



Chapter 3: Educational Policies
Student Code of Conduct

Adoption: 4/15/98
Revised: 1/16/2020
Last Reviewed: 9/12/18 (AASC)
President Approved: 1/7/19
Authority: [Minnesota State Board Policy 3.6](#)
Custodian of Policy: Vice President of Student Affairs

PROCEDURE

Section I. Classroom Management; Faculty Right and Authority

Faculty has the right and responsibility to ensure that the classroom environment is conducive to learning.

In cases of classroom disruption, appropriate classroom sanctions include, but are not limited to;

- verbal warning;
- written warning;
- direction to leave the class for the remainder of the period;
- direction to communicate with a counselor before returning to class;
- filing a Student Code of Conduct complaint with the Conduct Officer.

Section II. Investigation and Informal Process:

1. Any member of the college community may file a written complaint alleging a student or student organization has violated the Student Code of Conduct. Any complaint should be submitted as soon as possible after the event takes place. Persons filing complaints shall be informed of their rights in accordance with applicable privacy laws and policies including, but not limited to the Minnesota Government Data Privacy Act, the federal Family Educational Rights and Privacy Act and the College's Data Privacy Policy. Following the filing of a complaint against a student, the Conduct Officer shall conduct an investigation of the allegations.

If the complaint seems unwarranted, the Conduct Officer may discontinue the proceedings.

If there is sufficient evidence to support the complaint, the Conduct Officer shall give the accused student written notice of the specific complaint and the nature of the evidence available to support the complaint, as well as a copy of the Student Code of Conduct. The accused student will be invited to attend an informal meeting with the Conduct Officer where the accused student shall have the opportunity to accept responsibility and resolve the alleged violation or present a defense against the complaint. If the student accepts responsibility and agrees to a sanction, there shall be no subsequent proceedings. Within a reasonable time period following the meeting, the Conduct Officer shall inform the accused student in writing of the decision of whether a violation of the code was established by a preponderance of evidence and any applicable sanction as well as options available for an appeal and/or a formal hearing.



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2. If the accused student fails to appear for the informal hearing, the Conduct Officer may proceed to review and act upon the complaint in the student's absence and shall notify the student in writing of an action taken.
3. A sanction shall not become effective during the time in which a student seeks an appeal or formal hearing, unless, in the discretion of the Conduct Officer, it is necessary to implement an immediate sanction for the safety and welfare of the College Community.

Section III. Formal Hearing and Due Process Rights:

1. The Conduct Officer is responsible for convening a student conduct panel. The conduct panel shall include six members who have been trained in conduct proceedings; three students (appointed by the Student Senate, one faculty member (appointed by the faculty union presidents), one staff member and one administrator (designated by the Vice President of Student Affairs). The Conduct Officer shall be present and serves as a non-voting chairperson to advise the hearing process. The hearing process shall follow the guidelines below:
 - a. Students referred for a formal hearing shall be given five days of notice in writing of the time, place, and date of the hearing. A student's failure to appear at the hearing shall not prevent the hearing from proceeding as scheduled.
 - b. Within five days prior to the hearing, the student must be informed in writing of a) the complaint, b) the evidence to be presented against him/her, c) a list of witnesses, and d) the nature of their testimony.
 - c. The student shall be given the opportunity to speak in his/her own defense, to present witnesses and to question any witnesses and to have an advocate present. The advocate may provide advice to the student, but may not participate in any questioning. When there is likelihood that a student involved in conduct proceedings will face criminal prosecution for a serious offense, it may be advisable that the student have an attorney as the advocate.
 - d. Formal rules of evidence will not be applicable, nor will deviations from prescribed procedures necessarily invalidate a decision or proceeding unless significant prejudice to a student and/or student organization or the College exists.
 - e. A written notice of findings and conclusions by the panel shall be provided to the student within a reasonable time after the hearing. The notice shall inform the student of any sanction to be imposed. The notice shall also contain information regarding any applicable appeal process.

Summary Suspension: In certain circumstances, the Conduct Officer may impose a summary suspension prior to the informal or formal proceedings. A summary suspension may be imposed only when, in the



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judgment of the Conduct Officer, the accused student's presence on the college campus would constitute a threat to the safety and well-being of members of the college community. To the greatest extent possible before implementing the summary suspension, the accused student shall be given oral or written notice of the intention to impose the summary suspension and shall be given an opportunity to present oral or written arguments against the imposition of the suspension. Notice of the intention to impose the summary suspension shall be provided in writing to the student. After the student has been summarily suspended, the student shall be provided an opportunity for an informal or formal hearing within the shortest reasonable time period, not to exceed nine (9) school or business days. During the summary suspension, the student may not enter the campus without obtaining prior permission from the Conduct Officer, regardless of the severity of the offense, and will be accompanied by a security officer.

Section IV. Sanctions:

One or more sanctions, including the following, may be imposed upon any student found to have violated the Student Code of Conduct:

1. **Warning** – written notice that continuation or repetition of prohibited conduct may be cause for additional disciplinary action.
2. **Loss of Privileges** – Denial of specified privileges for a designated period of time.
3. **Probation** – A written reprimand for violation of specified regulations. Probation means continued enrollment at the college, but under specific written conditions for a specified period of time and includes the probability of more severe disciplinary sanctions if the student is found to violate any institutional regulation(s) during the probationary period. Notice of action may appear on the student's academic transcript.
4. **Restitution**- Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
5. **Service Assignments**- Work or service assignments to the college or the community.
6. **Suspension** – Separation from the college for a specified period of time. During this time, the student may not register for or attend classes or other college functions or be on the college premises. Conditions for return may be specified. Notice of action may appear on the student's academic transcript.
7. **Expulsion** – Permanent denial of the privilege of enrollment at the college. Notice of action may appear on the student's academic transcript.



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8. **Revocation or Withholding of Admission and/or Degree** – Postponement or permanent revocation of College or program admission status or degree until the completion of a process set forth within the Student Code of Conduct.

The following sanctions may be imposed upon groups or organizations:

1. Those sanctions listed above.
2. Loss of selected rights and privileges for a specified period of time,
3. Deactivation. Loss of privileges, including College recognition, for a specified period of time.

Section V. Appeals Process:

1. The accused student may appeal any decisions resulting from the informal meeting/formal hearing process to the Vice President of Academic Affairs or designee within five (5) business days of the decision. Academic Integrity violation appeals shall be heard by the Academic Dean. Appeals shall be submitted using the Student Conduct Appeal Request Form available online.
2. An appeal is not a re-hearing and shall include a summary record of the original hearing and supporting comments for one or more of the following purposes:
 - a. To determine whether the original hearing was conducted fairly in light of the changes and evidence presented, and in conformity with prescribed procedures giving the accused student a reasonable opportunity to prepare and to present a rebuttal of the charges and evidence.
 - b. To determine whether the decision reached regarding the accused student was based on a preponderance of evidence that a violation of the Student Code of Conduct occurred.
 - c. To determine whether the sanction(s) imposed were fair and proportionate for the violation of the Student Code of Conduct for which the student was charged.
3. The Vice President of Academic Affairs or designee shall review the hearing and the appeal to render a decision. The Vice President of Academic Affairs may uphold the decision and sanction, or may determine that the decision was reached in error or inappropriately and case be heard again, or may determine that the sanction was inappropriate and issue a lesser sanction or exonerate the student.
4. Except where a sanction imposed is expulsion or a suspension of ten days or more, the Vice President of Academic Affairs' decision shall be final within the college and Minnesota State. All parties shall be notified of the decision in writing as allowed by applicable privacy laws.



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5. If the sanction involves suspension for (10) or more business days, the student shall be informed of the right to a contested-case hearing to an administrative law judge, MN Statute Chapter 14 Hearing, Office of Administrative Hearing.
6. Questions regarding the Student Code of Conduct shall be referred to the Conduct Officer.