

CODE OF STUDENT CONDUCT

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The Pittsburgh Technical College Code of Student Conduct is adapted from The NCHERM Group Model Developmental Code of Student Conduct and is used here with permission.

CORE VALUES AT PTC

- **INTEGRITY:** Pittsburgh Technical College students exemplify honesty, honor, and respect for the truth in all of their dealings.
- **COMMUNITY:** Pittsburgh Technical College students build and enhance their community.
- **SOCIAL JUSTICE:** Pittsburgh Technical College students are just and equitable in their treatment of all members of the community and act to discourage and/or intervene to prevent unjust and inequitable behaviors.
- **RESPECT:** Pittsburgh Technical College students show positive regard for each other, for property, and for the community.
- **RESPONSIBILITY:** Pittsburgh Technical College students are given and accept a high level of responsibility to self, to others, and to the community.

Pittsburgh Technical College students are responsible for knowing the information, policies, and procedures outlined in this document. Pittsburgh Technical College reserves the right to make changes to this code as necessary, and once those changes are posted online, they are in effect. Students are encouraged to check online <https://www.ptcollege.edu/about/consumer-information> for the updated versions of all policies and procedures.

NON-DISCRIMINATION POLICY

PTC affords every student all rights, privileges, programs, and activities generally accorded or made available to students at PTC. PTC does not discriminate based on race, ethnicity, color, religion, national origin, disability, veteran status, sexual orientation, sex, gender identity, genetic information, or any other protected category under applicable local, state or federal law in the, admission of its students, hiring of its employees, administration of its educational programs, policies, activities, employment, scholarship, grant, and loan programs, placement services, housing, and other PTC administered programs and offerings.

Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681 et seq., and its implementing regulations, 34 C.F.R. Part 106 also prohibit gender-based harassment, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

Individuals with questions or concerns about Title IX, and/or those who wish to file a complaint of non-compliance, may contact PTC's Director of Human Resources for more information:

Nancy Sheppard, SPHR; Director of Human Resources (Title IX Coordinator); 1111 McKee Road, Oakdale, PA 15071; 412- 809-5311; 800-784-9675; sheppard.nancy@ptcollege.edu.

PHILOSOPHY STATEMENT

The Pittsburgh Technical College (PTC) community is committed to fostering a campus environment that is conducive to academic inquiry, a productive campus life, and thoughtful study and discourse. The student conduct program is committed to an educational and developmental process that balances the interests of individual students with the interests of the PTC community.

A community exists on the basis of shared values and principles. At PTC, student members of the community are expected to uphold and abide by certain standards of conduct that form the basis of the Code of Student Conduct. These standards are embodied within a set of core values that include integrity, community, social justice, respect, and responsibility.

Each member of the PTC community bears responsibility for their conduct and assumes reasonable responsibility for the behavior of others. When members of the community fail to exemplify these five values by engaging in activity which violates the rules below, campus conduct proceedings are used to assert and uphold the Code of Student Conduct.

The student conduct process at PTC is not intended to punish students; rather, it exists to protect the interests of the community and to challenge those whose behavior is not in accordance with our policies. Sanctions are intended to improve students' moral and ethical decision-making and to help them bring their behavior into accord with our community expectations. When a student is unable to conform their behavior to community expectations, the student conduct process may determine that the student should no longer share in the privilege of participating in this community.

Students should be aware that the student conduct process is quite different from criminal and civil court proceedings. Procedures and rights in student conduct procedures are conducted with fairness to all but do not include all of the same protections of due process afforded by the courts. Due process, as defined within these procedures, assures written notice and a hearing before an objective decision-maker. No student will be found in violation of PTC policy without information showing that it is more likely than not that a policy violation occurred and any sanctions will be proportionate to the severity of the violation and to the cumulative conduct history of the student.

JURISDICTION

Students at Pittsburgh Technical College (PTC) are provided a copy of the Code of Student Conduct annually through a link on the PTC website <https://www.ptcollege.edu/about/consumer-information>. Hard copies are available upon request from the Office of Student Services. Students are responsible for reading and abiding by the provisions of the Code of Student Conduct.

The Code of Student Conduct and the student conduct process apply to the conduct of individual students and all PTC-affiliated student organizations. For the purposes of student conduct, PTC considers an individual to be a student when an offer of admission has been extended and thereafter as long as the student has a continuing educational interest in PTC.

PTC retains conduct jurisdiction over students who choose to take a leave of absence, withdraw, or have graduated for any misconduct that occurred prior to the leave, withdrawal, or graduation. If sanctioned, a hold may be placed on the student's ability to re-enroll and/or obtain official transcripts and/or graduate and all sanctions must be satisfied prior to re-enrollment.

The Code of Student Conduct applies to behaviors that take place on the campus, at off-campus housing properties controlled by PTC, at PTC-sponsored events, and may also apply to other off-campus locations when the Vice President (VP) of Student Services, Vice President (VP) of Education, or Senior Vice President (Sr. VP) of Academic Affairs (or their designees) determines that the off-campus conduct affects a substantial PTC interest. A substantial PTC interest is defined to include:

- Any situation where it appears that the student's conduct may present a danger or threat to the health or safety of him/herself or others; and/or
- Any situation that significantly impinges upon the rights, property, or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or
- Any situation that is detrimental to the educational mission and/or interests of PTC.

The Code of Student Conduct may be applied to behavior conducted online, via email, or another electronic medium. Students should also be aware that online postings such as blogs, web postings, chats, and social networking sites are in the public sphere and are not private. These postings can subject a student to allegations of conduct violations if evidence of policy violations is posted online. PTC does not regularly search for this information but may take action if and when such information is brought to the attention of PTC officials.

The Code of Student Conduct also applies to guests of community members whose host may be held accountable for the misconduct of their guests. The Code may also be applied to resident non-students, summer camp participants, and others by contractual agreements. Visitors to and guests of PTC may seek resolution of violations of the Code of Student Conduct committed against them by members of the PTC community.

Violations of the Code of Student Conduct should be reported as soon as possible. The longer someone waits to report an offense, the harder it becomes for PTC officials to obtain information and witness statements and to make determinations regarding alleged violations.

Though anonymous complaints are permitted, doing so may limit PTC's ability to investigate and respond to a complaint. Those who are aware of misconduct are encouraged to report it as quickly as possible to the Office of Student Services and/or to Public Safety.

VIOLATION OF THE LAW

Alleged violations of federal, state, and local laws may be investigated and addressed under the Code of Student Conduct. When an offense occurs over which Pittsburgh Technical College (PTC) has jurisdiction, the PTC conduct process will usually go forward notwithstanding any criminal complaint that may arise from the same incident.

PTC reserves the right to exercise its authority of interim suspension upon notification that a student is facing criminal investigation and/or complaint (additional grounds for interim suspension are outlined in Formal Conduct Hearings and Appeals). Interim suspensions are imposed until a hearing can be held, typically within two weeks. Within that time, the suspended student may request an immediate hearing from the VP of Student Services, VP of Education, or Sr. VP of Academic Affairs (or their designees) to show cause why the interim suspension should be lifted. This hearing may resolve the allegation or may be held to determine if the interim suspension should be continued. The interim suspension may be continued if a danger to the community is perceived and PTC may be delayed or prevented from conducting its own investigation and resolving the allegation by the pending criminal process. In such cases, PTC will only delay its hearing until such time as it can conduct an internal investigation or obtain sufficient information independently or from law enforcement upon which to proceed.

THE RULES

Pittsburgh Technical College (PTC) considers the behavior described in the following sub-sections as inappropriate for the PTC community and in opposition to the core values set forth in this document. These expectations and rules apply to all students (including those accepted for admission but not yet matriculated). PTC encourages community members to report to PTC officials all incidents that involve the following actions. Any student found to have committed or to have attempted to commit the following misconduct is subject to the sanctions outlined in Formal Conduct Hearings and Appeals including PTC dismissal.

INTEGRITY:

Pittsburgh Technical College students exemplify honesty, honor, and respect for the truth in all of their dealings. Behavior that violates this value includes, but is not limited to:

1. **Falsification:** Knowingly furnishing or possessing false, falsified, counterfeit, or forged materials, documents, accounts, records, identification, or financial instruments;
2. **Academic Dishonesty:** Acts of academic dishonesty, including but not limited to:
 - a. **Cheating:** Using or attempting to use unauthorized materials, information, or study aids in any academic assignment, or preventing another from using authorized assistance, materials, or study aids. Examples: Using a cheat sheet in a quiz or exam; altering a graded exam and resubmitting it for a better grade.
 - b. **Fabrication:** Unauthorized falsification or invention of any information or citation in an academic assignment. Examples: Making up data for an experiment, falsifying data, citing nonexistent or irrelevant articles.
 - c. **Plagiarism:** Deliberate adoption or reproduction of ideas, data, or words or statements of another person as one's own without acknowledgment. Examples: Copying another person's paper, article, or computer work and submitting it for an assignment; cloning someone else's idea without reference; failing to use quotation marks where appropriate.
 - d. **Facilitating:** Academic Dishonesty. Knowingly helping or attempting to help another to violate a provision of the institutional code of conduct.
 - e. **Unauthorized Collaboration:** Sharing of information or working together in an academic assignment when such actions are not approved by the course instructor.
 - f. **Multiple Submissions:** Submitting work, which was already submitted to fulfill another academic assignment.
 - g. **Unfair Advantage:** Unauthorized possession of examinations, answer keys, reserve library materials, computer software, computer codes, or laboratory materials, lying about a need for an extension date for an exam or paper, continuing to write after time is called during an exam, destroying library materials or keeping them for one's own use,

and unauthorized purchasing or selling of examinations, computer programs, and/or assignments.

- h. Misrepresentation of Academic Records: Unauthorized changing of grades, or attempting to change grades, in any manner, including on an examination, in an instructor's grade sheet, or unauthorized access to academic computer records.
3. Unauthorized Access/Entry: Unauthorized access/entry or misuse of access privileges to any PTC building/vehicle or unauthorized possession, duplication, or use of means of access (i.e., keys, cards, etc.) to any PTC building/vehicle or failing to timely report a lost PTC identification card or key. Trespassing and propping of doors or unauthorized use of doors for entry into or exit from a PTC building including college controlled on and off-campus housing. Students will be held responsible for their guests who violate trespass notices;
4. Collusion: Action or inaction with another or others to violate the Code of Student Conduct;
5. Trust: Violations of positions of trust within the community;
6. Election Tampering: Tampering with the election of any PTC-recognized student organization;
7. Taking of Property: Intentional and unauthorized taking or maintaining of PTC property or the personal property of another, including goods, services, and other valuables;
8. Receiving Stolen Property: Knowingly receiving or maintaining possession of stolen property;

COMMUNITY:

Pittsburgh Technical College students build and enhance their community. Behavior that violates this value includes, but is not limited to:

9. Disruptive Behavior: Disruption of PTC operations including obstruction of teaching, research, administration, other PTC activities, and/or other authorized non-PTC activities which occur on campus. Acts that endanger the health or safety of any person or disturbs the peace or orderly process of education or living;
10. Rioting: Causing, inciting, or participating in any disturbance that presents a clear and present danger to self or others, causes physical harm to others, or damages and/or destroys property;
11. Trademark: Unauthorized use (including misuse) of PTC or organizational names and images;
12. Damage and Destruction: Intentional, reckless, and/or unauthorized damage to or destruction of PTC property or the personal property of another;
13. Computer Use and Electronic Communications: The College has established a policy with regard to the use of the College's computer equipment of all types, software provided by the college, the network, the telephone system, and College provided connections to the internet (together the "System"). This policy covers the general use of the System, including all activity using the internet and the use, access, and disclosure of electronic communication including but not limited to messages, video, and images created, sent, or received using the System.
<https://www.students.ptcollege.edu/student-services/policy/>.

14. Gambling: Gambling as prohibited by the laws of the Commonwealth of Pennsylvania;
15. Weapons: Possession, use, or distribution of explosives (including fireworks, ammunition, and other dangerous materials), guns (including air, BB, paintball, facsimile weapons, and pellet guns), or other weapons or dangerous objects such as arrows, axes, machetes, nunchucks, swords, tasers, stun guns, throwing stars, or knives (other than kitchen knives), including the storage of any item that falls within the category of a weapon in a vehicle parked on PTC property or parked at off-campus housing facilities controlled by PTC;
16. Tobacco: Smoking (or vape pen or e-cigarette use) or tobacco use (including chewing tobacco, snuff, and other smokeless tobacco) in any area of campus except for designated smoking areas;
17. Fire Safety: Violation of local, state, federal, or campus fire policies including, but not limited to:
 - a. Intentionally or recklessly causing a fire which damages or could potentially damage PTC or personal property or which causes injury.
 - b. Failure to evacuate a PTC-controlled building during a fire alarm.
 - c. Improper use of PTC fire safety or medical safety (AED, etc.) equipment.
 - d. Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on PTC property. Such action may result in a criminal fine in addition to PTC sanctions.
 - e. Intentional false reporting of a fire or explosive device. WHEN IN DOUBT - REPORT.
18. Animals: Animals are not permitted on campus except as permitted by law. See Service and Assistance Animal Policy <https://www.students.ptcollege.edu/student-services/policy/>. Exception: Fish (only) in five gallons or less fish tanks are permitted in PTC student housing;
19. Wheeled Devices and Drones: Skateboards, roller blades, roller skates, bicycles, and similar wheeled devices are not permitted to be ridden/used inside PTC buildings, residence halls, or on athletic courts. Additionally, skates and other wheeled items may not be ridden on railings, curbs, benches, or any such fixtures that may be damaged by these activities, and individuals may be liable for damage to PTC property caused by these activities. Hoverboards and drones are prohibited on the PTC campus and at PTC controlled housing properties;

SOCIAL JUSTICE:

Pittsburgh Technical College students recognize that respecting the dignity of every person is essential for creating and sustaining a healthy campus community. They understand and appreciate how their decisions and actions impact others and are just and equitable in their treatment of all members of the community. They act to discourage and challenge those whose actions may be harmful to and/or diminish the worth of others. Conduct that violates this value includes, but is not limited to:

20. Discrimination: Any act or failure to act that is based upon an individual or group's actual or perceived status (race, ethnicity, color, religion, national origin, disability, veteran status, sexual

orientation, sex, gender identity, genetic information, or any other protected category under applicable local, state, or federal law) that is sufficiently severe that it limits or denies the ability to participate in or benefit from PTC's educational program or activities;

21. Harassment:

- a. General Harassment: Causing stress and worry to another individual, regardless of location, through continual pestering, teasing, intimidation, or other hostile or offensive conduct that interferes with an individual's work or academic performance, personal comfort, and well-being both on- and off-campus and in his or her living environment.
- b. Sexual Harassment: Any unwelcome verbal, written, online and/or physical conduct that is sexual, sex-based, and/or gender-based.
- c. Hostile Environment Harassment: Severe, persistent, or pervasive harassment that is objectively offensive and unreasonably interferes with denies or limits a person's ability to participate in or benefit from college educational programs. Conduct that is non-sexual in nature that is based on actual or perceived status: race, ethnicity, color, religion, national origin, disability, veteran status, sexual orientation, sex, gender identity, genetic information, or any other protected category under applicable local, state, or federal law.

22. Retaliatory Discrimination or Harassment: Any intentional, adverse action taken by a responding individual or allied third party, absent legitimate nondiscriminatory purposes, against a participant or supporter of a participant in a grievance proceeding or other protected activity under this Code;

23. Bystanding:

- a. Individuals: Complicity with or failure of any student to appropriately address known or obvious violations of the Code of Student Conduct or law;
- b. Organizations: Complicity with or failure of any organized group to appropriately address known or obvious violations of the Code of Student Conduct or law by its members;

24. Abuse of Conduct Process: Abuse or interference with, or failure to engage in, PTC processes involving conduct and academic integrity hearings including, but not limited to:

- a. Falsification, distortion, or misrepresentation of information.
- b. Failure to provide, destroying, or concealing information during an investigation of an alleged policy violation.
- c. Attempting to discourage an individual's proper participation in, or use of, the campus conduct system.
- d. Harassment (verbal or physical) and/or intimidation of a participant in the campus conduct process prior to, during, and/or following a campus conduct proceeding.
- e. Failure to comply with the sanction(s) imposed by the campus conduct system.

- f. Influencing, or attempting to influence, another person to commit an abuse of the campus conduct system.

RESPECT:

Pittsburgh Technical College students show positive regard for each other and for the community. Behavior that violates this value includes, but is not limited to:

25. Harm to Persons: Intentionally or recklessly causing physical harm or endangering the health or safety of any person;
26. Threatening Behaviors:
 - a. Threat: Written or verbal conduct that causes a reasonable expectation of injury to the health or safety of any person or damage to any property.
 - b. Intimidation: Intimidation defined as implied threats or acts that cause a reasonable fear of harm in another.
27. Bullying and Cyberbullying: Bullying and cyberbullying are repeated and/or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally;
28. Hazing: Defined as an act that endangers the mental or physical health or safety of a student, or that destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. Participation or cooperation by the person(s) being hazed does not excuse the violation. Failing to intervene to prevent, and/or failing to discourage, and/or failing to report those acts may also violate this policy;
29. Intimate Partner/Relationship/Dating Violence: Violence or abuse by a person in a relationship with another;
30. Stalking: Stalking is a course of conduct directed at a specific person that is unwelcome and would cause a reasonable person to feel fear;
31. Sexual Misconduct: Includes, but is not limited to, non-consensual sexual contact, non-consensual sexual intercourse, and/or sexual exploitation (see Appendix A: Sexual Harassment & Sexual Violence Policy);
32. Public Exposure: Includes deliberately and publicly exposing one's intimate body parts, public urination/defecation, and public sex acts;

RESPONSIBILITY:

Pittsburgh Technical College students are given and accept a high level of responsibility to self, to others, and to the community. Behavior that violates this value includes, but is not limited to:

33. Alcohol: Use, under the influence of, possession, common possession, sale, or distribution of alcoholic beverages or paraphernalia;

34. Drugs: Use, under the influence of, possession, common possession, sale, or distribution of illegal drugs and other controlled substances or drug paraphernalia;
35. Prescription Medications: Abuse, misuse, sale, or distribution of prescription or over-the-counter medications. Also prohibited is possession or common possession of prescription medication not prescribed to you;
36. Failure to Comply: Failure to comply with the reasonable directives of PTC officials or law enforcement officers during the performance of their duties and/or failure to identify oneself to these persons when requested to do so. Students are required to carry their PTC ID cards when on PTC controlled property;
37. Financial Responsibilities: Failure to promptly meet financial responsibilities to the institution, including, but not limited to; knowingly passing a worthless or NSF check or money order in payment to the institution or to an official of the institution acting in an official capacity;
38. Arrest: Failure of any student to accurately report an off-campus arrest by any law enforcement agency for any crime (misdemeanor or felony) to the Director of Public Safety within seventy-two (72) hours;
39. Other Policies: Violating other published PTC policies or rules, including all Resident Life (Housing) policies and traffic/parking policies;
40. Health and Safety: Creation of health and/or safety hazards (dangerous pranks, hanging out of or climbing from/on/in windows, balconies, roofs, etc.);
41. Violations of Law: Evidence of violation of local, state or federal laws, when substantiated through PTC's conduct process;
42. Aiding, Abetting, or Procuring: Assisting, coercing, or encouraging another person to engage in a prohibited activity(ies).

OVERVIEW OF THE CONDUCT PROCESS

This overview gives a general idea of how Pittsburgh Technical College's (PTC) campus conduct proceedings work, but it should be noted that not all situations are of the same severity or complexity. Thus, these procedures are flexible and are not exactly the same in every situation, though consistency in similar situations is a priority. The campus conduct process and all applicable timelines commence with notice to an administrator of a potential violation of PTC rules. College officials shall complete all investigations as promptly as possible and in most cases within 60 working days. A designated college official may extend this deadline if necessary.

Once notice is received from any source (victim, RA, 3rd party, online, etc.), PTC will proceed by preliminary inquiry with the responding student to explain the conduct process and gather information.

PRELIMINARY INQUIRY:

PTC will conduct a preliminary inquiry into the nature of the incident, complaint or notice, the evidence available, and the parties involved. The preliminary inquiry may lead to:

- A determination that there is insufficient evidence to pursue the investigation because the behavior alleged, even if proven, would not violate the Code of Student Conduct, (e.g., for reasons such as mistaken identity or allegations of behavior that falls outside the code).
- A more comprehensive investigation, when it is clear more information must be gathered.
 - Cases involving sexual harassment or sexual assault are overseen by the Title IX Coordinator.
- A formal hearing of a violation and/or a conference with the responding student.

FORMAL HEARING:

A formal hearing and investigation may be held when there is reasonable cause to believe that a rule or rules have been violated. A formal notice of the complaint will be issued, and a hearing will be held before one or more Hearing Officers. A finding will be determined and is final except in cases that involve Title IX or other discrimination allegations. In those cases, the hearing results serve as a recommendation to the Title IX Coordinator, who reviews and finalizes the finding. If the finding is that the responding student is not responsible, the process ends. Applicable appeal options are described below.

REVIEW AND FINALIZE SANCTION(S):

If the student is found in violation, sanctions will be assigned by the Hearing Officer(s). The Title IX Coordinator will affirm results when appropriate.

- Findings are subject to the PTC appeal process by any party to the complaint. Appeal decisions are to be affirmed by the Title IX Coordinator, when applicable. Appeal decisions are not appealable by any party.

STUDENT CONDUCT AUTHORITY

AUTHORITY:

The VP of Student Services, the VP of Education, and the Sr. VP of Academic Affairs at Pittsburgh Technical College (PTC) are vested with authority over student conduct by the President as deemed necessary to efficiently and effectively supervise the student conduct process.

- The VP of Student Services or VP of Education (or their designees) appoint Hearing Officers.
- The Sr. VP of Academic Affairs (or designee) serves as Appeal Officer.
- The VP of Student Services or VP of Education (or their designees) will assume responsibility for the investigation of an allegation of misconduct to determine if the complaint has merit.

GATEKEEPING:

No complaint will be forwarded for a hearing unless there is reasonable cause to believe a policy has been violated. Reasonable cause is defined as some credible information to support each element of the offense, even if that information is merely a credible witness or a victim's statement. A complaint wholly unsupported by any credible information will not be forwarded for a hearing.

CONFLICT RESOLUTION OPTIONS:

The VP of Student Services or VP of Education (or their designees) has the discretion to refer a complaint for internal mediation or other forms of appropriate conflict resolution. All parties must agree to conflict resolution and to be bound by the decision with no review/appeal. Any unsuccessful conflict resolution can be forwarded for formal processing and hearing; however, at no time will complaints of physical sexual misconduct or violence be mediated as the only institutional response. The VP of Student Services or VP of Education (or their designees) may also suggest that complaints that do not involve a violation of the Code of Student Conduct be referred for mediation or other appropriate conflict resolution.

HEARING OFFICER AND APPEAL COMMITTEE MEMBER POOL:

Hearing Officers and Appeal Committee members are selected from a pool of faculty and staff members who receive annual training. The Sr. VP of Academic Affairs (or designee) approves all pool members.

Hearing Officers:

The VP of Student Services or VP of Education (or their designees) will be responsible for assigning a Hearing Officer(s) according to the following guidelines:

- For less serious violations where suspension or dismissal is unlikely, a Resident Coordinator, the Assistant Resident Life Director, the Resident Life Director, or Academic Chair will act as the Hearing Officer (as appropriate).
- For violations where suspension or dismissal is seen as a possible outcome, the VP of Student Services and/or the VP of Education (or their designees) will serve as the Hearing Officer(s).
- The Hearing Officer is not currently instructing the student or otherwise substantively involved with the student (such as coach or advisor).

Appeal Committee:

Three-member Appeal Committees are drawn from the pool of faculty and staff members, with the following requirements to serve:

- They did not serve as a Hearing Officer for the initial hearing.
- They were not involved in the investigation in any way.
- They have been properly trained in appeal procedures.
- They are not currently instructing the student or otherwise substantively involved with the student (such as a coach or advisor).

The Sr. VP of Academic Affairs (or designee), as Appeal Officer, will have final authority to approve all those serving on the committee. The Appeal Officer has responsibility for training the committee, conducting preliminary investigations, and ensuring a fair process for the party bringing the complaint and responding student. In the event of a resignation from the committee, the Appeal Officer will solicit a replacement from the pool. Decisions made, and sanctions imposed, by the committee will be final and implemented. At the discretion of the Appeal Officer, implementation of sanctions may be stayed pending review.

INTERPRETATION AND REVISION:

The VP of Student Services, VP of Education, or Sr. VP of Academic Affairs will develop procedural rules for the administration of hearings that are consistent with provisions of the Code of Student Conduct. A material deviation from these rules will, generally, only be made as necessary and will include reasonable advance notice to the parties involved, either by posting online and/or in the form of written communication. The VP of Student Services, VP of Education, or Sr. VP of Academic Affairs may vary procedures with notice upon determining that changes to law or regulation require policy or procedural alterations not reflected in this Code. The VP of Student Services, VP of Education, or Sr. VP of Academic Affairs may make minor modifications to procedures that do not materially jeopardize the fairness owed to any party. Any question of interpretation of the Code of Student Conduct will be referred to the VP of Student Services, VP of Education, or Sr. VP of Academic Affairs whose interpretation is final. The Code of Student Conduct will be reviewed annually under the direction of the VP of Student Services with a comprehensive revision process being conducted every five years.

FORMAL CONDUCT HEARINGS AND APPEALS

PITTSBURGH TECHNICAL COLLEGE (PTC) AS CONVENER:

PTC is the convener of every action under this code. Within that action, there are several roles:

- The responding student is the person who is alleged to have violated the Code.
- The party bringing the complaint, who may be a student, employee, visitor, or guest, may choose to participate in the process as fully as the responding student; although the responding student and the party bringing the complaint will not be present together during hearings or appeals.
- There may be witnesses, who may offer information regarding the allegation.
- There is an/are investigator(s) whose role is to present the allegations and share the evidence that PTC has obtained regarding the allegations.
- For hearings, there is a/are Hearing Officer(s) whose role is to determine 1) responsibility and 2) appropriate sanctions (if any) based on the “more likely than not” standard.
- For appeals, there are a non-voting Appeal Officer and three voting Appeal Committee members.

GROUP VIOLATIONS:

A student group or organization and its officers and membership may be held collectively and individually responsible when violations of this code by the organization or its member(s):

- Take place at organization-sponsored or co-sponsored events, whether sponsorship is formal or tacit.
- Have received the consent or encouragement of the organization or of the organization’s leaders or officers.
- Were known or should have been known to the membership or its officers.
- Hearings for student groups or organizations follow the same general student conduct procedures. In any such action, individual determinations as to responsibility will be made and sanctions may be assigned collectively and/or individually and will be proportionate to the involvement of each individual and the organization.

AMNESTY:

For Those Who Offer Assistance and for Victims

In cases of intoxication and/or alcohol poisoning and/or drug overdose, the primary concern is the health and safety of the individual(s) involved. Individuals are strongly encouraged to call for medical assistance for themselves or for others who are dangerously intoxicated. No student seeking medical treatment for themselves or others for alcohol or other drug-related overdose will be subject to college discipline for the sole violation of using or possessing alcohol and/or drugs.

Safe Harbor

PTC has a Safe Harbor rule for students. PTC believes that students who have a drug and/or alcohol addiction problem deserve help. If any PTC student brings their own use, addiction, or dependency

to the attention of PTC officials outside the threat of drug and/or alcohol tests or conduct sanctions and seeks assistance, a conduct complaint will not be pursued. A written action plan may be used to track cooperation with the Safe Harbor program by the student. Failure to follow the action plan will nullify the Safe Harbor protection, and campus conduct processes will be initiated. Some academic programs (e.g., Nursing) have policies that may take precedence over this policy due to accreditation standards and/or health and safety concerns in clinical or similar settings.

NOTICE OF ALLEGED VIOLATION:

Any member of the PTC community, visitor or guest may allege a policy violation(s) by any student for misconduct under this Code.

Notice may be given to any PTC employee. The notified employee should then immediately notify the Public Safety Office, Director of Resident Living, VP of Student Services, VP of Education, the Sr. VP of Academic Affairs, and/or to the Title IX Coordinator, when appropriate. Additionally, administrators may act on notice of a potential violation whether a formal allegation is made or not. All allegations can be submitted by a victim or a third party and should be submitted as soon as possible after the offending event occurs. PTC has the right to pursue an allegation or notice of misconduct on its own behalf and to serve as convener of the subsequent campus conduct process.

The VP of Student Services and/or VP of Education (or their designees) will assume responsibility for the investigation of the alleged violation as described in the sub-section below.

INVESTIGATION:

The VP of Student Services or VP of Education (or their designees) will appoint an investigator(s) for allegations under this Code. The investigator(s) will take the following steps, if not already completed:

1. Initiate any necessary remedial/protective actions on behalf of the victim (if any).
2. Determine the identity and contact information of the party bringing the complaint.
3. Conduct a preliminary inquiry to identify an initial list of all policies that may have been violated and to review the history of the parties, the context of the incident(s), any potential patterns, and the nature of the complaint.
4. If the victim is reluctant to pursue the complaint, determine whether the complaint should still be pursued and whether sufficient independent evidence could support the complaint without the participation of the victim.
5. Notify the victim of whether PTC intends to pursue the complaint regardless of their involvement, and inform the victim of their rights in the process and their option to become involved if they so choose.
6. Preliminary investigation usually takes 1-7 business days to complete.
7. If indicated by the preliminary inquiry, conduct a comprehensive investigation to determine if there is reasonable cause to believe that the responding student violated PTC policy and identified what specific policy violations should serve as the basis for the complaint.
8. Meet with the party bringing the complaint to finalize their statement.

9. Commence a thorough, reliable, and impartial investigation by developing a strategic investigation plan, including a witness list, evidence list, intended timeframe, and order of interviews (for the party bringing the complaint, all witnesses, and the responding student).
10. Prepare the notice of alleged policy violation(s) on the basis of the reasonable cause determination, which may be delivered prior to, during, or after the responding student is interviewed, at the discretion of the investigator(s).
11. Interview all relevant witnesses, summarize the information they are able to share and have each witness sign the summary to verify its accuracy.
12. Obtain all documentary evidence and information that is available.
13. Obtain all physical evidence that is available.
14. Complete the investigation promptly by analyzing all available evidence without unreasonable deviation from the intended timeline.
15. Make a finding whether or not a policy violation occurred based upon the “more likely than not” standard and proceed accordingly.

NOTICE OF HEARING:

Once a determination is made that reasonable cause exists for the VP of Student Services or VP of Education (or their designees) to refer a complaint for a hearing, notice will be given to the responding student. Notice will be in writing and may be delivered by one or more of the following methods: in person by the VP of Student Services or VP of Education (or designees); mailed or commercial delivery to the local or permanent address of the student as indicated in official PTC records; or emailed to the student’s PTC-issued email account. Once mailed, emailed and/or received in-person, such notice will be presumed delivered. The letter of notice will:

- Include the alleged violation and notification of where to locate the Code of Student Conduct and PTC procedures for resolution of the complaint.
- Set a hearing date, time, and location for the responding student to meet with a Hearing Officer(s).

INTERIM ACTION:

Under the Code of Student Conduct, the VP of Student Services, the VP of Education, or the Sr. VP of Academic Affairs (or their designees) may impose restrictions and/or separate a student from the community pending the scheduling of a hearing on alleged violation(s) of the Code of Student Conduct when a student is perceived to present a threat of serious harm to others, is facing allegations of serious criminal activity, to preserve the integrity of an investigation, to preserve PTC property, and/or to prevent disruption of, or interference with, the normal operations of PTC. Interim actions can include separation from the institution or restrictions on participation in the community for no more than ten (10) business days pending the scheduling of a campus hearing on alleged violation(s) of the Code of Student Conduct.

During an interim suspension, a student may be denied access to PTC housing and/or PTC campus/facilities/events, as determined to be appropriate by the VP of Student Services or VP of Education (or their designees). This restriction may include classes and/or all other PTC activities or privileges for which the student might otherwise be eligible.

HEARING OPTIONS & PREPARATION:

The following sub-sections describe PTC's conduct hearing processes. No student may be found to have violated the Code of Student Conduct solely as a result of the student's failure to appear for a hearing. In such instances, conduct hearings will proceed as scheduled without the student and the information in support of the complaint will be presented to and considered by, the Hearing Officer(s).

A formal hearing will be conducted. Students will be given a minimum of two days to prepare unless all parties wish to proceed more quickly. Preparation for a formal hearing is summarized in the following guidelines:

- Notice of the time, date, and location of the hearing will be in writing and may be delivered by one or more of the following methods:
 - In person by the VP of Student Services or VP of Education (or their designees).
 - Mail or commercial delivery to the local or permanent address of the student as indicated in official PTC records.
 - E-mail to the student's PTC-issued email account.
 - Once mailed, emailed and/or received in-person, such notice will be presumed delivered.

In all cases, PTC administration serves as the party bringing the complaint forward. The student bringing the complaint will not appear at the conduct hearing with the responding student but will be interviewed separately by the Hearing Officer(s) when reasonably practical.

Hearing Officers will only be unseated if the VP of Student Services or VP of Education (or their designees) concludes that their bias precludes an impartial hearing of the complaint. Similarly, any Hearing Officer who feels they cannot make an objective determination must recuse themselves from the proceedings.

CONDUCT HEARING PROCEDURES:

The VP of Student Services or VP of Education (or their designees) will appoint Hearing Officer(s). It is the responding student's responsibility to notify the VP of Student Services or the VP of Education (or their designees) prior to the scheduled hearing to arrange for another date and/or time. Except in cases of grave or unforeseen circumstances, if the responding student fails to provide notice prior to the hearing, the hearing will proceed as scheduled.

The Hearing Officer(s) will conduct the hearings according to the following guidelines:

1. Hearings will be closed to the public.
2. The responding student and the student bringing the complaint will meet separately with the Hearing Officer(s).
3. Admission to the hearing of persons other than the parties involved will be at the discretion of the Hearing Officer(s).
4. In hearings involving more than one responding student, the standard procedure will be to conduct separate hearings; however, the Hearing Officer(s) may permit the hearing to be

combined. In combined hearings, separate determinations of responsibility will be made for each responding student.

5. The parties have the right to an advisor of their own choosing. Typically advisors are a parent(s)/guardian(s), but the parties may select an attorney or whomever they wish to serve as their advisor. The advisor may not make a presentation or represent the party bringing the complaint or responding student during the hearing. They may confer quietly with their advisee, exchange notes, clarify procedural questions with the Hearing Officer, and suggest questions to their advisee.
6. The party bringing the complaint and the responding student will have the privilege of recommending questions for the Hearing Officer(s) to consider asking the other party(ies) or witness(es) involved. Either party may present witnesses to the Hearing Officer(s).
7. Pertinent records, exhibits, and written statements may be accepted as information for consideration by the Hearing Officer(s). Formal rules of evidence are not observed. The Hearing Officer(s) may limit the number of character witnesses presented or may accept written affidavits of character instead.
8. All procedural questions are subject to the final decision of the Hearing Officer(s).
9. After a conduct hearing, the Hearing Officer(s) will determine, by agreement, whether it is more likely than not that the responding student has violated the Code of Student Conduct. The VP of Student Services or VP of Education (or their designees) will be available as a resource and to break any tie votes. Once a finding is determined, if the finding is that of a policy violation, the Hearing Officer(s) will determine an appropriate sanction(s). The VP of Student Services or VP of Education (or their designees) are responsible for informing the Hearing Officer(s) of applicable precedent, and any previous conduct violations or other relevant information about a student found responsible.
10. The Hearing Officer(s) will render a decision and inform the responding student and party bringing the complaint (if applicable by law or PTC policy) of the final determination within seven days of the hearing. Notification will be made in writing and may be delivered by one or more of the following methods: in person by the VP of Student Services or VP of Education (or their designees); mailed or commercial delivery to the local or permanent address of the student as indicated in official PTC records; or emailed to the student's PTC-issued email account. Once mailed, emailed and/or received in-person, such notice will be presumed delivered. In cases of sexual misconduct and crimes of violence, notice of the outcome will be

delivered to all parties simultaneously, meaning without substantial delay between the notifications to each.

11. There will not be a verbatim record, such as an audio recording, for conduct hearings. Written notes may be taken by any party. The Hearing Officer will summarize the basis for the decision in writing for sanctions including suspension or dismissal.

Conduct Sanctions

One or more of the following sanctions may be imposed upon any student for any single violation of the Code of Student Conduct:

1. Warning: An official written notice that the student has violated PTC policies and/or rules and that more severe conduct action will result should the student be involved in other violations while the student is enrolled at PTC.
2. Restitution: Compensation for damage caused to PTC or any person's property. This could also include situations such as failure to return a reserved space to proper condition – labor costs and expenses. This is not a fine but, rather, a repayment for labor costs and/or the value of property destroyed, damaged, consumed, or stolen.
3. Fines: Reasonable fines (up to \$500) may be imposed.
4. Community Service Requirements: For a student or organization to complete a specific supervised PTC service.
5. Loss of Privileges: The student will be denied specified privileges for a designated period of time.
6. Confiscation of Prohibited Property: Items whose presence is in violation of PTC policy will be confiscated and will become the property of PTC. Prohibited items may be returned to the owner or destroyed at the discretion of the VP of Student Services and/or the Public Safety Director.
7. Behavioral Requirement: Required activities including, but not limited to, seeking academic or personal counseling or substance abuse screening, writing a letter of apology, etc.
8. Educational Program: Requirement to attend, present and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible.
9. Restriction of Visitation Privileges: May be imposed on a resident or non-resident student. The parameters of the restriction will be specified.
10. PTC Housing Probation: Official notice that, should further violations of Resident Life or PTC policies occur during a specified probationary period, the student may immediately be removed from PTC housing. Regular probationary meetings may also be imposed.
11. PTC Housing Reassignment: Reassignment to another PTC housing facility. Resident Life personnel will decide on the reassignment details.

12. PTC Housing Suspension: Removal from PTC housing for a specified period of time after which the student is eligible to return. Conditions for re-admission to PTC housing may be specified. Under this sanction, a student is required to vacate PTC housing within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Director of Resident Life. This sanction may be enforced with a trespass action if deemed necessary. Prior to reapplication for PTC housing, the student must gain permission from the Director of Resident Life (or designee). This sanction may include restrictions on visitation to specified buildings or all PTC housing during the suspension.
13. PTC Housing Dismissal: The student's privilege to live in, or visit, any PTC housing structure is revoked indefinitely. This sanction may be enforced with a trespass action if deemed necessary.
14. PTC Probation: The student is put on official notice that, should further violations of PTC policies occur during a specified probationary period, the student may face suspension or dismissal from PTC. Regular probationary meetings may also be imposed.
15. Eligibility Restriction: The student is deemed "not in good standing" with PTC for a specified period of time. Specific limitations or exceptions may be granted by the VP of Student Services or VP of Education (or their designees), and terms of this conduct sanction may include but are not limited to, the following:
 - a. Ineligibility to hold any office in any student organization recognized by PTC or hold an elected or appointed office at PTC.
 - b. Ineligibility to represent PTC to anyone outside the PTC community in any way including attending conferences, attending field trips, or representing PTC at an official function, event or intramural/intercollegiate competition as a player, manager, or student coach, etc.
16. PTC Suspension: Separation from PTC for a specified minimum period of time, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension. The student is required to vacate the campus within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the VP of Student Services or VP of Education (or their designees). During the suspension period, the student is banned from college property, functions, events, and activities without prior written approval from the VP of Student Services or VP of Education (or their designees). This sanction may be enforced with a trespass action as necessary.
17. PTC Dismissal: Permanent separation from PTC. The student is banned from college property, and the student's presence at any PTC-sponsored activity or event is prohibited. This action may be enforced with a trespass action as necessary.
18. Other Sanctions: Additional or alternate sanctions may be created and designed as deemed appropriate to the offense with the approval of the VP of Student Services or VP of Education (or their designees).

19. Organizations: The following sanctions may be imposed upon groups or organizations found to have violated the Code of Student Conduct:
- a. One or more of the sanctions listed above and/or
 - b. Deactivation, de-recognition, loss of all privileges (including status as a PTC registered group/organization), for a specified period of time.

Parental Notification

PTC reserves the right to notify the parents/guardians of dependent students regarding any conduct situation, particularly alcohol and/or drug violations.

Parental notification may also be utilized discretionarily by administrators when permitted by FERPA or consent of the student.

Notification of Outcomes

The outcome of a campus hearing is part of the education record of the responding student and is protected from release under the Federal Education Rights and Privacy Act (FERPA), except under certain conditions. As allowed by FERPA, when a student is accused of a policy violation that would constitute a “crime of violence” or forcible or non-forcible sex offense, PTC will inform the party bringing the complaint in writing of the final results of a hearing regardless of whether PTC concludes that a violation was committed. Such release of information may only include the responding student’s name, the violation committed, and the sanctions assigned (if applicable). In cases of sexual misconduct and other offenses only covered by Title IX, the rationale for the outcome will also be shared with all parties to the complaint in addition to the finding and sanction(s).

In cases where PTC determines through the student conduct process that a student violated policy would constitute a “crime of violence” or non-forcible sex offense, PTC may also release the above information publicly and/or to any third party. FERPA defines “crimes of violence” to include:

- Arson
- Assault offenses (includes stalking)
- Burglary
- Criminal Homicide—manslaughter by negligence
- Criminal Homicide—murder and non-negligent manslaughter
- Destruction/damage/vandalism of property
- Kidnapping/abduction
- Robbery
- Forcible sex offenses
- Non-forcible sex offenses

Failure to Complete Conduct Sanctions

All students, as members of the PTC community, are expected to comply with conduct sanctions within the timeframe specified by the Hearing Officer(s). Failure to follow through on conduct sanctions by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanctions and/or suspension from PTC. In such situations, resident students will be

required to vacate PTC housing within 24 hours of notification by the Director of Resident Life, though this deadline may be extended upon application to, and at the discretion of, the Director of Resident Life. A suspension will only be lifted when compliance with conduct sanctions is satisfactorily achieved. This determination will be made by the VP (VP) of Student Services, the VP (VP) of Education, or the Sr. VP (Sr. VP) of Academic Affairs (or their designees).

APPEAL REVIEW PROCEDURES:

Any party may request an appeal of the conduct hearing decision by filing a written request (at <https://www.ptcollege.edu/uploads/pages/documents/consumer/request-for-appeal.pdf>) to the VP of Student Services, the VP of Education, or the Sr. VP of Academic Affairs (or their designees), subject to the procedures outlined below. All sanctions imposed by the original hearing body remain in effect, and all parties should be timely informed of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision.

GROUNDS FOR APPEAL REQUESTS

Appeal requests are limited to the following grounds:

1. An error occurred that significantly impacted the outcome of the hearing (e.g., substantiated bias, material deviation from established procedures, etc.); and/or
2. To consider new evidence, unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included; and/or
3. The sanctions imposed are substantially disproportionate to the severity of the violation.

Appeals must be filed in writing with the VP of Student Services, the VP of Education, or the Sr. VP of Academic Affairs (or their designees) within three business days of the notice of the outcome of the hearing. Any exceptions are made at the discretion of the VP of Student Services, the VP of Education, or the Sr. VP of Academic Affairs (or their designees) and, when appropriate, the Title IX Coordinator.

The VP of Student Services, the VP of Education, or the Sr. VP of Academic Affairs (or their designees) will share the appeal by one party with the other party (parties). The VP of Student Services or VP of Education (or their designees) will refer the request(s) to the Sr. VP of Academic Affairs. The Sr. VP of Academic Affairs will draft a response memorandum to the appeal request(s), based on determination that the request(s) will be granted or denied, and why.

The Sr. VP of Academic Affairs will conduct an initial review to determine if the appeal request meets the limited grounds and is timely. S/he may consult with the VP of Student Services or the VP of Education and/or the Title IX Coordinator on any procedural or substantive questions that arise.

If the appeal is not timely or eligible, the original finding and sanction will stand, and the decision is final. If the appeal has standing, the Sr. VP of Academic Affairs determines whether to refer the appeal to the Appeal Committee, typically within three to five business days. Full re-hearings by the Appeal Committee are not permitted. Where new evidence is presented, the Sr. VP of Academic Affairs will provide instruction on the parameters regarding institutional consistency and any applicable guidelines. In review, the original finding and sanction are presumed to have been decided reasonably and appropriately, thus the burden is on the appealing party(ies) to show clear error. The Appeal Committee must limit its review to the challenges presented.

The parties have the right to an advisor of their own choosing. Typically advisors are parent(s)/guardian(s), but the parties may select an attorney or whomever they wish to serve as their advisor. The advisor may not make a presentation or represent the party bringing the complaint or responding student during the appeal. They may confer quietly with their advisee, exchange notes, clarify procedural questions with the Appeals Officer, and suggest questions to their advisee.

On reconsideration, the Appeal Committee may affirm or change the findings and/or sanctions of the original hearing body according to the permissible grounds. Errors should be corrected, new evidence should be considered, and sanctions should be proportionate to the severity of the violation and the student's cumulative conduct record.

All decisions of the Appeal Committee are to be made by a majority vote within five days and are final. Appeal decisions are to be affirmed by the Title IX Coordinator, when applicable. Appeal decisions are not appealable by any party.

THE APPEAL COMMITTEE

Three-member Appeal Committees are drawn from the pool of faculty and staff members, with the following requirements to serve:

1. They did not serve as a Hearing Officer for the initial hearing.
2. They were not involved in the investigation in any way.
3. They have been properly trained in appeal procedures.
4. They are not currently instructing the student or otherwise substantively involved with the student (such as a coach or advisor).
5. They are not a currently enrolled student at PTC.

The Appeal Officer will have final authority to approve all those serving on the committee. In the event of a recusal from the committee, the Appeal Officer will solicit a replacement from the pool.

The Appeal Officer or designee serves as the non-voting advisor to the committee, with responsibility for training the committee, conducting preliminary investigations, and ensuring a fair process for the party bringing the complaint and responding student. It is presumed that all decisions made and sanctions imposed by the original decision-maker are to be implemented during the appellate process.

OTHER GUIDELINES FOR APPEALS

All parties will be timely informed of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision.

Appeals are not intended to be full re-hearings of the complaint. Appeals are confined to a review of the written documentation or record of the original hearing, and pertinent documentation regarding the grounds for appeal. Witnesses may be called if necessary.

Appeals are not an opportunity for Appeal Committee members to substitute their judgment for that of the original decision-maker merely because they disagree with the finding and/or sanctions and/or policy. Changes may be made to the finding only where there is clear error and to the sanction only if there is a compelling justification to do so.

A verbatim record (audio recording) will be made by the Appeal Officer of the appeal hearing.

1. Disciplinary Records

All conduct records are maintained by PTC for seven years from the time of their creation except those that result in separation (suspension or dismissal, including from housing) and those that fall under Title IX, which are maintained indefinitely.

2. Approval and Implementation

This Code of Student Conduct was approved on 09/29/2018 and implemented on 10/01/18.

Appendix A: Sexual Harassment & Sexual Violence Policy

Hard copy Location

A hard copy is available from the Title IX Coordinator (Room 322, Human Resources)

Website Location

The policy is also available on the PTC website in the Consumer Information section at

https://www.ptcollege.edu/uploads/pages/documents/consumer/Sexual_Harassment_and_Sexual_Violence_Policy.pdf

Appendix B: Sexual Assault Prevention Handbook

Hard copy Location

A hard copy is available from the Title IX Coordinator (Room 322, Human Resources)

Website Location

The policy is also available on the PTC website in the Consumer Information section at

https://www.ptcollege.edu/uploads/pages/documents/consumer/Reducing_the_Risk_of_Sexual_Violence.pdf

Appendix C: Campus Sexual Assault Victims' Bill of Rights

Website Location

The Bill of Rights is also available on the PTC website in the Consumer Information section at

<https://www.ptcollege.edu/uploads/pages/documents/consumer/campus-assault-victims-bill-of-rights.pdf>

Hard copy Location

The Bill of Rights is located on page 29 of this Code.