

NCMC Residence Life



Student Conduct Policy/Procedures

Revised 8/6/2023

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Student Conduct Policy/Procedures

The rules and procedures of the housing program are aimed toward assisting students in achieving the highest possible academic goals and socially responsible behavior. It is the philosophy of the Office of Residence Life that violations should be managed in such a way as to inform and guide students toward the development of personal responsibility. Student behavior is expected to be lawful and in abidance with all federal, state, and college regulations. Through the terms and conditions of the contract, housing publications, and explanations at residence hall meetings, students need to have a clear understanding of their responsibility regarding housing rules and expectations. Such rules apply to all residence hall students and their guests.

I. GUEST POLICY

The guest policy at NCMC is a privilege. It is the intention to enhance the social and educational life in a positive manner for NCMC students. Guest privileges are to be exercised with concern for others' rights to privacy and safety. No student should be denied access to their room at any time. Residents must sign in their guest with a member of the RA staff, beginning at 8 PM.

No more than 3 guests per NCMC resident can be signed in at one time. Violators of the guest policies will be subject to a written notice, formal charges resulting in the loss of guest privileges, monetary fine, and possible termination of Residential Life Housing Contract, at the discretion of the Residential Life Director.

A. Guest Hours:

Sunday-Thursday: 10 AM-Midnight

Friday-Saturday: 10 AM-1 AM

B. Overnight Guests

Family members or friends of the same sex are allowed overnight stays under the following conditions:

- only Friday and Saturday night stays are permitted;
- guest must be of the same sex;
- resident allowed only one guest per night;
- resident must complete a Guest Request Form (including roommate signature, if applicable);
- request forms are due by 5:00 PM on the Wednesday prior to the weekend of choice; and,
- request forms are to be approved by the Residence Hall Coordinator.
 - The Residence Hall Coordinator may deny overnight guest requests at their discretion. Denial may be based upon but not limited to:
 - The number of pre-approved guests for the night.
 - The number of guests the resident has requested in recent weeks.
 - Previous disciplinary issues occurring with the resident or their guests.

**Overnight guests are subject to hall policies and are expected to conduct themselves accordingly. Guests can be dismissed at any time if these policies are violated.*

II. ESCORT POLICY

In accordance with the guest policy, each student that has a guest in the residence hall must escort their guest from the lobby door to their room. In addition, the guest must be escorted by the resident at all times while in the residence hall. It is the resident's responsibility to make the guest aware of all policies and procedures. The resident is responsible for the guest's conduct and behavior – at all times - while in the residence halls.

A. Guests must be escorted during these hours:

Sunday - Thursday: 10 AM - Midnight

Friday - Saturday: 10 AM -1 AM

B. Violations

Violators of the escort policies will be subject to a written notice, formal charges resulting in the loss of guest privileges, monetary fine, and possible termination of Residential Life Housing Contract, at the discretion of the Residential Life Director.

If the violating party (of any policy) is not a student at NCMC, they will be asked to leave campus, and the student of NCMC will be given a written notice and any formal charges in accordance with the discipline policy.

III. QUIET HOURS

NCMC is a place of education; a learning environment must always be maintained.

Quiet hours refer to the amount of noise that can be heard outside of your room, with the door shut. If there are noises heard with the door shut, then you are subject to violating the quiet hour's policy.

Students in violation of the Quiet Hour Policy will be subject to be written up, and formally charged in accordance with the discipline policies in the Student Handbook.

A. Quiet Hour Times:

Sunday - Thursday: 10 PM -10 AM

Friday - Saturday: Midnight - 10AM

B. During Finals Week:

24 HOUR QUIET HOURS Apply Starting on Sunday of Finals Week and Continues Through the Entire Week!

IV. Discipline Policy/Guidelines

The Resident Coordinator -- through the Resident Assistants -- has the authority and responsibility to uphold ethical and responsible behavior in the residence halls. Contact of parents is at the discretion of the office of Student Services and residential life staff.

A. Misconduct Subject to Disciplinary Penalties

The following actions constitute misconduct for which students may be subject to administrative action or disciplinary penalties:

- 1.** Furnishing false information to a NCMC official and/or forgery on any College documents.
- 2.** Failure to comply with direction of NCMC officials acting in the performance of their duties.
- 3.** Any conduct that threatens or interferes with the maintenance of appropriate order and discipline in the operation of the college, or any conduct on college property or in connection with a college activity which invades the rights of others.
- 4.** Having a guest of a different sex in your residence hall during restricted hours.
 - **Restricted Hours for Ellsworth/Selby Hall:**
 - Sunday - Thursday: Midnight - 10 AM
 - Friday - Saturday: 1 AM – 11 AM
- 5.** Not having an escort in the residential part of a residence hall. NCMC escort policy states that males must have a female escort at all the times in the residential part of Selby Hall and females must always have a male escort in the residential part of Ellsworth Hall.
- 6.** Any action which interferes with a student's right to study, including but not limited to noise.
- 7.** Residents are responsible for their personal trash removal. Trash must be taken to the outdoor dumpsters, not placed in trash receptacles located in or around the residence halls.
- 8.** Holding any form of a sporting event (i.e., frisbee, hockey, soccer, washers) or throwing objects in the hallways.
- 9.** No projectile toy guns, orbeez, airsoft or other in the residence hall buildings.
- 10.** Unauthorized entry or access to, or unauthorized use or occupancy of, any college property including without limitations lands, buildings, structures, steam tunnels, telecommunications, computer or data processing equipment, programs, systems, or software, or other facilities or services connected with a college activity.
- 11.** Tampering with, stealing, or damaging mail, mailboxes, and any other mail-related items.
- 12.** Theft or attempted theft of, or the unauthorized use or possession of, or the unauthorized exertion of control over, or causing damage to property of any kind belonging to the college, a member of the college community, a campus visitor, or a

person or agency participating in a college activity, or possession of any stolen property.

13. Obstruction or disruption of any college activity or inciting, aiding, or encouraging other persons to engage in such conduct. If substantial obstruction or disruption is threatened or occurs, the Dean of Student Services, or their designee, may issue a disciplinary suspension warning.

14. Disorderly, lewd, indecent, or obscene conduct or expression on college property, or in connection with college activity.

15. Physical abuse of any person or conduct that threatens or endangers the health or safety of any person on college property or at a college sponsored event.

16. Conduct or expression on college property or in connection with a college activity that is intended to threaten, to abuse, or to harass a person or group of people on the basis of race, religion, color, sex, sexual orientation, age, national origin, handicap, or status as a disabled or Vietnam era veteran.

17. Any vandalism or destruction of college property.

18. Misuse of the fire alarm system, sounding of a false alarm, or tampering with other safety equipment such as fire extinguishers and smoke detectors.

19. Having an open flame in your room. Items such as these and other prohibited items can be found in section VIII (Prohibited Items) of this document. Smoking in a residence hall is prohibited.

20. The possession or use of fireworks, gunpowder, bullets, and other chemicals or materials used to create an explosion or an explosive mixture.

21. The possession of firearms or other deadly or dangerous weapons on college property or in connection with a college activity.

22. Having alcohol related paraphernalia or alcohol container collections. Alcohol posters or displays in a residence hall room window.

23. Having alcohol in your room, in a residence hall, on any college property or at a college activity. STUDENTS SHOULD REMEMBER THAT NCMC IS AN ALCOHOL-FREE CAMPUS.

24. Consuming alcoholic beverages on college property.

25. Being under the influence of alcohol, marijuana, or any illegal substance while on college property or in connection with a college activity.

26. Possession of drug and/or narcotic paraphernalia or drug and/or narcotic related paraphernalia displays except as expressly permitted by law.

27. Use, possession, or distribution of narcotics and/or dangerous drugs except as expressly permitted by law.

28. Having, using, consuming marijuana in your room, in a residence hall, on any college property or at a college activity. STUDENTS SHOULD REMEMBER THAT NCMC IS A

CANNABIS-FREE CAMPUS.

29. Having, using, consuming tobacco in your room, in a residence hall, on any college property or at a college activity. STUDENTS SHOULD REMEMBER THAT NCMC IS A TOBACCO-FREE CAMPUS.

30. Committing rape or sexual assault on or off campus.

31. Encouraging or watching rape or sexual assault on or off campus.

32. Being present in a room where a violation is taking place or your affiliation with a group that is violating one of these standards. Guests who violate college policy may be asked to leave NCMC property or an activity. Students are responsible for the conduct of their guests.

** The aforementioned list of actions that are considered misconduct by NCMC is not all-inclusive. Misconduct can include activities not listed here.*

Disciplinary Action Is at the Discretion of the Office of Student Services and Residential Life Staff

V. SEX OFFENDER POLICY/PROCEDURE

1. Any student who must register as a Sex Offender is prohibited from living on-campus in a residence hall.

2. If a student has not signed up for a room, they will not be allowed to select a room or sign a room contract.

If the student is on the registry and has signed a contract but the academic year is not in session, they will be notified that their contract is now null and void.

If the student is on the registry, living in the residence halls and the academic year is in session, the student will be notified that their contract is no longer in effect. They will be asked to leave the residence halls immediately. There will be no refund on the room.

If the student appeals the violation, that person will be asked to vacate the halls immediately and not return until an appeal is granted, and the student is found not in violation of the policy.

VI. PET POLICY

Students may have non-poisonous fish only. Aquariums are to be 5 gallons or smaller. No amphibious animals, reptiles, turtles etc. For information concerning the application procedure, policy and guidelines for Service Animals and Emotional Support Animals click this link:

<https://www.ncmissouri.edu/accessibility-services/esa-service-animal-application-process/>

VII. INCIDENT REPORTS

A documented written charge which indicates that the student has not responded to informal discussions about behavior or that the offense is serious enough to initially require more than a verbal warning. The written warning is documented by the filing of an incident report by the staff member involved. At the incident report level:

1. A record of the incident report will be made by the Resident Assistant, Resident Coordinator or the Director of Residence Life, and a copy is kept in the student's file.
2. A student will be issued a copy of the incident report.

VIII. PROHIBITED/APPROVED ITEMS

1. Approved Appliances

Students may have the following within their room: coffeepots with auto shut off feature, a mini/small refrigerator less than 4.6 cubic feet (one refrigerator per student only), mini microwaves less than 1.6 cubic feet and maximum 1200 watts, or microwave-refrigerator combination. All appliances must be UL-approved.

2. Prohibited Items

Candles, incense, fragrance warmers (ex. pads, pots and plug-ins), dartboards, air-fryers, hot plates, open-coil heaters, and cooking elements, drug paraphernalia, non-NCMC installed A/C units, ceiling fans, adhesive backed LED lighting on any college property (i.e. wall, dresser) any item described in the *weapons* section of the NCMC Handbook.

3. Holiday Decorations

Fire and safety rules stipulate that these must not hang from or touch any light fixtures or fire safety equipment. Only three strands of lights can be linked together per electrical outlet, and live holiday trees are not permitted. Decorations should not block doorways or windows. Any organic materials used for holiday decorations (ex. pumpkins / jack-o-lanterns) must be disposed of in a timely manner to avoid damage due to decay.

IX. NCMC BED LIFTING POLICY

In all residence halls, a bed is provided. It is recommended that you use only the bed/mattress provided by NCMC. If you choose to provide your own lofted bed, NCMC assumes no liability and you are fully responsible for any injury or damages that may occur.

A loft bed is any temporary structure or device that is intended to elevate a single sleeping surface from floor level so that it creates additional floor space in a room.

1. If you choose to provide your own lofted bed, the structure must follow these minimum standards: no more than 40" wide, 88" long and 86" tall;
2. it must be able to accommodate our mattress which is 80" x 36";
3. be no more than 70 inches from the floor to the top of the sleeping surface;
4. be freestanding; Not be attached to any wall, ceiling, or furniture; and,
5. have a ladder made of metal or wood construction (other furniture may not be used as a step stool);
6. be constructed of metal or wood. Fabric cannot be suspended from or around the loft;
7. not restrict exit from any portion of the room or be a safety hazard to persons walking around the room; and,
8. allow the door to open perpendicular to the door opening, and at least 22 inches must be allowed for exiting from any interior room arrangement;
9. a **guard rail is recommended but not** required; and,
10. all furniture issued by NCMC but not in use must remain and be stored in the room at all times;
11. the Residence Life staff reserve the right to deem a loft bed unsafe or in violation of fire code. Failure to remove or modify the loft may result in an immediate \$50 fine and an additional charge of \$50 per day for each day until compliance is met; and,
12. at the time of check-out all material and furniture not issued by NCMC must be removed and all NCMC furniture including beds and mattresses must be properly reassembled before residents check out. If the resident fails to reassemble the room they will be assessed an improper checkout fine.

X. Judicial Hearings

Any student that is alleged to commit a violation will result in a formal judicial hearing, unless waived by the student in written form. The Dean of Student Services, or designee, is the primary officer/hearing officer in cases of nonacademic misconduct, as it pertains to the Residence Halls.

A. Notice of a Hearing

1. Date, time, place, and nature of the hearing.
2. The particular sections of this Student Code of Conduct are involved.
3. The fact that the student is entitled to an advisor of his/her choice.

B. Hearing Procedures

The hearing officer shall discuss the charges with the student(s) accused with committing the offense to determine responsibility. Students charged with a violation are required to attend the hearing as requested. The students are given the opportunity to present his/her position, explanations, and evidence concerning the charges. They may request the attendance of a witness by submitting a list at least three (3) days prior to the hearing. The hearing officer may also request witnesses having personal knowledge of the alleged misconduct.

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A student who would like to have an advisor at the hearing must notify the Dean of Student Services, or designee at least three (3) business days prior to the hearing. The student may confer with the advisor, but the advisor will not be allowed to address the judicial officer, any witnesses, or speak on behalf of the student. In addition, the advisor should keep the following in mind: **The hearing process is not a court of law.** It is not obligated to follow the formal rules of evidence and procedure. Academic decorum requires an advisor to play a different and more limited role than that in the court system.

C. Findings and Decision

The hearing officer shall issue a decision and impose sanctions if warranted. The hearing officer reserves the right to postpone a decision if additional information is needed. The student will be notified of the decision within ten (10) business days after a decision has been made. A student found responsible for a violation of the Student Code of Conduct is entitled to an appeal and should follow the guidelines provided in the student handbook.

D. Hearings by Mail

The Dean of Student Services or designee has the authority to settle matters via mail, when classes are not in session or when it is determined by the Dean that the student cannot attend due to extenuating circumstances. In this instance, the hearing officer will contact the student via a certified letter within ten (10) business days of receipt of the incident report and allow the student to respond to the charges within a reasonable time. The student can respond to the charges, either in written form or by scheduling a meeting by the deadline provided in the letter.

If the student chooses not to respond or a response is provided in written form, a determination of responsibility will be made by the hearing officer based on the information provided. At that time, the hearing officer may impose appropriate sanctions. The Dean of Student Services, or designee, shall have the power and authority to order any student to cease and desist from any activity that is judged disruptive to the institution's operation.

If the student fails to cease and desist from such activity, the Dean of Student Services, or designee, after discussing the matter with the student, may immediately suspend the student for a period not to exceed ten (10) business days, pending a formal hearing. Appeals should follow the procedures outlined in C, "Appeals for both Academic and Non-Academic Misconduct"

E. Appeal Process

1. Student meets with their Hall Coordinator;
2. Student appeals to appropriate Dean;

3. Student appeals to Vice President of Instruction/Student Services;

4. Student appeals to Student Appeals Committee;

5. Student makes final appeal to College President.

The Dean of Instruction/Dean of Allied Health is the administrative officer in cases of academic misconduct. Grade appeals follow a different procedure, which is outlined in the "Grade Appeals" section. Each instructor is assigned jurisdiction for class conduct and grades. Charges of academic misconduct should follow one of these options:

A. Provide timely written notice to the student of the suspected academic misconduct and invite the student to discuss the matter. Advise the student in writing within ten (10) business days, after such notification and/or personal meeting, of the decision and penalties imposed and the student's right to appeal, in writing, to the Dean of Instruction/Dean of Allied Health within ten (10) business days. Copies of this action shall be sent to the Dean of Instruction/Dean of Allied Health.

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B. Submit a written appeal to the Dean of Instruction/Dean of Allied Health for adjudication.

The Dean or designated agent shall investigate the charges. In conducting the investigation, the agent shall discuss the charges with the student(s) in question and with other students who have personal knowledge of the alleged misconduct to determine whether it is reasonable to believe the charges are true. The Dean of Instruction/Dean of Allied Health shall provide a timely, written notice to the student of the decision and penalties imposed.

C. Subsequent appeals should follow the guidelines outlined in "C" in the Student Handbook which outlines policy for "Appeals for both Academic and Non-Academic Misconduct"

D. Items that should be contained within a discipline file for each incident:

- Incident Report
- Hearing Notification Letter
- Hearing Follow-Up Letter

If Applicable:

- Hearing Detail
- Returned Waiver Form
- Appeal Letter

XI. Common Area Damage

Common Area Damage is defined as damage that occurs in common/public areas in and around the halls. Damage would not be defined as normal wear and tear, but misuse, abuse or vandalism.

When these damages occur, an incident report will be filed. The Student Damage Review Board (SDRB) will decide on the assessment of fees to the residents.

The SDRB is a function of the Residents Hall Association (RHA) and serves a judicial board responsible for ruling on common area damage in both Selby and Ellsworth Halls. Details concerning the responsibilities and procedures can be found in the RHA constitution and by-laws.

Appendix A:

NCMC Residence Life Overnight Guest Request Form

Name: _____ Date: _____
Hall & Room #: _____ Phone #: _____
Requested Overnight Guest: _____ Phone# _____
Date Requested (Fri. and/or Sat. Only): _____

I understand that I will be responsible for my guest's actions during his or her stay on NCMC's campus. I also understand that my overnight guest is subject to hall policies and can be dismissed at any time if these policies are violated.

Signature Date

You must obtain the following signatures by the Wednesday prior to your guest's visit at 5:00PM. **ALL** overnight guest stays must be approved by your roommate, RA and Residence Life Coordinator.

7. Roommate Signature: _____ Date: _____

8. RA Signature: _____ Date: _____

9. Coordinator Signature: _____ Date: _____

- Approved Date: _____
- Denied Date: _____

Return form to your Residence Life Coordinator.

You will receive a copy of this form stating that your request has been approved or denied. Any questions, please contact Selby Dorm Director at 660-357-6480, or Ellsworth Dorm Director at 660-357-6470. You may also appeal this decision with your Residence Hall Director at 660-357-6412

Any overnight guest staying on campus without approval will result in disciplinary action, as well as possible denial of future requests.

Appendix B:

Bed Lofting Waiver Form

Whether purchased, rented, home-made or provided by the Department of Residence Life, all residents using lofts in the residence halls must sign a Release and Waiver of Liability form. This form must be attached to the Residence Hall Room Condition Report that you will complete and sign at the time you check-in. The form reads as follows:

In accordance with the *Residence Hall Policy Handbook*, residents using lofts **whether or not provided by the Department of Residence Life** are required to sign the following liability waiver form. Failure to sign the form and/or meet the minimum construction requirements will require you to use **ONLY** a North Central Missouri College (NCMC) -issued regular bed and mattress.

I, _____ (*please print first and last name*), wish to use a loft. Therefore, in return for permission to use such a loft or bunk, I agree to the following:

1. That my loft will conform to the minimum requirements described in the current *Residence Hall Policy Handbook*.
2. That I understand my failure to use a guard rail or ladder is dangerous and unsafe and I ASSUME THE RISK of injury or death from such failure.
3. That I do hereby RELEASE, WAIVE, DISCHARGE, AND COVENANT NOT TO SUE North Central Missouri College; the Department of Residence Life; the Board of Trustees, State of Missouri, or it's officers, servants, agents, or employees, (hereinafter referred to as RELEASEES) for any liability, claim, and/or cause of action arising out of or related to any loss, damage, or injury, including death, that may be sustained by me, or to any property belonging to me arising out of use of a loft or bunk bed while living in Residence Halls at NCMC.
4. That this *Release* shall be effective whether injury is caused by my negligence, the negligence of the RELEASEES, or the negligence of any third party.

Signature of Resident

date

Approved _____

Not Approved _____

Signature of Resident Hall Coordinator

date