

Student Policy - Student Conduct

Policy:

It shall be the policy of Bismarck State College to have rules and regulations governing the conduct of students and to provide regulations and procedures for disciplinary action.

Authority:

The North Dakota State Board of Higher Education has delegated the administration of student discipline to the President of the College, who in turn may assign to individuals and/or committees the responsibility for assisting with the enforcement of the rules, regulations, and policies of the College.

Definitions of Disciplinary Actions:

1. A FINE - is the imposition of a monetary penalty. Besides its use as a disciplinary sanction, it may also be used to compensate the College for a monetary loss.
2. A WARNING - is a discussion of misconduct which becomes a matter of at least temporary record.
3. PROBATION - indicates that continued enrollment is conditional upon good behavior during a specified period. It is a matter of temporary record and may include specific restriction of activity.
4. SUSPENSION FOR CONDUCT - is a temporary withdrawal of the privilege of enrolling in the College for a specific period. Suspension may be deferred to allow completion of an academic term, after which it is automatically invoked. During a period of deferment, the suspension may be enacted immediately by the Provost and Vice President for Academic Affairs, hereafter referred to as the Provost, or the Vice President, Energy Technology Programs and Director, National Energy Center of Excellence, hereafter referred to as the VP for ETP, if additional misconduct occurs.
5. EXPULSION FROM THE COLLEGE - is the withdrawal of enrollment privileges with no promise of reinstatement at any time and no opportunity for review for at least one year.
6. EXPULSION FROM CLASS - is the immediate revocation of the privilege of attending a class, using a laboratory, or participating in a shop.
7. EVICTION - is the formal removal of a student from College housing.
8. WITHHOLDING TRANSCRIPTS & GRADES - is a refusal by the College to provide transcripts and grades to the student, to other institutions, to employers, and to other

agencies.

Standards of Conduct Expected of Students:

1. A student is expected to obey the rules, regulations, and policies of the College. Failures to show proper respect for good order and the rights of others, or insubordination toward a College official in the proper execution of his or her duties will be regarded as cause for disciplinary action.
2. A student arrested and convicted of a law violation may be considered as subject to disciplinary action.
3. A student who has failed to discharge a financial obligation to the College is subject to disciplinary action.
4. A student who furnishes false or misleading information on admission, registration, student I.D., or any other forms, or who alters College records, is subject to disciplinary action.
5. A student who willfully damages or removes College property or who obstructs the normal operation of the College shall be subject to disciplinary action and/or civil action.
6. A student who brings firearms onto campus or stores firearms in a campus housing unit is subject to disciplinary action.
7. A student who destroys or tampers with fire alarms or fire protection equipment is subject to disciplinary action.
8. A student who possesses unauthorized College keys is subject to disciplinary action.
9. A student who brings intoxicating liquors or other alcoholic beverages on campus is subject to disciplinary action.
10. BSC is a tobacco free campus. A student who uses tobacco in BSC buildings, on BSC property and/or BSC rented property is subject to disciplinary action.
11. A student is expected to pay any library, parking, etc. fines accumulated. If the fines are not paid within a certain time frame, a "hold" will be placed on the student's records.
12. Cheating or plagiarism or collusion in class, laboratory, shop work, or tests is regarded as a serious offense and is subject to disciplinary action.
13. The College considers the use, possession, distribution, or sale of those drugs (hallucinogens, narcotics, stimulants, and depressants) which are illegal except when taken under a physician's prescription as contrary to the welfare of the College. Students involved in such activities are subject to disciplinary action and will be prosecuted according to the law.
14. Situations, other than those already mentioned, which will warrant disciplinary action are those in which a student endangers or seriously threatens the life or physical safety of others, himself, or herself, lends or participates in destructive group action, has difficulties with law enforcement authorities, is cited for not obeying the laws of the community, state and/or nation, commits sexual offenses, does not respect public

and private property, refuses to cooperate in efforts made to help him or her adjust to College responsibilities, or behaves in ways which discredit the College.

Procedures for Expulsion from Class or from the College:

1. All instructors and academic administrators (Department Chairs, Deans, Associate Vice President for Academic Affairs, Energy Technology Programs Managers, and the Associate Vice President for Energy Technology Programs) are empowered to temporarily expel a student from a class, laboratory, or shop. Temporary expulsion will continue for not more than one calendar week or until the Provost shall overturn the expulsion, instate permanent expulsion, or the student appeals the expulsion.
2. A student may be permanently expelled from a class, laboratory, shop, program, or from the college by the Provost or VP for ETP.
3. Students may appeal temporary or permanent expulsion by following the due process procedures stated in the Student Grievance and Appeal policy.

Limits, Regulations, and Procedures:

1. If misconduct is alleged, the Provost or VP for ETP may order immediate disciplinary action or require a hearing.
2. If the Provost or VP for ETP requires a hearing, he/she may assign the responsibility of a hearing to a Hearing Committee or a Hearing Officer.
 - a. Pending completion of the hearing, the status of a student should not be altered or the right to be present on the campus and attend classes suspended, except for reasons relating to his or her physical or emotional safety and well-being, for reasons relating to safety and well-being of other students, faculty or College property.
 - b. Students shall be given every reasonable opportunity to present their case, including the presentation of written and oral testimony by themselves and their witnesses, and students will have the right to be assisted by an advisor, friend, or counsel.
 - c. If the Hearing Committee or Officer decides that disciplinary action is required, they will notify the Provost or VP for ETP of their decision.
 - d. The Hearing Committee or Officer shall submit a written report of the proceedings to the Provost or VP for ETP. The report need not be verbatim, but must include all matters upon which the final decision was based.
 - e. Ordinarily the College shall abide by the recommendations of the Hearing Committee or Officer, except that the Provost or VP for ETP retains the right to modify or reject Committee or Hearing Officer's recommendations.
3. A student may follow due process procedures as stated in the Student Grievance and Appeal Policy if he or she disagrees with the final decision.

Records and Reinstatement:

1. Suspension and expulsion from the College are matters of permanent record.
2. Reinstatement after suspension--the Registrar may permit reinstatement after suspension. However, the Registrar may do so only after the student has completed the terms of the suspension.
3. Reinstatement after expulsion from the College--in unusual cases the Provost or VP for ETP may readmit a student who was expelled, for reasons of conduct.

Reference:

North Dakota Century Code 15-10-17.1
State Board of Higher Education Policy Manual Section 305.1

History of This Policy:

First policy draft October 13, 1986.

Revisions - August 11, 1987, February 1, 1988, January 29, 1990, February 26, 1990, April 10, 1990; October 22, 1991; June 27, 1994; May 28, 1998; January 13, 2004; January 23, 2006; May 11, 2006; June 18, 2008.