus Policy, Residence Hall Handbook, Computer Use Policy, and Copyright and Intellectual Property Policy.
12. The term "complaint" means a signed written statement, alleging a violation of the Student Code of Conduct or other published College policy or rule applicable to students, submitted to the Student Conduct Administrator or the Vice President of Student Services. Information submitted by other means will be reviewed and may, at the College's discretion, be acted upon but will not be treated as a formal complaint.
13. The term “complainant” means any person who submits a charge alleging that a student violated the Student Code of Conduct or other published College policy or rule applicable to students. When a student believes that he/she has been a victim of another student’s misconduct, the student who believes he/she has been a victim will have the same rights under this Student Code of Conduct as are provided to the complainant, even if another member of the College community submitted the charge itself. However, only a person who is alleged to be the victim of misconduct that is considered sexual harassment under Title IX will be considered the Complainant for purposes of the College’s Title IX grievance process.
14. The term “accused student” or “Respondent” means any student accused of violating the Student Code of Conduct or other published College policy or rule applicable to students.
15. The term “offender” means any student found to have violated the Student Code of Conduct or other published College policy or rule applicable to students. 7

16. The term “Advisor” can include any faculty/staff employed by CSI, legal aid representative, family member or personal associate that was not present or directly involved in the incident, except that for purposes of allegations of sexual assault, domestic violence, dating violence, and stalking an advisor may be anyone of the Respondent’s choosing.
17. “Preponderance of Evidence” is the standard of evidence the College of Southern Idaho uses in college disciplinary proceedings. This standard of evidence asks decision-makers to consider whether it is more likely than not that a violation of policy occurred. This standard is lower than “beyond a reasonable doubt” which is typically seen in criminal systems.
18. Title IX of the Education Amendments of 1972 protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance. Title IX states that: “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” Title IX requires all colleges to promptly respond to allegations of sex discrimination and sexual harassment; limit its effects; and prevent its recurrence. Title IX prohibits all forms of sex and gender-based discrimination including sexual harassment, including sexual assault, domestic violence, dating violence, and stalking.
 - a. View CSI’s Civil Rights policy and procedure here:
[https://www.csi.edu/ files/pdf/student-handbook/csi-civil-rights-policies-and-procedures.pdf](https://www.csi.edu/files/pdf/student-handbook/csi-civil-rights-policies-and-procedures.pdf)
 - b. View CSI’s Title IX webpage and campus reporting information here:
<http://www.csi.edu/TitleIX/>

Introduction

The **mission** of the College of Southern Idaho is to provide quality educational, social, cultural, economic, and workforce development opportunities that meet the diverse needs of the communities it serves. CSI prepares students to lead enriched, productive, and responsible lives in a global society.

The College of Southern Idaho promotes behavioral standards that creates a positive environment in which students can learn, work, and live. The Student Code of Conduct is intended to help create and preserve this positive environment in support of the institution's mission, educational philosophy, purposes, and functions; to foster students' educational and civic development; and to protect the people, properties, systems, and processes that support the College.

Attending college is optional and voluntary. Students voluntarily assume obligations of performance and behavior established by the College. At the College of Southern Idaho, student members of the College community are expected to uphold and abide by certain standards of conduct that form the basis of the Student Code of Conduct. These standards are embodied within a set of core values that include integrity, fairness, respect, community, and responsibility. The College reserves the right to take necessary and appropriate action to protect the safety and well-being of the College community and maintain order and discipline on College property. Each member of the College community is expected to assume responsibility for self-conduct and to assume reasonable responsibility for the behavior of others. The College does not assume parental responsibility for the conduct of its students. Membership in the College community does not provide immunity from the laws and standards of local, state or federal jurisdictions.

The Student Code of Conduct serves as the foundation of behavioral expectations for students. Departments and divisions may have also developed policies that outline standards of conduct within those programs. This Code does not replace those standards; nor does it constrain the procedures or sanctions provided by those policies. This means there could be additional sanctions for violations based on program policies and requirements.

All CSI students are responsible for having read and abiding by the provisions of the Student Code of Conduct.

It is the intent of the College to treat all students with equal care, concern, dignity, and fairness. Students should be aware that the student conduct process is different

from criminal and civil court proceedings. The College disciplinary process does not intend to use criminal law concepts, and criminal law concepts or technical judicial hearing rules, like rules of evidence, do not apply to student discipline. Procedures and rights in student conduct proceedings do not include the same protections of due process afforded by the courts. When more severe sanctions such as suspension beyond ten (10) days or expulsion from the College are imposed for violation of the Student Code of Conduct, fair process within the College disciplinary procedures, assures notice and an opportunity to be heard. In cases involving less severe sanctions students are entitled to a different kind of due process, with fewer procedural protections. The nature of the procedures depends upon the circumstances of each particular case. When allegations are made of sexual harassment under Title IX, then the College's Title IX grievance procedures that afford due process and the rights secured by Title IX will apply.

Student Right to Due Process

Students have a right to a due process. Due process in the academic setting is a procedural system designed to ensure the process for adjudicating alleged violations of college policy is fair and reasonable. Elements of procedural due process include:

- A. Adequate notice of alleged violations including a basis for action
- B. An impartial decision maker
- C. An opportunity to have an advisor present at any and all meetings
- D. An opportunity to present information
- E. An opportunity to challenge any information presented against them
- F. Written notification of the decision including rationale on which the decision was made
- G. An opportunity to appeal the initial decision to another impartial decision maker

Student Responsibilities

All students of the College have certain responsibilities and obligations to the institution and to members of the College community. Student responsibilities and obligations include:

- A. The responsibility to be fully acquainted and comply with all published College policies and procedures.
- B. The obligation to comply with state, federal, and local laws and regulations.
- C. The responsibility for assuming the consequences of one's own actions and reasonable responsibility for the behavior of others.

- D. The responsibility to recognize that their actions reflect upon the entire College community.
- E. The obligation to respect the rights and property of others, including other students, faculty, staff, administration, and the College. The obligation to refrain from conduct that violates or adversely affects the rights of other members of the College community and/or the institution.
- F. The responsibility to provide proper identification upon request from College officials.
- G. The responsibility to cooperate with College officials in the performance of their duties.
- H. The responsibility to ensure that the conduct of persons who come to visit them at the College complies with the rules and regulations of the College.

Applicability and Jurisdiction

The Student Code of Conduct and the student conduct process apply to the conduct of individual students and student organizations. The Student Code of Conduct shall apply to conduct that occurs on College premises, at College-sponsored activities, and may also apply to off-campus conduct when the off-campus conduct affects a substantial College interest. A substantial College interest is defined to include:

- Any action that constitutes a criminal offense as defined by federal or state law;
- Any situation where it appears that the student may present a danger or threat to the health or safety of him/herself or others;
- Any situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder;
- Any situation that is detrimental to the educational interests of the College.

The President of the College and/or designee(s) shall decide whether the Student Code of Conduct shall be applied to conduct occurring off campus, on a case by case basis, in his/her sole discretion.

Additionally:

- The Student Code of Conduct applies to conduct from the time of application for admission through the actual awarding of a degree/certificate, transfer to another school, or withdrawal/discontinuing attendance, even though conduct may occur before classes begin or after classes end, during intra-semester breaks and between semesters, as well as during the academic year and during periods between terms of actual enrollment.

- The Student Code of Conduct shall apply even if the student withdraws from the College while a disciplinary matter is pending.
- The Student Code of Conduct applies to misconduct that occurs prior to, but is not reported until after the offending student graduated, transferred or stopped attending.
- The Student Code of Conduct applies to guests of College community members, whose hosts may be held accountable for the misconduct of their guests.
 - Visitors to and guests of the College of Southern Idaho are also protected by the Student Code of Conduct and may initiate grievances for violations of the Student Code of Conduct committed by members of the College community against them.

Those who are aware of misconduct are encouraged to report it as quickly as possible to the Dean of Students and can be done so using the Incident Reporting Form found here <https://cm.maxient.com/reportingform.php?CollegeofSouthernID>.

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 - any student found to have committed the following misconduct may be subject to disciplinary sanctions outlined in the Student Code of Conduct:

1. **Academic Integrity** - CSI students, faculty, staff, and administration are expected to be honest in all aspects of their college education and employment. All student work is evaluated with the assumption that the work presented is the individual's own. All work submitted is to be a representation of an individual's own ideas, concepts, and understanding.
 - a. Academic Dishonesty - is any form of behavior which results in students giving or receiving unauthorized assistance in an academic exercise or receiving credit for work which is not their own.
 - i. Cheating - using or attempting to use unauthorized materials, information, or study aids in any academic exercise including all forms of work submitted for credit or hours.

- ii. Fabrication - unauthorized falsification or invention of any information or citation in an academic exercise.
- iii. Plagiarism - the adoption or reproduction of ideas, words, or statements of another person as one's own without acknowledgment.
- iv. Unauthorized Collaboration - sharing information or working together in an academic exercise when the course faculty member does not approve of such actions.
- v. Facilitating Academic Dishonesty - helping or attempting to help another to violate a provision of the academic dishonesty and misconduct policy listed above.
- vi. Interference with Others' Learning – abuse, theft, or vandalism of shared or communal learning resources, including digital resources.

(This list is not meant to be exhaustive of all acts of academic dishonesty, but is a guide to help faculty members and students understand what constitutes academic dishonesty.)

Note:

Academic Integrity – It is very important that students become familiar with academic integrity policies and procedures. Academic dishonesty/misconduct incidents and violations of other academic policies and procedures are handled through the Office of Instruction. For more information visit:

<https://quondam.csi.edu/studentHandbook/academicIntegrity.asp>

2. **Parking and Traffic Regulations** - The maximum speed on campus is 20 MPH. Stop signs at main entrances to the campus upon exit must be obeyed. Each vehicle is required to come to a complete stop. In no case will exiting vehicles straddle two lanes. **Pedestrians always have the right-of-way.** For more information please contact the Security Office at 208-732-6605 or e-mail security@csi.edu.

CSI Parking and Traffic Regulations- Parking and traffic incidents and violations are generally handled through Campus Security.

3. **Obstruction/Disruption** – Unduly disruption, interference with, or obstruction of the mission and/or orderly processes, procedures, or functions of the College. Behavior that is disorderly, unduly disruptive, disturbs the peace, impedes any College official in the lawful performance of his/her duties, or impedes a student in the lawful pursuit of his/her educational activities. Use of restraint, abduction, coercion, physical or verbal abuse, harassment, or intimidation, or when force and violence are present or threatened. Willfully denying the lawful freedom of movement of students, College officials, employees, and visitors on College premises. Participating in a demonstration, riot or activity that unduly disrupts the normal operations of the College and/or infringes on the rights of other members of the College community. Inciting others to disrupt scheduled and/or normal College activities.

4. **Noncompliance/Complicity** – Violation of law or College Policy.
 - a. Violation of any College policy, procedure, or regulation applicable to students and published in hard copy or available electronically on the College website, including but not limited to:
 - i. Civil Rights Non-Discrimination Policy: Discrimination or harassment of an applicant for employment or admission, a student, a member of the public, or an employee by any individual against a protected class meaning on the basis of race, color, religion, national origin, gender, age (40 and over), sexual orientation, pregnancy, or disability is in violation of state and/or federal law and will not be tolerated by the College of Southern Idaho.
 1. *Verbal Harassment* -- Includes, but is not limited to epithets, derogatory comments, slurs, propositioning, or otherwise offensive words. This includes but is not limited to inappropriate sexually-oriented comments, including dress or physical features, sexual rumors, code words, and race-oriented stories, as well as jokes of a sexual or discriminatory nature or “kidding” which is oriented towards a prohibited form of harassment.
 2. *Physical Harassment* -- Includes, but is not limited to assault, impeding or blocking movement, leering, or the physical interference with normal work, privacy or movement when directed at a protected class. This includes pinching, patting,

grabbing, inappropriate behavior, or making explicit or implied threats or promises in return for submission to physical acts.

3. *Visual Forms of Harassment* -- Includes, but is not limited to derogatory, prejudicial, stereotypical or otherwise offensive posters, photographs, cartoons, emails, notes, bulletins, drawings or pictures. This applies to both posted material and material maintained in or on College equipment or personal property in the workplace.

ii. Drug Free and Alcohol Free Campus Policy

1. It is the policy of the College of Southern Idaho that the unlawful manufacture, distribution, dispensation, possession, use of a controlled substance, or the purchase, sale, possession, use, or consumption of alcohol is strictly prohibited on College premises and at all College-sponsored events and activities on and off campus. Drug and alcohol policy violations may also constitute violations of laws and students are accountable to both the College and the appropriate law enforcement agency. State and federal laws also prohibit the use and/or possession of illegal drugs and drug paraphernalia. CSI reserves the right to notify the appropriate law enforcement agency when violation of the alcohol and drug policy is also a violation of law.

iii. Smoke Free Campus Policy

1. Smoking is prohibited on all college properties, including off-campus centers and any properties owned or leased by the College. For the purposes of this policy, smoking is defined as burning any type of tobacco product including, but not limited to, cigarettes, cigars, cigarillos, pipes, bidis and e-cigarettes. Guests are required to abide by this policy while on college properties. The following smoking prohibitions have been established on the CSI campus:
 - a. Smoking is prohibited in all CSI-owned residences, including Eagle Hall.

- b. Smoking is prohibited in all CSI-owned or leased vehicles.
- c. The sale of tobacco products on campus is prohibited.
- d. The free distribution of tobacco products on campus is prohibited.
- e. Campus organizations are prohibited from accepting money or gifts from tobacco companies.
- f. Tobacco advertisements are prohibited in college-sponsored publications.

iv. Firearms, Explosives, and Weapons Policy

1. The possession, wearing, carrying, transporting or use of a dangerous weapon is strictly prohibited on college owned or controlled premises, including vehicles parked upon these premises.
 - a. **Dangerous weapon:** An object, device, instrument, material or substance that is used for or is readily capable of causing death or serious bodily injury. This term does not include a pocket knife with a blade of less than 2½ inches in length. Firearms are included in this category as are incendiary devices and explosives.
 - b. **Firearm:** A dangerous weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive.
 - c. **Concealed firearm:** A firearm which is carried upon one's person so as not to be readily discernible by ordinary observation.
 - d. **Upon one's person:** The physical carrying of a firearm in clothing or handbag as well as having the weapon in close proximity, readily available for prompt use.
 - e. **Open carry:** Carrying a firearm upon your person or in your vehicle when it is clearly visible.
2. Possession of explosives, and/or fireworks is strictly prohibited on College premises and at College sponsored activities and events.

- v. Gambling Policy
- vi. Residence Hall Policy - refer to College of Southern Idaho Residential Hall Guide
- vii. Student Government/Organizations Policy and Regulations
- viii. Computer Use Policy
 - 1. Anyone accessing technology devices, systems, networks, data, software, or services that are owned, managed, or operated by College of Southern Idaho do so with acceptance of certain responsibilities and obligations defined by college policies and procedures, and local, state, and federal laws. Acceptable use always is ethical, non-offensive, reflects academic honesty, and shows restraint in the consumption of shared resources. It demonstrates respect for intellectual property, ownership of information, system security mechanisms, and individuals' rights to privacy and to freedom from intimidation and harassment.

ix. Copyright and Intellectual Policy

- 1. It is the intent of the College of Southern Idaho to adhere to the provisions of state and federal copyright laws and regulations. The College strictly prohibits the illegal use, reproduction, distribution, public display, or performance of copyrighted materials in any form. The full CSI Copyright and Intellectual Property Policy and Procedures can be accessed online at: <http://copyright.csi.edu>
- b. Intentionally aiding, influencing or attempting to influence another in the commission of any offense(s) listed in the Student Code of Conduct.
- c. Failure to comply with directions of College officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
- d. Willfully refuse or fail to leave College premises upon being requested to do so, with reasonable cause, by law enforcement personnel or Campus Security personnel.
- e. Violation of federal, state or local law if the underlying behavior impacts or affects the interests of the College or the College community.

5. **Violations of Sexual Harassment under Title IX**

Title IX of the Education Amendments of 1972 state that “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” – Title IX of the Education Amendments of 1972

The College of Southern Idaho takes any complaint about sexual harassment or sexual assault very seriously. The college follows all guidelines published by the U.S. Department of Education and Office for Civil Rights. Specific procedures and policies may be found in (Link to Civil Rights Policy Here):

https://www.csi.edu/_files/pdf/student-handbook/csi-civil-rights-policies-and-procedures.pdf

6. **Violence/Harm/Threat** - Conduct which physically harms another person or threatens or endangers the health or safety of another person.
7. **Safety/Emergency** - Tampering with or misusing emergency equipment. Knowingly causing, making, or circulating a false report, warning, threat, fire, explosion, crime or any other emergency.
8. **Dishonesty/Fraud** - Acts of dishonesty, including but not limited to the following:
- Making, possessing, using, or knowingly furnishing false, falsified, altered, fabricated or forged information, document, or record to any College official or office.
 - Misuse of any College document, record, account, or instrument of identification.
 - Assuming another person’s identity or role through deception or without proper authorization. Communicating or acting, without proper authorization, under the guise, name, identification, account, signature, or indicia of another person, organization, entity, or unit.
 - Misuse or unauthorized use of College or organizational names and images.
9. **Theft/Destruction of Property** - Theft of and/or intentional or reckless destruction or damage to property of the College or property of a member of the College community or other personal or public property. Knowingly taking possession of stolen property.

10. **Unauthorized Access/Entry/Use** - Misuse of access privileges to College premises or unauthorized entry to or use of College premises, including trespass. Unauthorized possession, duplication or use of means of access (keys, cards, etc.) to any College premises. Unauthorized use of College property or equipment.

11. **Fire/Arson** - Violation of state or local fire codes, or College fire policies and procedures, including but not limited to:
 - a. Intentionally or recklessly causing a fire which damages College or personal property, or which causes injury to any member of the College community.
 - b. Failure to evacuate during a fire alarm. Entering or re-entering a building during fire alarm without permission.
 - c. Tampering with, damaging, or improperly engaging a fire alarm or other safety equipment on College premises.

12. **Lewd/Obscene Conduct** - Conduct that is lewd or obscene. Behavior that would be considered lewd or indecent by a reasonable person. Examples include, but are not limited to, voyeurism, public urination/defecation, and public exposure of private body parts.

13. **Hazing** - Endangering the mental or physical health or safety of a student, or destroying or removing 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. The express or implied consent of the victim(s) will not be a defense.

Sanctions

Sanctions are designed to promote the College's educational mission. Sanctions may also serve to promote safety or to deter students from behavior which harms or threatens people or property. One or more of the following sanctions may be imposed upon any student found to have violated the Student Code of Conduct:

1. **Educational Conversation** – A verbal educational conversation conducted by a College official resulting from a student's misconduct, typically over misconduct deemed to be minor in affect and impact on the student community.
2. **Warning/Written Reprimand** - A notice in writing to the student that the student is violating or has violated institutional policy. The letter informs the student that continued misconduct will result in further conduct action. The notice can be e-mailed and/or mailed to the student's campus or mailing address.
3. **Educational Project** - Completion of an educational and/or developmental project such as, but not limited to, the following: attending a specific workshop or program, writing a research paper on a specified topic, making an oral presentation to a campus group, participating in specified counseling/evaluation, work assignment, and/or service to the College or the community.
4. **Disciplinary Probation** - Probation is for a designated period of time during which the student is not in good standing with the College and includes the probability of more severe disciplinary sanctions if the student is found to violate any College policies, rules, or regulation(s) during the probationary period, whether or not this violation is related to the original violation for which conduct probation was imposed. Students on probation may be subject to additional restrictions and/or conditions.
5. **Loss of Privileges** - Denial of specified privileges for a designated period of time. Privileges that may be lost include, but are not limited to, the following:
 - a. Restricted access: offender may be restricted from entering specified buildings or areas on campus, from attendance at specified campus events, or from use of specified equipment, facilities, resources, or services.
 - b. Residence hall room transfer: reassignment of the offender to another residence hall room, subject to the availability of space and approval of the Dean of Students.

- c. Residence hall suspension: separation of the student from all residence hall for a definite period of time, after which the student is eligible to apply to the Dean of Students for readmission. Suspension includes all residence hall and visitation privileges (College owned housing property including residence hall and apartments and includes suspension of visitation privileges.) Conditions for readmission may be specified. Students suspended from housing are not eligible for a housing fee refund.
 - d. Residence hall and/or apartments expulsion: permanent separation of the student from the residence hall and/or apartments. Expulsion includes the residence hall and apartments including expulsion of and visitation privileges. Students expelled from housing are not eligible for a housing fee refund.
 - e. Barred from office: prohibition against holding office or leadership role in a student or College organization or activity; barred from representing the College in on- or off-campus events.
6. **Fines** - Previously established and published fines may be imposed. In addition, the College may put a hold on the student's account, refuse to issue transcripts and/or grant degrees/certificates until such fine is paid.
 7. **Restitution** – Reasonable compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement. In addition, the College may put a hold on the student's account, refuse to issue transcripts and/or grant degrees/certificates until restitution is complete.
 8. **Transcript Notation** – The College may place notification on transcripts of violations of the Code of Conduct that result in violations of Title IX and/or lead to sanctions of suspension and/or expulsion.
 9. **Revocation of Admission and/or Degree** - Admission to the College or specific College program, and/or a degree awarded from the College may be revoked for fraud, misrepresentation, or other violation of College standards in obtaining admission or the degree, or for other serious violations committed by a student prior to graduation.
 10. **College Suspension** - Separation of the student from the College and all privileges for a definite period of time. The offender may not be on College premises or involved in College-sponsored activities except for matters directly related to the suspension. In cases where suspension prevents coursework, the

student will be dropped or withdrawn from the course. There will be no refund of tuition or fees. Suspension requires administrative review and approval by the President and/or designee(s) and may be altered, deferred or withheld.

11. **College Expulsion** - Permanent separation of the student from the College. There will be no refund of tuition or fees, and a barring of the student from being present on College premises and at College-sponsored activities. Expulsion requires administrative review and approval by the President and/or designee(s) and may be altered, deferred or withheld.

The following sanctions may be imposed upon groups or organizations:

- a. Those sanctions listed above.
- b. Deactivation. Loss of all privileges, including College recognition, for a specified period of time.

Other sanctions: other sanctions may be imposed instead of or in addition to those listed above. More than one of the sanctions listed above may be imposed for any single violation.

Procedures

The College will use the following procedures to respond to behavior which goes against the values of the College community as defined in the Student Code of Conduct. The College considers the procedures for resolving disputes a part of its educational mission. The Student Conduct Administrator may make necessary and reasonable modifications to conduct resolution procedures. Resolution and appeal processes are administrative functions and are not subject to the same rules of civil or criminal proceedings. Because some violations of these standards are also violations of law, students may be accountable to both the legal system and the College. Allegations of sexual harassment under Title IX will follow the procedures under the Title IX policy found here: <https://www.csi.edu/files/pdf/student-handbook/csi-civil-rights-polices-and-procedures.pdf>

Initiating the Complaint and Resolution Process

Any member of the College community (including students, faculty, staff, administration, and visitors) may submit a report or complaint alleging a violation of the Student Code of Conduct and can be done using the Incident Report Form found here: <https://cm.maxient.com/reportingform.php?CollegeofSouthernID>

A student or College official may also submit a report or complaint based upon information reported to him/her. All complaints must be submitted to the Dean of

Students, in writing and signed by the individual making the complaint, preferable within ten (10) business days but no longer than six months of the incident(s) alleged in the complaint. The Dean of Students may waive the six-month limitation when a late submission is reasonable.

The Student Conduct Administrator may dismiss the complaint at any stage if he/she reasonably believes that the complaint is baseless or otherwise unsupported by the available evidence, or that the underlying grievance or problem is better resolved in a different manner.

Reports or complaints alleging sexual harassment should follow the reporting procedures under the Title IX policy. Dismissal of such complaints will follow the Title IX process and procedures.

Resolution Process

Investigation and resolution of allegations of sexual harassment will follow the grievance procedures under the Title IX policy. Allegations of conduct alleging a violation(s) solely of the Student Code of Conduct will be investigated and resolved as set forth below.

The Student Conduct Officer will conduct an investigation to determine whether the complaint has merit as soon as possible. Accused students should know that:

- a. Any statement(s) made to a Student Conduct Officer may be considered in the Student Conduct process;
- b. Student disciplinary records are confidential to the extent permitted or required by law;
- c. The student may consult with his or her advisor before accepting responsibility.
- d. Students have the right to be considered not responsible for any violation(s) until responsibility is established through a preponderance of evidence standard.

Student conduct and/or dispute resolution methods will begin with an initial meeting, following either a mutual resolution, alternative dispute resolution, or hearing:

1. **Initial Meeting** – after an initial inquiry, a Student Conduct Officer will meet with a student to discuss an open case. In this initial meeting, a

student has the option of mutually resolving, agreeing to an alternative dispute resolution, or choosing a hearing.

2. **Mutual Resolution** - The accused student has the option of accepting responsibility for the alleged violation and accepting the sanction.
3. **Alternative Dispute Resolution (ADR)** - If all persons personally and directly affected by the conflict agree to resolve the complaint through the alternative dispute resolution (ADR) process, and if the Student Conduct Administrator and/or designee(s) determines that ADR is an appropriate form of resolution in this particular case, then the Student Conduct Officer will make arrangements for the ADR to occur. ADR is a voluntary process which may or may not result in an agreement. When an agreement is reached by the parties, the case is resolved and parties are encouraged to use the Student Conduct Officer as a resource for future questions. If the mediator reports that ADR process has failed, the accused student has the choice of accepting responsibility or proceeding to a hearing.
4. **Hearing** – After an initial meeting, the accused student may choose to have a hearing with the Student Conduct Administrator and/or designee(s). In cases which involve more than one accused student, the Student Conduct Administrator and/or designee(s) has the option of choosing whether they have the same or separate hearings at the unanimous request of all students involved.

Each party may be accompanied at the hearing by one advisor at their own expense; however, the advisor may not participate directly in the proceedings, but may only advise the party. For example, the advisor may not question witnesses or make presentations. Any advisors from outside the College community must be pre-approved by the Student Conduct Administrator.

At a hearing, the Student Conduct Administrator and/or designee(s) will be in charge of preparing and submitting information gathered during the investigation. The hearing shall be conducted in private however hearings may be recorded for further review. Admission to the hearing of any other person besides the Student Conduct Administrator and/or designee(s) and/or witnesses, complainant, the accused student, and their advisors shall be at the discretion of the Student Conduct Administrator and/or designee(s). To ensure the privacy of the parties and to maximize the

educational potential of the process, both the claimant and the accused student must agree to the admission of any other people (except witnesses, hearing administrators or advisors) to the hearing. Upon request, both parties may have access to all written or other information that will be considered prior to the hearing. Upon request, both parties may have access to the names of witnesses providing information prior to the hearing.

During the hearing, the Student Conduct Administrator and/or designee(s), accused student, complainant, may ask questions of the complaining and the accused student, and of any witnesses. Silence by the accused will not be used as evidence of responsibility for a charge. During the hearing the accused student may request a recess to consult with his or her advisor. Witnesses may be present in the hearing room only when they are presenting information. The accused student and the complainant may call any witness whose information is of value to the case, but the Student Conduct Administrator and/or designee(s) may exclude a witness if the witness is duplicative. The accused student, the complainant, witnesses, and the Student Conduct Administrator and/or designee(s) may also present written reports.

If an accused student who was notified does not appear for the hearing, the information in support of the charges can be presented and considered even if the accused student is not present.

The hearing is followed by deliberations. The accused student is presumed not responsible unless the information presented shows that more likely than not a violation of the Student Code of Conduct has occurred. The claimant, the accused student(s), their advisors, and witnesses are not allowed to participate in deliberations. At the conclusion of deliberations the Student Conduct Administrator and/or designee(s) will issue a written decision containing findings of fact, conclusions as to responsibility, and rationales for all sanctions recommended. The Student Conduct Administrator may accept or modify the recommendation(s). All program and/or College suspension or expulsion decisions require review and approval by the College President and/or designee(s).

Student Conduct Appeals

Appeals may be filed for the following reasons:

1. Procedural irregularity that affected the outcome of the matter
2. The evidence clearly does not support the finding(s)
3. Sanctions are insufficient or excessive relative to the violation
4. There is new evidence not reasonably available at the time of the hearing
5. The investigator or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainants and respondents.

All appeals must be submitted in writing to the Vice President of Student Services and/or designee(s) within ten (10) business days after notification of the Vice President of Student Services and/or designee(s)' decision to accept or modify the recommendations resulting from the hearing. The Vice President of Student Services and/or designee(s) may waive the ten (10) day limitation when a late submission is reasonable. The appeal will be reviewed by the Vice President of Student Services and/or designee(s) and possible outcomes are as follows:

- a. confirming the decision made through the hearing process,
- b. altering the sanction(s),
- c. striking the initial finding of responsibility and/or sanction(s) and remanding to the original fact-finder for further consideration with corrective instructions from the Vice President of Student Services and/or designee(s), or
- d. ordering a new hearing before a new fact-finder.

All program and/or College suspension or expulsion decisions require review and approval by the College President or designee(s). The decision rendered by the President or designee(s) is final.

Special Procedures/Provisions

A. **Attempted Violations**

In most circumstances, the College will treat attempts to commit any of the violations listed in the Student Code of Conduct as if those attempts had been completed. 16

B. **College as Complainant**

As necessary, the College reserves the right to initiate a complaint, to serve as complainant, and to initiate conduct proceedings without a formal complaint by the victim of misconduct.

C. **False Reports**

Deliberately false and/or malicious accusations under this policy, as opposed to allegations which, even if erroneous, are made in good faith, are a serious offense and will be subject to appropriate disciplinary action.

Additionally, witnesses and parties knowingly providing false evidence, tampering with or destroying evidence after being directed to preserve such evidence, or deliberately misleading an official conducting an investigation can be subject to discipline..

D. **Group Violations**

When members of groups, members of organizations, and/or individuals acting collusively, act in agreement in violation of any College policy or rule, they may be held accountable as a group, and a hearing may proceed against the group as joint accused students at the determination of the Student Conduct Administrator and/or designee(s). In any such action, however, determinations will be made with respect to the involvement of each accused individual. 16

E. **Selection of Mediators**

College mediators will be selected by the Student Conduct Administrator. The Student Conduct Administrator will try to identify College and non-College mediators who will serve parties at no charge or on a sliding fee scale.

F. Student Access to Records

Records and documents that will be considered during a Student Code of Conduct hearing (or any other time) may be made available in advance to all parties but may be redacted to protect the privacy rights of individuals not directly involved in the resolution process or to protect confidential information that will not be used in the resolution process.

G. Parental Notification

The College reserves the right to notify parents/guardians of dependent students regarding any conduct situation, particularly alcohol and other drug violations. The College may also notify parents/guardians of non-dependent students who are under age 21 and are charged with alcohol and/or drug law, a health and/or safety risk or Policy violations. Where a student is not dependent, the College reserves the right to contact parents/guardians to inform them of situations in which there is a health and/or safety risk. The College also reserves the right to designate which College officials have a need to know about individual conduct complaints pursuant to the Family Educational Rights and Privacy Act (FERPA).

H. Violation of Law and College Discipline

College disciplinary proceedings and sanctions are independent of civil court or criminal proceedings, and the College may proceed with investigation and resolution of alleged violations of the Student Code of Conduct regardless of pending civil litigation in court or criminal arrest and prosecution.. Determinations made or sanctions imposed under the Student Code of Conduct shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of College rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant.

When a student is charged by federal, state, or local authorities with a violation of law, the College will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also being processed under the Student Code of Conduct, the College may advise off-campus authorities of the existence of the Student Code of Conduct and of how such matters are typically handled within the College community. The College will attempt to cooperate with law enforcement and other agencies in the enforcement of criminal law on College premises and in the conditions imposed

by criminal courts for the rehabilitation of student violators (provided that the conditions do not conflict with College policies).

College disciplinary proceedings may be carried out prior to, simultaneously with, or following civil or criminal proceedings in the College's discretion. A student undergoing civil or criminal action for the same behavior which forms the basis of a complaint under this Student Code of Conduct may request a reasonable delay of the Code of Conduct process until external proceedings are resolved, except that the College will meet its obligations to proceed with investigating and resolving complaints of sexual harassment within its reasonably prompt timeframe under the Title IX policy with only limited, temporary delays for good cause. In determining whether a request is reasonable, the Dean of Students will evaluate the unique circumstances of the case, including the length of the delay and the impact of delay on the complainant and community, in addition to protecting the integrity of the resolution process. The final decision on granting a request for a delay rests with the Vice President for Student Services. In granting a delay, the Dean of Students may implement conditions on continued enrollment, as appropriate.

In some cases, students accused of crimes may wish to withdraw from the College until the criminal charges are resolved. The College has a procedure for voluntary withdrawals. As a condition of granting voluntary withdrawal, the accused student agrees that the student may not be present on campus or at College-sponsored activities without special permission. The accused student will comply with any and all College efforts at investigation that will not prejudice any defense in the criminal trial, and the accused student must agree that in order to be reinstated to active student status, the student must first be subject to and fully cooperative with a hearing and must comply with any sanctions that are imposed, if the student is found responsible.

I. Interim or Emergency Suspension

The College can act to remove a Respondent entirely or partially from its education program or activities on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual justifies removal. This risk analysis is performed by the Dean of Students in conjunction with the College of Southern Idaho CARE Team using its standard objective violence risk assessment procedures.

In all cases in which an emergency removal is imposed, the student, or two (2) representatives from a student organization will be given notice of the action and

the option to request to meet with the Dean of Students prior to such action/removal being imposed, or as soon thereafter as reasonably possible, to show cause why the action/removal should not be implemented or should be modified.

This meeting is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal is appropriate. When this meeting is not requested within five (5) business days of the notice of emergency removal objections to the emergency removal will be deemed waived. A Complainant and their Advisor may be permitted to participate in this meeting if the Dean of Students determines it is equitable to do so. There is no appeal process for emergency removal decisions.

A Respondent may be accompanied by an Advisor of their choice when meeting with the Dean of Students for the show cause meeting. The Respondent will be given access to a written summary of the basis for the emergency removal prior to the meeting to allow for adequate preparation.

The Dean of Students has sole discretion under this policy to implement or stay an emergency removal and to determine the conditions and duration. Violation of an emergency removal under this policy will be grounds for discipline, which may include expulsion or termination.

The College will implement the least restrictive emergency actions possible in light of the circumstances and safety concerns. As determined by the Dean of Students, these actions could include, but are not limited to: removing a student from a residence hall, restricting a student's access to or use of facilities or equipment, allowing a student to withdraw or take grades of incomplete without financial penalty, authorizing an administrative leave, and suspending a student's participation in extracurricular activities, student employment, student organizational leadership, or intercollegiate/intramural athletics.

At the discretion of the Dean of Students, alternative coursework options may be pursued to ensure as minimal an academic impact as possible on the parties.

J. Reports of Actions

Statistical reports of actions taken through the Student Conduct process will be made available to administration following each academic term. These data will cover the number of complaints and the types of violations, resolutions, and sanctions.

K. Notification of Outcomes

The outcome of a student misconduct hearing is part of the education record of the accused student, and is protected from release under FERPA, except when exempted. The College shall not disclose or release information contained in student education records other than as permitted or required by applicable federal and state laws, rules, and regulations.

L. Student Disciplinary Records

Other than College expulsion or revocation or withholding of a degree, disciplinary sanctions shall not be made part of the student's permanent academic record, but shall become part of the student's disciplinary record. Cases involving the imposition of sanctions other than residence hall expulsion, College suspension, College expulsion or revocation or withholding of a degree shall be expunged from the student's confidential record five (5) years after final disposition of the case, except that records related to sexual harassment investigations under Title IX policies will be maintained for seven (7) years after final disposition. Upon graduation, the student's disciplinary record may be expunged of disciplinary actions other than residence hall expulsion, College suspension, College expulsion, revocation or withholding of a degree, or records related to sexual harassment investigations under Title IX policies, upon request in writing submitted to the Student Conduct Administrator.

Records will be maintained by the Dean of Students with regard to actions taken under the Student Code of Conduct. Accordingly, records will be maintained by the Dean of Students of complaints, mediations, hearings, findings, and sanctions. For each case in which a complaint is issued, including cases where the student accepts responsibility, the record will include the facts of all conduct found or admitted to be in violation of the Student Code of Conduct with sufficient specificity to indicate that a violation of the Code occurred. Confidentiality of records will be maintained to the extent permitted and required by law and the College's FERPA Policy (www.csi.edu/FERPA). While student disciplinary records are protected as education records under the Family Educational Rights and Privacy Act (FERPA), there are certain reports and other records created and maintained by Campus Security relating to a possible violation of law or College Policy are not considered education records subject to FERPA (unless the records were created exclusively for the purpose of a possible disciplinary action against the student for a Student Code of Conduct violation). Campus Security records are maintained separately from education records. The College

may disclose information from Campus Security records, including but not limited to outside law enforcement authorities, without student consent.

Campus Security may be given access to personally identifiable information from students' education records. Campus Security must protect the privacy of education records it receives and may disclose them only in compliance with FERPA.

Interpretation and Revision

- A. Disciplinary regulations at the College are set forth in writing in order to give students general notice of prohibited conduct. The regulations should be read broadly and are not designed to define misconduct in exhaustive or exclusive terms.
- B. At any time, the College may consult with legal counsel about a case or procedure.
- C. The Student Code of Conduct shall be reviewed at least every five (5) years under the direction of the Student Conduct Administrator.
- D. Any question of interpretation or application of the Student Code of Conduct shall be referred to the Student Conduct Administrator. Any question about the application of Title IX to the College shall be referred to the Title IX Coordinator(s) or the Office of Civil Rights (OCR) at the U.S. Department of Education

Contact Information:

Title IX Coordinator, Director of Human Resources
Email: enielson@csi.edu
Phone: [\(208\) 732-6267](tel:(208)732-6267)
Office: Taylor Building 212

Title IX Coordinator, Vice President
Email: jlord@csi.edu
Phone: [\(208\) 732-6280](tel:(208)732-6280)
Office: Taylor Building 120

U.S. Department of Education
Office of Civil Rights (OCR)
810 3rd Avenue #750
Seattle, WA 98104
(206) 607-1600
OCR.Seattle@ed.gov

Acknowledgements

The College relied on the work of several individuals/institutions in developing its Student Code of Conduct. The College would especially like to acknowledge the work of the following individuals/institutions utilized in the development of our Code:

1. Edward Stoner, J.D. - Reviewing Your Student Discipline Policy: A Project Worth the Investment, United Educators Insurance Risk Retention Group, Inc., National Association of Student Personnel Administrators (NASPA), National Association of College and University Attorneys (NACUA), 2000 – www.eric.ed.gov
2. Edward Stoner, J.D. and John Wesley Lowery, J.D. - Navigating Past the “Spirit of Insubordination”: A Twenty-First Century Model Student Conduct Code with a Model Hearing Script, Journal of College and University Law, Vol. 31, No. 1, 2004 – www.eric.ed.gov
3. AITXA –Association for Title IX Administrators and The National Center for Higher Education Risk Management (NCHERM), Model Student Code of Conduct – www.atixa.org and www.ncherp.org
4. University of Michigan Statement of Student Rights and Responsibilities - <http://www.oscr.umich.edu/statement/>
5. Gary Pavela, J.D. - <http://www.garypavela.com>
6. Joint Statement on Rights and Freedoms of Students
<http://www.aaup.org/AAUP/pubsres/policydocs/contents/stud-rights.htm>
7. NASPA Standards of Professional Practice
https://www.naspa.org/images/uploads/main/Standards_of_Professional_Practice.pdf
8. Harvey Silverglate and Josh Gewolb, FIRE’s Guide to Due Process and Fair Procedure on Campus (2004), Foundation for Individual Rights in Education (FIRE) <http://www.thefire.org/pdfs/due-process-2.pdf> Some of the material may be proprietary or copyrighted.
9. ATIXA 2020 ONE POLICY, TWO PROCEDURES MODEL. USE AND ADAPTATION OF THIS MODEL WITH CITATION TO ATIXA IS PERMITTED THROUGH A LIMITED LICENSE TO COLLEGE OF SOUTHERN IDAHO ALL OTHER RIGHTS RESERVED. ©2020. ATIXA