

Student Conduct

When a person enrolls at Wayne State College, he/she voluntarily becomes a part of the academic community. By such voluntary entrance, the student assumes obligations of performance and behavior the College believes are necessary to fulfill its role and mission. The College's primary interest in disciplinary actions is to help individual students avoid further inappropriate behavior and to become responsible members of the academic community. Students who do not conform to college regulations or commit violations of a serious nature may be suspended or permanently dismissed from the College.

Student status at Wayne State College does not confer either immunity or special consideration in civil or criminal laws. Students may be held accountable to both civil and College authorities for acts constituting violations of law as well as violations of College rules and regulations. Disciplinary action by the College will not be subject to challenge or postponement on the grounds that criminal charges involving the same incident have been dismissed, reduced, or are pending in civil or criminal court. In addition, the College reserves the right to pursue disciplinary action if a student violates a regulation and withdraws from the College before administrative action is final.

Student Conduct Regulations

A college community can function effectively only when the rights and obligations of its members are recognized. Therefore, each student has an obligation to become familiar with, and conform to, the standards of conduct expected at Wayne State College and to report actions of others appearing to violate these standards.

The underlying purpose of college regulations is to maintain justice, law, and order, and to prevent the disruption of the educational functions of Wayne State College.

Acting through its administrative officers, the College reserves the right to exclude those deemed detrimental to its well being or incompatible with its function as an educational institution from all or part of College owned or controlled grounds, buildings, or other facilities.

Persons who are not students or employees of the College are required to abide by Wayne State College policies and student conduct regulations while on College property.

Students are prohibited from engaging in, aiding or abetting, but not limited to, any of the following actions:

- A. Obstruction or disruption of the safety, security, and good order of teaching, research, administration, disciplinary procedures, or any other college activities, including its public service functions. Participation in a demonstration on campus materially and substantially disrupts or obstructs the normal operations, activities or functions of the College, including unauthorized occupation of College premises.
- B. Unauthorized use of, or tampering with College computers or computing resources. Please refer to the Ethical Computer Use Policy available in the Campus Computer labs and the library.
- C. Dishonesty in any form including falsification, forgery, alteration, or use of college documents, records, instruments of identification with intent to defraud the College, or any act of academic dishonesty. (Also see "Student Dishonesty, page 52.)
- D. Compliance and Respect; individuals show disrespect or fail to show proper identification and/or comply with orders or directives of College officials, faculty, security officers, all residence life staff including resident assistants, or any other law enforcement/fire department personnel acting in the performance of their duties; and the terms and

- conditions of the Residence Hall contract, and Residence Hall Guidelines (see section, Residence Life).
- E. Unauthorized entry and/or use of college facilities/equipment. The unauthorized possession and or use of college keys includes duplication, or attempted duplication, use or loan.
 - F. Fire: Setting or attempting to set any fire on the campus or on the premises of any student housing unit, except in fireplaces or other facilities designated for fires; willfully causing an explosion in college buildings; failing to report a fire or any other extremely dangerous condition when known or recognized on the campus or on the premises of any student housing unit; withholding evidence concerning a fire; deliberately turning in a false fire or bomb alarm by any means including a telephone call or by a warning device; and tampering with fire extinguishing equipment.
 - G. Disorderly conduct to encompass public intoxication, lewd, indecent or obscene conduct and/or expression including abusive language (see definition under section headed "Freedom of Inquiry and Expression" on page 69), throwing food in dining areas, and any type of riotous acts.
 - H. Physical Assault: physical abuse includes unwanted physical contact, threats or endangers the safety, health, or life of others or oneself; and individual(s) willfully participating or contributing to an incident of physical abuse or gang violence/riotous behavior will be subject to immediate disciplinary action.
 - I. Sexual abuse/harassment; conduct is sexually abusive to others, including but not limited to, sexual intimidation, unwanted touching, sexual contact/assault, obscene material of a sexually explicit nature displayed in general public areas (to include but not limited to doors, hallways, walls, lobbies, windows, etc.), or any other uninvited behavior, verbal or nonverbal, of a sexually explicit nature.
 - J. Harassment, in all forms, including but not limited to, annoyances, threats, or demands, badgering, intimidating, and all discriminatory acts on the basis of race, color, sex or sexual orientation, age, disability, religion, ethnic, or national origin.
 - K. Hazing: initiation activities in all forms, including but not limited to, striking, laying hands upon, treating with violence, or offering to do bodily harm to another person with intent to punish or injure; or other treatment of a tyrannical, abusive, shameful, insulting, or humiliating nature. Consent of the victim of the hazing will not constitute a defense to an allegation of misconduct for hazing.
 - L. Alcohol: use, distribution, dispensing, delivery, sale or consumption of any alcoholic beverage on any part of the College campus is prohibited.
 - M. Drugs: unlawful or unauthorized use, possession, distribution, dispensing, manufacture or sale of any drug (refined or crude form) or under the influence of any drug unless directed by a licensed physician or as expressly permitted by law is strictly prohibited. Suspicion of illegal drug activity will be brought to the attention of the alleged violator; if behavior continues, the person may be subject to disciplinary action that may result in removal from his/her residence hall. A legal conviction of drug distribution or possession may make a student ineligible for financial aid.
 - N. Unauthorized use or possession of firearms, other weapons, explosives, firecrackers or chemicals within or upon the grounds, buildings, or any other facilities of the College. This policy shall not apply to any police officer while on duty authorized by the College, or others authorized by the Vice President/Dean of Students. ("Weapons" may include, but are not limited to, B-B guns, stun-guns, slingshots, martial arts devices, brass knuckles, bowie knives, daggers or similar knives, or

- switchblades. A harmless instrument designed to look like a firearm, weapon, or explosive which is used by a person to cause fear in or assault another person is expressly included within the meaning of firearms, weapon, or explosive.)
- O. Theft, or attempted theft of any property of the College or of another individual.
 - P. Vandalism to include, but not limited to, defacing, graffiti, trashing, attempting to damage property of the College or of another individual.
 - Q. Traffic violations of a serious nature to include, but not limited to, unauthorized obstruction of the free flow of pedestrian or vehicular traffic, operating any vehicle while intoxicated, speeding, reckless endangerment, or reckless driving.
 - R. Noise or any act occurring on the College campus or on the premises of a student housing unit intentionally disturbs the peace and quiet of any person or group of persons, or any violation of rules governing residence in college owned or controlled property (see section on "Residence Life" starting on page 81 of this handbook).
 - S. Illegal gambling activity in violation of the laws of the State of Nebraska or of the United States.
 - T. Misuse of college telephones- charging, or causing to be charged, any long distance or other toll telephone charges to college telephones without proper authorization; repeated calls of an unwanted or obscene nature made to or from any telephone on campus. The improper use of PIN numbers is also a violation.
 - U. Unauthorized sales or solicitation to include, but not limited to, door to door solicitations by any member(s) of a student organization in Residence Halls, or other buildings, at any time.
 - V. Failure to redeem or make arrangements to redeem, within one week after receipt of written notice, an insufficient funds or no account check submitted to the College for cash or for payment of College goods or services.
 - W. Abuse of College disciplinary proceedings, including but not limited to, failure to obey a request to appear before a disciplinary officer or committee, falsification of testimony, disruption or interference with the orderly conduct of any hearing, attempting to discourage any person from using College disciplinary procedures or participating in such procedures, attempting to influence the impartiality of a member of a disciplinary committee prior to any proceeding, filing a malicious or frivolous complaint, or after a proceeding, failure to comply with any sanction imposed, influencing or attempting to influence another person to commit an abuse of disciplinary proceedings, and a violation of the privacy rights of any student or College employee in regard to a disciplinary proceeding.
 - X. Community conduct: Any act by a student occurs on the campus, on the premises of any student housing unit or at any activity or event sponsored by the College or an organization is in violation of any ordinance of the municipality in which the College resides, shall constitute misconduct.
 - Y. Off-Campus: Physical abuse of any person, or conduct that threatens or endangers the health or safety of any person, or conduct interferes with the public or private rights of citizens, when it is determined that the continued presence of the students would clearly constitute a threat or danger to the College community or demean the reputation of the College.

Authority for Disciplinary Action

The Board of Trustees of the Nebraska State Colleges has the ultimate authority in matters related to disciplinary action. For practical purposes, the authority is granted to the