

Student Code of Conduct

In keeping with the mission of Bryan College of Health Sciences the Student Code of Conduct was developed to maintain an environment that fosters student success and promotes professionalism. Each student is subject to federal and state laws, respective county and municipal ordinances, and all policies, rules and regulations of Bryan College of Health Sciences and Bryan Medical Center. The College expects all students to comply with all laws. In addition, students are expected to maintain the values of the College and comply with the College and Medical Center policies and regulations as outlined in The Student Handbook.

The College, in consultation with students, faculty, and staff, has developed policies for student conduct and College discipline policies. The College and its Board of Trustees have established College standards to support a philosophy of education based on socially responsible freedom. The policies and procedures contained in The Student Handbook are established in order to provide a climate necessary for achieving the goals of learning and personal development.

All violations of College policies and procedures committed on or off College property (both inside and outside the classroom), or at officially sponsored College events/activities (on or off campus) or via an electronic network or by electronic means fall within the scope of the Student Code of Conduct. The College reserves the right to take disciplinary action against students when their off-campus behavior violates College expectations and/or policies or when it adversely impacts or could adversely impact the College or surrounding community. The College expects students to conduct themselves in accordance with the law. Student behavior off the premises of the campus that may have violated any local, state, or federal law, or that yields a complaint from others alleging law violations or student misconduct, will be reviewed by the College to determine the appropriate course of action by the College. The College reserves the right to report any situations involving student misconduct to appropriate law enforcement authorities.

The Office of the Dean of Students coordinates all matters relative to reported violations of the Student Code of Conduct and behavior. Any reports of unprofessional, unethical, or dishonest behavior will be investigated as deemed appropriate by the College.

Failure to meet College academic requirements are addressed utilizing the Academic Policies in The Student Handbook. Alleged and confirmed student violations related to academic integrity are addressed utilizing the Academic Integrity Violation Procedure.

Any violation of the College Student Handbook, Medical Center policies, or federal, state, or local laws or respective county and municipal ordinances, may result in investigation and subsequent disciplinary action under this Student Code of Conduct.

Examples of prohibited conduct include, but are not limited to:

- All forms of dishonesty, including, but not limited to, furnishing false information, forgery, and altering or misusing documents.
- Intentional disruption or obstruction of teaching, research, administration, disciplinary proceedings, or other College activities.
- Abuse, assault or harassment, physical, verbal or otherwise, of any person. This includes, but is not limited to, abuse or harassment based upon such factors as race, ethnicity, color, national origin or ancestry, sex, genetic information, gender identity or expression, sexual orientation, disability, age, marital or family status, pregnancy, source of income, veteran status, or political or religious beliefs.
- Behavior or activity that endangers or threatens to endanger the safety of one's self or others, including, but not limited to, the possession and/or use of firearms, fireworks, dangerous weapons, or hazardous chemicals.
- Behavior that significantly disrupts the learning environment of the College.
- Vandalism or damage, destruction or defacement of property.
- Theft of College property or the property of any person.
- Hazing; hazing is defined as any act committed by a person, whether individually or in concert with others, against a student in connection with pledging, being initiated into, affiliating with, holding office in, participating in, or maintaining membership in any organization or team affiliated with the College; and which is intended to have the effect of, or should reasonably be expected to have the effect of, humiliating, intimidating or demeaning the student or endangering the mental or physical health of the student. Hazing also includes

soliciting, directing, aiding, or otherwise participating actively or passively in the above acts; the College will use a "reasonable person" standard when evaluating such conduct and its potential effects; because of the socially coercive nature of hazing, implied or expressed consent to hazing is not a defense under this policy.

- Any violation of the College Drug and Alcohol Policy, including, without limitation, possession, manufacture, distribution, dispensation, sale, or use of any controlled substance without medical authorization or misuse of any controlled substance for which they have medical authorization, unauthorized use of alcoholic beverages; procuring alcohol to a minor; or underage drinking.
- Failure to follow Medical Center, agency, and College policies.
- False reporting of an emergency or tampering with fire safety equipment, including, but not limited to, false reporting of a fire or a bomb threat or tampering with other fire related equipment.
- Unauthorized presence in or forcible entry into a College facility or College-related premises, including, but not limited to, College building roofs or fire escapes.
- Unauthorized use of College property, equipment or keys, including networks, computers, software or other information technology resources.
- Illegal peer to peer downloading of copyrighted material, copyright violation, or the unauthorized use of intellectual property.
- Failing to follow the reasonable directives of a College official, including violating the terms of a disciplinary sanction imposed through this policy.

In addition to applying this Code of Conduct to matriculated students, if between the time of an offer of admission and a student's matriculation the College learns of conduct that appears to be inconsistent with the behavioral expectations for students that are outlined here, the College reserves the discretion and right to withdraw such an offer of admission.

Anyone who has grounds to initiate a complaint regarding any Bryan College of Health Science student's conduct/behavior may do so by contacting the Dean of Students. The Dean of Students will request that a written complaint be submitted, which will usually include: 1) name(s) of the accused; 2) name(s) and contact information of those filing the complaint; 3) a clear statement explaining the nature and circumstances of the complaint. Complaints should be submitted as soon as possible after the event takes place.

The Office of the Dean of Students reserves the right not to proceed with complaints that are not submitted within a reasonable time frame. In addition, the Office of the Dean of Students reserves the right to investigate and pursue all alleged violations of professional conduct/behavior standards that come to the Office's attention, including cases in which the student(s) or other College constituents affected by the violation choose not to file or pursue a complaint. A student who has a complaint lodged against them (known as the "respondent") will be notified by the Dean of Students or designee and a meeting will be set to discuss the complaint. The respondent will be given a copy of the complaint in writing and the opportunity to present a written response to the matter. All parties will be given an equal opportunity to review any statements submitted by the other parties in the matter. At the meeting the case may be resolved, dropped or kept open for later resolution. Resolution may include sanctions up to dismissal from the program/College.

All parties, including the respondent and any aggrieved party, are required to respect the right of confidentiality of other participants. Any unauthorized disclosure of confidential information by participants to persons not involved in the process as direct participants, advisors, or responsible administrators, will be dealt with as a disciplinary violation. In addition, all participants in the process have a right to be free from intimidation and harassment. Any implied or actual act of retaliation, intimidation, or harassment is strictly prohibited and will be dealt with as a serious violation.

The Dean of Students will conduct an investigation to determine if the complaint(s) have merit and/or if they can be resolved by informal resolution by mutual consent of the parties involved on a basis acceptable to the Dean of Students. The investigation will typically be completed within 30 calendar days. Involved parties will be notified in writing if the investigation will exceed 30 calendar days.

If the Dean of Students finds that it is more likely than not that the violation occurred (known as a "preponderance of the evidence" standard) and the matter was not resolved by mutual consent, the Dean of Students will forward their written findings and all written materials submitted to or gathered by the Dean of Students to the College's Student Conduct Board. The Student Conduct Board membership includes the College Provost, Dean of Operations, and the Dean of the program in which the respondent student is enrolled. The Dean of Students will present the findings of the investigation to the Student Conduct Board. The Student Conduct Board will determine by the preponderance of the evidence standard if the conduct occurred. The Board will also determine the sanction to be imposed, taking into consideration the context and seriousness of the violation and the respondent's prior disciplinary history, if any. Decisions will be made by a majority vote of the members

of the Student Conduct Board. Both parties will be simultaneously informed in writing of the decision of the Student Conduct Board, procedure for appeal, and when the decision becomes final. Decisions made by the Student Conduct Board shall be final, pending the right to appeal a sanction of suspension or dismissal based on the following appeal grounds: 1) there is new material evidence that was not presented and could not have been presented in the proceedings before the time the appeal is taken; 2) there was a violation of the procedures set forth in the Student Code of Conduct; or 3) the sanction is not appropriate under the circumstances. The request for appeal must be in writing and be submitted within ten (10) calendar days. The appeal will be reviewed by the President of Bryan College of Health Sciences. The President will review the appeal and issue a determination in writing within ten (10) calendar days. The time may be extended, with notice to the parties, if the President is out of the office or for other good cause. The President may affirm the decisions of the Student Conduct Board, modify or vacate those decisions, and/or refer the matter to the Student Conduct Board or the Dean of Students for further proceedings as directed by the President. The decision of the College President is final. The sanction may be imposed by the Student Conduct Board pending appeal to the President on a case by case basis.

It is the College's belief that sanctions should maximize safety for all students and College constituents, relate to the nature of the behavior, and provide an opportunity for growth and learning. The following disciplinary sanctions may be imposed for violations of student conduct but are not meant to represent the only sanctions that may be imposed by the College:

Written Warning

A written warning is a notice that the student's behavior is unacceptable and that further misconduct may result in further disciplinary action. A copy of the warning letter is placed in the student's academic file.

Fines

A monetary fine may be imposed. Failure to pay or to make arrangements to pay a fine may result in a hold being placed on the student's account.

Restitution

Restitution may be imposed in the form of monetary payment to repair or otherwise compensate for damages caused by

Loss of Privileges

A student may be restricted or excluded from participation in curricular or extra-curricular activities for a specified period of time.

Educational Sanction

Educational sanctions may include mediation, drug and alcohol education/treatment, public presentation, formal apology, research paper, college completion contract, etc.

Suspension

Termination of student status at the College for a specified period of time, with the possibility of reinstatement, provided that the student has complied with all conditions imposed as part of the suspension and provided the student is otherwise qualified for reinstatement. Depending on the length of the suspension, transition activities may be required. Suspension involves the exclusion of the student from participation in any academic or other activities of the College. Written notification of this action will be provided to the student. The student may be withdrawn from all courses carried that semester and shall forfeit all tuition/fees according to the normal refund schedule of the College. The student may not be on the College's premise unless engaged in official business approved in writing by the Dean of Students or College Administrator.

Dismissal

Termination of student status. Written notification of this action will be provided to the student. The action of dismissal will be noted on the student's academic transcript; the student will be withdrawn from all courses carried that semester and shall forfeit all tuition/fees according to the normal refund schedule of the College. The student may not be on the College's premise unless engaged in official business approved in writing by the Dean of Students or College Administrator. Readmission after dismissal may be granted on a case by case basis.

Administrative withdrawal

The College reserves the right to administratively withdraw a student for reasons such as failure to return from an approved leave of absence, dropping all classes after the beginning of a semester, inability to progress in a program due to academic performance, failure to register for a subsequent semester, failure to meet attendance or participation requirements, failure to meet course requirements or failure to pay College tuition and fees.

In addition, the college may require withdrawal of a student for medical reasons when: (a) There is a reasonable basis to believe, based on a case-by-case, objective assessment of the student's behavior and other relevant information, that the student's medical, psychological, or substance-related condition prevents the student from safely and/or effectively participating in the College's academic and/or clinical education programs, such that the student is not otherwise qualified to attend the College; or

(b) There is a reasonable basis to believe, based on a case-by-case, objective assessment of the student's behavior and other relevant information, that as a result of the student's medical, psychological, or substance-related condition, the student has threatened, or poses a significant risk of threatening, the health or safety of others; or causes or threatens to cause property damage; or engages in behavior that is unduly disruptive of others in the College community. (Behavior that is "unduly disruptive" includes but is not limited to conduct that interferes with, or poses a significant risk of interference with, the emotional or physical well-being of others and/or the academic, extracurricular, or social activities of others.)

Prior to the withdrawal, the student may be required to sign a release authorizing disclosure of the student's medical or other information by and between the student's physician(s), psychologist(s), or licensed counselor(s), or others who are asked to provide information regarding the student and the appropriate College official(s). A medical evaluation by a competent specialist may also be required. The outcome of the medical evaluation will be shared with an appropriate professional employed or contracted by the College.

Student(s) will be given notice and an opportunity to speak with an appropriate College official prior to or within five business days of the withdrawal. That official may also consult with others as appropriate (e.g., medical professionals, other College officials, law enforcement, and/or the student's family members). The student will be notified of the withdrawal decision in writing. The decision may be appealed, by filing an appeal to the President, within 10 working days of when the student receives notice of the decision. The President's decision is final. Students withdrawn under this section may also be subject to the normal disciplinary processes if their conduct has violated College policy. If disciplinary action is appropriate, the matter must be resolved either before or immediately upon the student's return. The action of administrative withdrawal will be noted on the student's academic transcript; the student will be withdrawn from all courses carried that semester and shall forfeit all tuition/fees according to the normal refund schedule of the College. Administrative withdrawal is a neutral action and should not be considered as negative or of a disciplinary nature; it is therefore not subject to the procedures set forth in this Student Code of Conduct. Students desiring to reenter the College after administrative withdrawal must apply for readmission.

Disciplinary Records

A record is maintained for disciplinary proceedings and incidents that violate the College Student Code of Conduct. These records are maintained in the Dean of Student's Office for seven years. At the discretion of the Dean of Students, a disciplinary record for severe violations of the Student Code of Conduct or violations of local, state, and federal laws may be maintained by the College indefinitely. Records involving alleged violations in which the student was charged and found not responsible, or in which charges were subsequently dropped, are, absent extenuating circumstances, retained in the Office of the Dean of Students for the tenure of the student, then destroyed, unless retention is required by law.