

# Hutchinson Community College



**Student Handbook**

2019-2020

# President's Welcome



Welcome to Hutchinson Community College, an institution that has a reputation for excellence that spans 90 years. Evolving from a traditional "junior college" to a full service community college/vocational school, HutchCC serves nearly 5,000 credit students every semester with a like number of individuals involved in community service and non-credit activities.

Dr. Carter File  
President, Hutchinson Community College

# Board of Trustees Listing 2019

## BOARD OF TRUSTEES

NAME	HOME	OFFICE	TERM EXPIRES
Marla Eriksen Chairperson	117 Kisiwa Parkway Hutchinson, KS 67502 620-960-0510	Retired marlaeriksen728@gmail.com	2021
Bob Snyder Vice-Chair	510 S. Walnut South Hutchinson, KS 67505 620-663-7512 620-694-0412	Retired duckman1@cox.net	2019
Terry Bisbee	107 Thunderbird Drive Hutchinson, KS 67502 620-259-6018 cell	Retired tlbisbee@cs.com	2019
Rod Calhoun	424 W 1st Ave. Hutchinson, KS 67501 620-665-8941 316-644-0445 cell	Mid American Credit Union RCalhoun3@cox.net	2021
David Marshall	8020 N. Plum St. Hutchinson, KS 67502 620-662-6277	First National Bank Hutchinson David.marshall@fnbhutch.com	2019
Todd Miller	3219 Inverness Hutchinson, KS 67502 620-662-5556 620-899-0110 cell	Home Instead Senior Care 1515 N. Lorraine St., Ste. C Hutchinson, KS 67501 todd.miller@homeinstead.com	2021
Darrell L. Pankratz	6300 E. 30th Ave. Hutchinson, KS 67502 620-664-8989	Prairieland Partners 811 E. 30th, Suite F Hutchinson, KS 67502 dpankratz@plpjd.com 620-664-5860	2019

# Hutchinson Community College Vision Statement

Hutchinson Community College will be the premier, two-year educational institution in Kansas, delivering accessible opportunities for learning, growth and improved quality of life.

# Hutchinson Community College Mission Statement

Expanding the tradition of excellence through learning and collaboration.

# Hutchinson Community College Values

- Teaching and Learning – Hutchinson Community College empowers students and other stakeholders to develop abilities, talents, and skills while assessing outcomes, celebrating achievements, and encouraging lifelong learning.
- Integrity and Social Responsibility– Hutchinson Community College contributes to the public good by demonstrating responsible institutional citizenship and treating people and organizations with equity, civility, and respect.
- Service and Collaboration – Hutchinson Community College provides a dynamic environment of active internal and external partnerships embracing the potential for innovation.
- Diversity – Hutchinson Community College celebrates the uniqueness of individuals, ideas, and forms of expression.
- Leadership – Hutchinson Community College fosters the development of and provides opportunities for leadership within the institution and the community.
- Responsiveness – Hutchinson Community College is future-focused, examining trends to better predict how conditions will change and innovating to better meet the mission-driven needs of our students and other stakeholders.

# Accreditation

Higher Learning Commission Accreditation

Hutchinson Community College is accredited by the Higher Learning Commission.

Higher Learning Commission

The Higher Learning Commission (HLC) is an independent corporation that was founded in 1895 as one of six regional institutional accreditors in the United States. HLC accredits degree-granting post-secondary educational institutions in the North Central region, which includes the following 19 states: Arkansas, Arizona, Colorado, Iowa, Illinois, Indiana, Kansas, Michigan, Minnesota, Missouri, North Dakota, Nebraska, Ohio, Oklahoma, New Mexico, South Dakota, Wisconsin, West Virginia, and Wyoming. HLC is recognized by the US Department of Education and the Council on Higher Education Accreditation (CHEA)

For More Visit: [The Higher Learning Commission](#)

Program Accreditation

## Allied Health Department

### Health Information Management (AAS) and Healthcare Document and Transcription Specialists (Certificate)

[Commission on the Accreditation for Health Informatics and Information Management Education](#)

3343 N. Michigan Ave, 21st Floor

Chicago, IL 60601-5800

Next Review: Reviewed Annually

### Nursing - Associate Degree (ADN) and Practical Nursing (LPN)

[Accreditation Commission for Education in Nursing Inc.](#)

3343 Peachtree Road NE, Suite 850

Atlanta, GA 30326

404-975-5000

[Action Letter](#)

Next Review: 2025

### [Kansas State Board of Nursing](#)

900 SW Jackson St., Room 1051

Topeka, KS 66612

785-296-4924

[Action Letter](#)

Next Review: 2025

## Pharmacy Technician

[American Society of Health-System Pharmacists](#)

7272 Wisconsin Avenue

Bethesda, MD 20814

[Action Letter](#)

Next Review: 2020

## Physical Therapist Assistant

[Commission on Accreditation in Physical Therapy Education](#)

1111 North Fairfax Street

Alexandria, VA 22314-1488

703-684-2782

[Action Letter](#)

Next Review: Fall 2025

## Radiologic Technology

[Joint Review Committee on Education in Radiologic Technology](#)

20 N. Wacker Drive, Suite 2850

Chicago, IL 60606-3182

312-704-5300

E-mail: [mail@jrcert.org](mailto:mail@jrcert.org)

[Action Letter](#)

Next Review: 2024

## Respiratory Therapist

[Commission on Accreditation for Respiratory Care](#)

1248 Harwood Road

Bedford, TX 76021-4244

817-283-2835

[Action Letter](#)

Next Review: 2018

## Surgical Technologist

[Commission on the Accreditation of Allied Health Education Programs](#)

25400 US Highway 19 N., Suite 158

Clearwater, FL 33763

727-210-2350

[Accreditation Review Committee on Education for Surgical Technology and Surgical Assisting](#)

6 W. Dry Creek Circle, Suite 110

Littleton, CO 80120

303-694-9262

[Action Letter](#)

Next Review: 2024

Agriculture, Business, Computers, and Technology Department

**Auto Collision Repair Technology and Auto Mechanics Technology**

[National Automotive Technicians Education Foundation, Inc.](#)

101 Blue Seal Drive, S.E., Suite 101

Leesburg, VA 20175

[Action Letter](#)

Next Review: 2019

**Public Safety Department**

**Emergency Medical Services - Paramedic**

[Commission on the Accreditation of Allied Health Education Programs](#)

25400 US Highway 19 N., Suite 158

Clearwater, FL 33763

727-210-2350

[Action Letter](#)

Next Review:2022

Kansas Board of Emergency Medical Services

Landon State Office Building

900 SW Jackson Street, Suite 1031

Topeka, Kansas 66612-1228

# History of the College

Hutchinson Community College, a fully accredited, public comprehensive college, offers four degrees in Associate of Arts, Associate of Science, Associate of General Studies, and Associate of Applied Science. HutchCC has an open admissions policy and is governed locally by an elected Board of Trustees.

In spring 1928, Hutchinson voters approved the establishment of a two-year co-educational college called the Hutchinson Junior College. The College held its first classes that fall. Enrollment was 187 students – 177 freshmen, 10 sophomores. Classes were held on the second and third floors of a newly constructed addition to Hutchinson High School at Seventh and Walnut. In February 1938, the Board of Education acquired land on Plum Street and built Lockman Hall.

On July 1, 1965, the College name was changed to Hutchinson Community Junior College and governance was transferred to an elected Board of Trustees. The name was changed again in 1980 to Hutchinson Community College. On July 1, 1993, HutchCC merged with the local vocational school and was renamed Hutchinson Community College and Area Vocational School. The “and Area Vocational School” was removed from the name in 2012.

Additions to HutchCC include an athletic field, stadium, tennis courts, maintenance and warehouse buildings, a student union with two additions, two residence halls, a library, science building, fine arts building, and an athletic complex. The John F. Kennedy Library was completed in 1966 and the Kopke Science Hall was completed in fall 1967. Elland and Kent Halls, residence halls for men and women, were also opened in 1967.

In April 1970, the College acquired 425 acres of land and buildings from the Hutchinson Air National Guard. They are used primarily for agricultural, emergency medical science, building construction, and technical education courses. This location is called South Campus.

A wing was added to Lockman Hall in 1975. The College acquired Davis Hall (Ninth and Walnut) from Hutchinson Hospital Corporation in 1980. It is used for allied health curricula, Radio Kansas (HutchCC's public radio station), Retired Senior Volunteer Program (RSVP), Kansas Small Mine Safety and Occupational Safety.

Stringer Fine Arts Center was opened January 1989. A major addition to the Parker Student Union was completed in 1996. In 1999 the College built Shears Technology Center to house vocational programs and technical labs. On April 27, 2003, after major renovation, the library was renamed the Rimmer Learning Resource Center, after John Rimmer, chairman of HUBCO and major contributor to the College.

In fall 2006, a renovated Gowans Stadium reopened for use. The stadium hosts a variety of high school, college, regional and national events. In 2008, the Reno County Industrial Center was renovated and expanded. The new facility was reopened in fall and as the Ade-Wifco RCIC to recognize the contributions of Fred Ade and the Wifco Corporation.

The science hall was revamped into a modern scientific facility and was renamed the Richard E. Smith Science Center to recognize the major contributions of local entrepreneur and alumnus Richard Smith in 2010.

In September 2013 the College dedicated the Bob and Lou Peel Allied Health Center at Ninth and Main to house five Allied Health programs—Physical Therapy Assistant, Respiratory Therapy, Health Information Management, Surgical Technology, and Pharmacy Technology.

On April 26, 2015 the new Fire Science Training Center was dedicated. This project was completed in conjunction with the City of Hutchinson Fire Department. The College also utilizes the Hutchinson Sports Arena, providing maintenance of the building in exchange for its use.

The College has four off-campus locations: McPherson, Newton, Fort Riley, and Cosmetology. The Newton location is housed in the Axtell Educational Center at 203 East Broadway Street in Newton, Kansas and opened in 2008. The McPherson location, at 2208 E. Kansas Avenue in McPherson, Kansas, opened in 2010. The Fort Riley location at 8044 Normandy Drive at Fort Riley Army Base near Junction City, KS, offers Allied Health courses and Practical Nursing; it opened in 2014. HutchCC Cosmetology, located at 200 E. 3rd Avenue in Hutchinson, Kansas, opened in 2016.

The Jack Mull family Football Complex, renovated in the spring of 2015, houses the coaches' offices, meeting space, locker rooms, and the Bob and Lou Peel Weight Training Center.

Thanks to the support of the City of Hutchinson and the voters of Hutchinson, the Hutchinson Sports Arena underwent a \$29 million renovation project that was completed in the spring of 2017. The project included the addition of three new practice gyms, a new weight training and sports medicine facility and renovated locker rooms and office for the athletic department.

# Academic Calendar - 2019-2020

## 2019-2020 Revised Academic Calendar-Approved by Board of Trustee's 3/14/19

August 2019						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

September 2019						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

October 2019						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

November 2019						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

December 2019						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

January 2020						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Hutchinson Community College	
1300 North Plum	
620-665-3500 1-888-GO-HUTCH	
Hutchinson, KS 67501	
Aug 1	Any course beginning after this date is considered a Fall course
Aug 12	Faculty Development Day
Aug 13-20	Enrollment/Registration/Faculty Prep
Aug 21	Classes Begin
Sept 2	Labor Day, College Closed
Oct 11	Fall Break, College Closed
Oct 25	HCC Recruitment Day, No Day Classes
Nov 27-29	Thanksgiving Break, College Closed
Dec 9-12	Final Exams
Dec 13	Make-Up Exams, Final Grades Due by Noon
Dec 24-Jan 1	Winter Break, College Closed
Jan 1	Any course beginning after this date is considered a Spring course
Jan 6-7	Faculty Development Days
Jan 8-10	Enrollment/Registration/Faculty Prep
Jan 13	Classes Begin
Jan 20	Martin Luther King Day, College Closed
Mar 2	Current Student Enrollment Begins
Mar 16-21	2020 NJCAA Tournament
Mar 23-27	Spring Break
Mar 27	College Closed
Apr 3	HCC Day
Apr 17	HCC Day, No Day Classes
Apr 25	Enrollment Day
May 4-7	Final Exams
May 8	Commencement, 7:00 p.m., Make-Up Exams, Final Grades Due by Noon
May 25	Memorial Day, College Closed
May 29	Enrollment Day
Jun 1	Any course beginning after this date is considered a Summer course
Jun 1	1st Summer Term Begins
Jun 19	Enrollment Day
Jun 25	1st Summer Term Ends
Jun 29	2nd Summer Term Begins
Jul 3	Independence Holiday, College Closed
Jul 17	Enrollment Day
Jul 23	2nd Summer Term Ends

February 2020						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

March 2020						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

April 2020						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

May 2020						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

June 2020						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

July 2020						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Check DragonZone or Course Syllabus for last date to withdraw.

# Academic Calendar - 2020-2021

## 2020-2021 Academic Calendar Approved by Board of Trustee's 4/11/19

August 2020						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

September 2020						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

October 2020						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

November 2020						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

December 2020						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

January 2021						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

**Hutchinson Community College**  
**1300 North Plum**  
**620-665-3500 1-888-GO-HUTCH**  
**Hutchinson, KS 67501**

Aug 1 Any course beginning after this date is considered a Fall course

Aug 10 Faculty Development Day

Aug 11-18 Enrollment/Registration/Faculty Prep

Aug 19 Classes Begin

Sept 7 Labor Day, College Closed

Oct 9 Fall Break, College Closed

Oct 30 HCC Recruitment Day, No Day Classes

Nov 25-27 Thanksgiving Break, College Closed

Dec 7-10 Final Exams

Dec 11 Make-Up Exams, Final Grades Due by 5 p.m.

Dec 24-Jan 1 Winter Break, College Closed

Jan 1 Any course beginning after this date is considered a Spring course

Jan 4-5 Faculty Development Days

Jan 6-8 Enrollment/Registration/Faculty Prep

Jan 11 Classes Begin

Jan 18 Martin Luther King Day, College Closed

Mar 1 Student Enrollment Begins

Mar 15-20 NJCAA Tournament

Mar 22-26 Spring Break

Mar 26 College Closed

Apr 9 HCC Day

Apr 16 HCC Day, No Day Classes

Apr 24 Enrollment Day

May 3-6 Final Exams

May 7 Commencement, 7:00 p.m., Make-Up Exams, Final Grades Due by 5 p.m.

May 21 Enrollment Day

May 31 Memorial Day, College Closed

Jun 1 Any course beginning after this date is considered a Summer course

Jun 1 1st Summer Term Begins

Jun 18 Enrollment Day

Jun 28 1st Summer Term Ends

Jun 29 2nd Summer Term Begins

Jul 5 Independence Holiday, College Closed

Jul 16 Enrollment Day

Jul 27 2nd Summer Term Ends

February 2021						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

March 2021						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

April 2021						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

May 2021						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

June 2021						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

July 2021						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Check DragonZone or Course Syllabus for last date to withdraw.

# Academic Calendar - 2021-2022

## 2020-2021 Academic Calendar Approved by Board of Trustee's 4/11/19

August 2020						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

September 2020						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

October 2020						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

November 2020						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

December 2020						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

January 2021						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

**Hutchinson Community College**  
 1300 North Plum  
 620-665-3500 1-888-GO-HUTCH  
 Hutchinson, KS 67501

Aug 1 Any course beginning after this date is considered a Fall course

Aug 10 Faculty Development Day

Aug 11-18 Enrollment/Registration/Faculty Prep

Aug 19 Classes Begin

Sept 7 Labor Day, College Closed

Oct 9 Fall Break, College Closed

Oct 30 HCC Recruitment Day, No Day Classes

Nov 25-27 Thanksgiving Break, College Closed

Dec 7-10 Final Exams

Dec 11 Make-Up Exams, Final Grades Due by 5 p.m.

Dec 24-Jan 1 Winter Break, College Closed

Jan 1 Any course beginning after this date is considered a Spring course

Jan 4-5 Faculty Development Days

Jan 6-8 Enrollment/Registration/Faculty Prep

Jan 11 Classes Begin

Jan 18 Martin Luther King Day, College Closed

Mar 1 Student Enrollment Begins

Mar 15-20 NJCAA Tournament

Mar 22-26 Spring Break

Mar 26 College Closed

Apr 9 HCC Day

Apr 16 HCC Day, No Day Classes

Apr 24 Enrollment Day

May 3-6 Final Exams

May 7 Commencement, 7:00 p.m., Make-Up Exams, Final Grades Due by 5 p.m.

May 21 Enrollment Day

May 31 Memorial Day, College Closed

Jun 1 Any course beginning after this date is considered a Summer course

Jun 1 1st Summer Term Begins

Jun 18 Enrollment Day

Jun 28 1st Summer Term Ends

Jun 29 2nd Summer Term Begins

Jul 5 Independence Holiday, College Closed

Jul 16 Enrollment Day

Jul 27 2nd Summer Term Ends

February 2021						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

March 2021						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

April 2021						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

May 2021						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

June 2021						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

July 2021						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Check DragonZone or Course Syllabus for last date to withdraw.

# Student Handbook Purpose

## HUTCHINSON COMMUNITY COLLEGE STUDENT HANDBOOK

The provisions of this Student Handbook are not to be regarded as a contract between the College and the student. The College reserves the right to make necessary changes in the information contained in this Online Student Handbook which supersedes all previous student handbooks and is the official copy for the institution. This Student Handbook, prepared by the Student Services Office with input from appropriate College personnel, was updated in May of 2018.

## PURPOSE

The purpose of the Student Handbook is to provide information about the policies and procedures that concern students of HutchCC. Policies concerning class participation (attendance), scholastic probation, continuance in the College, and other related matters are found in the official College catalog.

Any student who registers at HutchCC automatically accepts the obligation to comply with the regulations and standards of conduct set forth by the College. Therefore, it is to your advantage to familiarize yourself with policies and regulations which are listed in the Student Handbook, as well as those listed in the College catalog.

Programs and statements included in this publication are subject to continuous review and evaluation. Hutchinson Community College reserves the right to make changes at any time without further notice to students. The official copy of the HutchCC Student Handbook can be located on the HutchCC website at [www.hutchcc.edu](http://www.hutchcc.edu). The online version of the Student Handbook is the official handbook and is updated annually and as deemed appropriate by the President of the college when college policies or procedures change during the academic year.

# Student Handbook Statement of Compliance

## STATEMENT OF COMPLIANCE

Hutchinson Community College (“the College”) affirms its commitment to promote the goals of fairness and equity in all aspects of the educational enterprise. All policies are subject to resolution using the College’s Equity Grievance process, as detailed below. The Equity Grievance Process is applicable regardless of the status of the parties involved, who may be members or non-members of the campus community, students, student organizations, faculty, administrators, and/or staff. The College reserves the right to act on incidents occurring on-campus or off-campus when the off-campus conduct could have an on-campus impact or impact on the educational mission of the College.

The Coordinator of Equity & Compliance serves as the Title IX/Equity/Affirmative Action Coordinator and ADA/504 Coordinator and oversees implementation of the College’s Affirmative Action and Equal Opportunity Plan, disability compliance, and the College’s policy on equal opportunity, harassment, and nondiscrimination. Reports of discrimination, harassment, and/or retaliation should be made to the Coordinator of Equity & Compliance (or deputy/deputies) promptly, but there is no time limitation on the filing of grievances as long as the accused individual remains subject to the College’s jurisdiction. All reports are acted upon promptly while every effort is made by the College to preserve the privacy of reports. Anonymous reports may also be filed online, if such mechanisms are available, by using the designated reporting form. Reporting is addressed more specifically in Section VIII below. Reports of discrimination by the Coordinator of Equity & Compliance should be reported to the College President.

This policy applies to behaviors that take place on the campus, at college-sponsored events, and may also apply off-campus and to actions online when the Coordinator of Equity & Compliance determines that the off-campus conduct affects a substantial College interest. A substantial College interest is defined to include the following:

- Any action that constitutes criminal offense as defined by federal or Kansas state law. This includes, but is not limited to, single or repeat violations of any local, state, or federal law committed in the municipality where the College is located;
- Any situation where it appears that the accused individual may present a danger or threat to the health or safety of self or others;
- 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 interests of the College.
- Any online postings or other electronic communication by students, including cyber-bullying, cyber-stalking, cyber-harassment, etc. occurring completely outside of the College’s control (e.g., not on College networks, websites, or between College email accounts) will only be subject to this policy when those online behaviors can be shown to cause a substantial on-campus disruption. Otherwise, such communications are considered speech protected by the 1st Amendment.

Off-campus discriminatory or harassing speech by employees may be regulated by the College only when such speech is made in an employee’s official or work-related capacity. Inquiries about this policy and procedure may be internally to:

Jacob Gunden

Coordinator of Equity and Compliance

# Possession of Weapons

To the extent allowed by law and except as otherwise provided herein, all College properties and facilities shall be weapons-free. Each entrance to each building and facility owned or operated by the College shall be posted in accordance with K.S.A. 2007 Supp. 75-7c10, 75-7c11, K.A.R. 16-11-7, K.S.A. 21-4218 and K.A.R. 1-49-11, and amendments thereto.

Additional signs may be posted as appropriate. Notice of this policy shall also be included in the College employee and student handbooks, student housing contracts and the College administrative policies and procedures.

Nothing in this Policy shall be construed to prohibit possession of weapons on property and facilities owned or operated by the College (1) as necessary for the conduct of Board approved academic programs or College approved activities or practices, or (2) by College security officers while acting within the scope of their employment or (3) by employees of the college who are also commissioned law enforcement officers.

For the purpose of this policy, the term "weapon" means:

1. any object or device which will, is designed to, or may be readily converted to expel bullet, shot or shell by the action of an explosive or other propellant;
2. any handgun, pistol, revolver, rifle, shotgun or other firearm of any nature, including concealed weapons licensed pursuant to the Personal and Family Protection Act, and amendments thereto;
3. any BB gun, pellet gun, air/C'O2 gun, stun gun or blow gun;
4. any explosive, incendiary or poison gas (A) bomb, (B) mine, (C)grenade, (D)rocket having a propellant charge of more than four ounces, or (E) missile having an explosive or incendiary charge of more than ¼ ounce;
5. any incendiary or explosive material, liquid, solid or mixture equipped with a fuse, wick or other detonating device;
6. any tear gas bomb or smoke bomb; however, personal self-defense items containing mace or pepper spray shall not be deemed to be a weapon for the purposes of this policy;
7. any knife, commonly referred to as a switch-blade, which has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife, or any knife having a blade that opens or falls or is ejected into position by the force of gravity or by an outward, downward or centrifugal thrust or movement,
8. any straight-blade knife of four inches or more such as a dagger, dirk, knife or stiletto; except that an ordinary pocket knife or culinary knife designed for and used solely in the preparation or service of food shall not be construed to be a weapon for the purposes of this policy;
9. any martial arts weapon such as nunchucks or throwing stars; or
10. any longbow, crossbow and arrows or other projectile that could cause serious harm to any person.

# Concealed Carry

**POLICY PURPOSE:** The purpose of this policy is to describe how concealed handguns may be carried on the campus of Hutchinson Community College (the "College") in accordance with Kansas law, specifically the personal and family protection act, K.S.A 75-7c01 et seq., as amended (the "Act")

**APPLIES TO: Everyone on Campus**

**DEFINITIONS: Concealed Carry Defined.** Individuals who carry a handgun on or in any building located on the grounds of the College and any building leased by the College must carry it concealed at all times. Individuals who choose to carry a concealed handgun are responsible for doing so in strict compliance with the Act, other applicable Kansas laws and regulations and with the College policies.

With respect to this policy, a concealed handgun shall remain at all times within the person's exclusive control except when used for personal or family protection in accordance with applicable law.

**Geographic Applicability.** This policy is applicable only within the geographic limits of the campus of the College and within locations owned or leased by the College that are not part of the College campus, provided that such locations are located within the State of Kansas. The owners of facilities leased or used on a temporary basis by the College and who may lawfully exclude or permit firearms at their premises (concealed or otherwise) may choose at their sole discretion to exclude or permit concealed firearms from their property, notwithstanding use by the College.

**Campus Gun Free Locations with Adequate Security Measures.** Each location within the geographic applicability of this policy designated as gun free with "adequate security measures," as defined by Kansas law, will be identified with appropriate signs in accordance with Kansas law. There are no College locations that currently are designated as gun free with permanent adequate security measures. The College may from time to time designate a specific location as gun free and use adequate security measures as defined and required by law. Appropriate notice will be given of any such designation.

**Prohibitions.** Open carry of firearms by any means is prohibited. The carrying of any rifle, shotgun, or other long gun by any means is prohibited. The carrying of any firearm, concealed or otherwise, is prohibited in any location or under any circumstances prohibited by the applicable federal or state law.

**Restrictions to the Carrying of a Concealed Firearm Pursuant to Kansas Law:** Kansas law states that the only type of firearm that an individual can carry while concealed is a handgun. Nothing in this policy is intended to replace municipal, state or federal law regarding weapons, firearms, explosives and other hazardous objects or substances or be inconsistent with the rights afforded a lawfully commissioned peace officer. Restrictions applicable to concealed carrying of a handgun under Kansas law include but are not limited to the following:

- An individual in possession of a concealed handgun must be at least 21 years of age [K.S.A. 21-6302(a)(4)];
- A firearm cannot be carried by an individual under the influence of alcohol or drugs, or both, to such a degree as to render the individual incapable of safely operating the firearm [K.S.A. 21-6332];
- A firearm cannot be carried by an individual who is both addicted to and an unlawful user of a controlled substance [K.S.A. 21-6301(a)(10)];
- A firearm cannot be carried by an individual who is or has been a mentally ill person subject to involuntary commitment [K.S.A. 21-6301(a)(13)];
- A firearm cannot be carried by an individual with an alcohol or substance abuse problem subject to involuntary commitment [K.S.A. 21-6301(a)(13)];
- A firearm cannot be carried by an individual who has been convicted of a felony crime [K.S.A. 21-6304];
- An automatic firearm cannot be carried [K.S.A. 21-6301(a)(5)];
- A cartridge which can be fired by a handgun and which has a plastic-coated bullet with a core of less than 60% lead by weight is illegal [K.S.A. 21-6301(a)(6)];
- Suppressors and silencers cannot be used with a firearm [K.S.A. 21-6301(a)(4)]; and,
- Firearms cannot be fired in the corporate limits of a city or at a dwelling, or at a structure or vehicle in which people are present, except in self-defense [K.S.A. 21-6308, 6308a].

**Violations of any of such restrictions may constitute a criminal offense under applicable Kansas law. Persons who violate any provision of this policy or applicable Kansas law shall be subject to the disciplinary actions in accordance with the policies and procedures of the College. Violations also may be reported to appropriate law enforcement agencies.**

# Health Insurance Portability and Accountability Act (HIPAA)

Hutchinson Community College is committed to protecting the privacy and confidentiality of health information for the campus community including students, faculty, and staff. Federal law gives individuals rights over their health information and sets rules and limits regarding who can look at and receive health information. This applies to all forms of individuals' protected health information, whether electronic, written, or oral. Health information should not be disclosed or confirmed to anyone without prior written consent from the student or employee. Failure to adhere to state and federal law or Hutchinson Community College policies and procedures will result in disciplinary and or legal action.

Hutchinson Community College may use and disclose medical information without prior written consent for treatment and to support the college's health care operations. Examples of this may include sending medical information to specialists or using patient data to improve treatment methods. The college may also release information to the sports information staff and members of the media regarding athletic participation.

Students or employees may inspect and review their health records upon request. Request to inspect health records should be directed to the record custodian or an appropriate college staff person to make arrangements for access as promptly as possible. Access to the record may be granted immediately if the student can verify his or her identity using acceptable identification (student i.d., driver's license). If it is not possible to view the record immediately, the student should submit a written request to the record custodian or appropriate college staff person. Access must be given within 30 days from the receipt of the request

Students or employees may inspect and review their health records upon request. Request to inspect health records should be directed to the record custodian or an appropriate college staff person to make arrangements for access as promptly as possible. Access to the record may be granted immediately if the student can verify his or her identity using acceptable identification (student i.d., driver's license). If it is not possible to view the record immediately, the student should submit a written request to the record custodian or appropriate college staff person. Access must be given within 30 days from the receipt of the request.

If students or employees believe their HIPAA-rights have been violated, they may file a complaint with the Office for Civil Rights (OCR). Health Information Privacy complaints can be filed electronically by visiting: [Health Information Privacy Complaint Form Package - PDF](#).

## **Medical Record Custodians:**

Accessibility Services

Athletics

Child Care Center

Director of Financial Aid

Director of Residence Life

Food Service

Hutchinson Area Student Health Services (HASHS)

Human Resources

Registrar

Selective Admissions Program

Student Success Center

# Family Educational Rights and Privacy Act

## Definitions

For the purpose of this policy, Hutchinson Community College has used the following definitions of terms:

**College** - In all subsequent instances, Hutchinson Community College and Area Vocational School is referred to as Hutchinson Community College or HutchCC

**Student** - any person who attends or has attended HutchCC.

**Education Records** - any record (in handwriting, print, tapes, film or other medium) maintained by HutchCC or an agent of the college which is directly related to a student, except the following:

1. A personal record kept by a staff member, if it is kept in the sole possession of the maker of the record and is not accessible or revealed to any other person except a temporary substitute for the maker of the record.
2. An employment record of an individual whose employment is not contingent on the fact that he or she is a student, provided the record is used only in relation to the individual's employment.
3. A record maintained by HutchCC, if the record is maintained solely for law enforcement purposes and is revealed only to law enforcement agencies of the same jurisdiction, and the unit does not have access to education records maintained by the college.
4. Records maintained by the Student Health Clinic, if the records are used only for treatment of a student and made available only to those persons providing the treatment.
5. Alumni records which contain information about a student after he or she is no longer in attendance at the college and which do not relate to the person as a student.

## Annual Notification

Students will be notified of their rights under the Family Educational Rights and Privacy Act annually by publication in the college catalog.

## Procedure to Inspect Education Records

Students may inspect and review their education records upon request to the appropriate record custodian. Students should request of the record custodian or an appropriate college staff person to make arrangements for access as promptly as possible for inspection of the records. Access to the record may be granted immediately if the student can verify his or her identity using acceptable identification (student i.d., driver's license). If it is not possible to view the record immediately, the student should submit to the record custodian or appropriate college staff person a written request which identifies as precisely as possible the record or records he or she wishes to inspect. Access must be given in 30 days or less from the receipt of the request.

## Right of the College to Refuse Access

HutchCC reserves the right to refuse to permit a student to inspect the following records:

1. The financial statement of the student's parents.
2. Those records which are excluded from the Family Educational Rights and Privacy Act definition of education records.

## Refusal to Provide Copies

HutchCC reserves the right to deny transcripts or copies of records not required to be made available by the Family Educational Rights and Privacy Act in any of the following situations:

1. The student has an unpaid financial obligation to the college.
2. The student has not submitted paperwork required by the institution to complete his or her educational file.

## Fees for Copies of Records

The fee for copies of the student's educational records, excluding HutchCC transcripts, will be \$.75 per page.

## Disclosure of Educational Records

HutchCC will disclose information from a student's education records only with the written consent of the student, except the following:

1. To officials of another institution in which the student seeks or intends to enroll.
2. To school officials who have a legitimate educational interest in the records.

### **A school official is one of the following:**

- a. A person employed by the college in an administrative, supervisory, academic, research or support staff position.
- b. A person elected to the Board of Trustees.
- c. A person employed by or under contract to the college to perform a special task, such as an attorney or an auditor.

### **A school official has a legitimate educational interest if the official is doing one of the following:**

- a. Performing a task that is specified in his or her position description or by a contract agreement.
- b. Performing a task related to a student's education.
- c. Performing a task related to the discipline of a student.

3. To certain officials of the U.S. Department of Education, the Comptroller General and state and local educational authorities in connection with certain state or federally supported educational programs.
4. In connection with a student's financial aid, as necessary to determine the eligibility, amount or conditions of the financial aid or to enforce the terms and conditions of the aid.
5. If required by a state law requiring disclosure that was adopted before Nov. 19, 1974.
6. To organizations conducting certain studies for or on behalf of the college.
7. To accrediting organizations to carry out their functions.
8. To parents of an eligible student who claim the student as a dependent for income tax purposes.
9. To comply with a judicial order or a lawfully issued subpoena.
10. To appropriate parties in a health or safety emergency.
11. To an alleged victim of any crime of violence or the results of any institutional disciplinary proceeding against the alleged perpetrator of that crime with respect to that crime.
12. Hutchinson Community College will disclose grade and attendance information of secondary school students concurrently enrolled in both the secondary school and HutchCC, who have been given permission from their secondary school to attend Hutchinson Community College.

#### Record of Requests for Disclosure

HutchCC will maintain a record of requests for information from a student's education records for a period of six months for the following:

1. Requests made by or disclosure was made to a party with written consent. Only the following requests and/or disclosures will become a permanent part of the student's education record:
2. Disclosure to the parent (either custodial or non-custodial) of an eligible student.
3. Disclosure in response to a lawfully issued court order or subpoena.
4. Disclosure for external research where individual students have been identified.
5. Disclosure in response to an emergency.

#### Directory Information

HutchCC has designated the following items as Directory Information:

1. Student name.
2. Date and place of birth.
3. Major (curriculum of study).
4. Participation in official school activities.
5. Dates of attendance.
6. Degrees and awards received.
7. Class schedule.
8. Previous educational institutions attended.
9. Legal and local address mailing
10. Photographs taken by the college.
11. Hometown and high school
12. Height and weight of athletes.
13. HutchCC E-mail Address

The college may disclose any of the above items without prior written consent, unless the student has submitted a written request to the college's Privacy Officer asking to have directory information withheld.

#### Correction of Education Records

Students have the right to ask to have records corrected that they believe are inaccurate, misleading or in violation of their privacy rights. Following are the procedures for the correction of records:

1. A student must ask the registrar to amend a record. In doing so, the student should identify the part of the records he or she wants changed and specify why he or she believes it is inaccurate, misleading or in violation of his or her privacy rights.
2. HutchCC may comply with the request, or it may decide not to comply. If it decides not to comply, HutchCC will notify the student of the decision and advise him or her of his or her right to a hearing to challenge the information believed to be inaccurate, misleading or in violation of the student's rights.
3. Upon request, HutchCC will arrange for a hearing and notify the student of the date, place and time of the hearing.
4. The hearing will be conducted by a hearing officer who is a disinterested party; however, the hearing officer may be an official of the institution. The student will be afforded a full and fair opportunity to present evidence relative to the issues raised in the original request to amend the student's education records. The student may be assisted by one or more individuals, including an attorney.
5. HutchCC will prepare a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reason for the decision.
6. If HutchCC decides that the challenged information is accurate, is not misleading or is not in violation of the student's right of privacy, it will notify the student that he or she has a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision.

7. The statement will be maintained as part of the student's education records as long as the contest portion is maintained. If HutchCC discloses the contested portion of the record, it must also disclose the statement.

8. If HutchCC decides that the information is inaccurate, misleading or in violation of the student's right of privacy, it will amend the record and notify the student in writing.

## Filing a Complaint

A student may file a written complaint with the Department of Education regarding an alleged violation under the Family Educational Rights and Privacy Act at the following address:

*Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington D.C. 20202-4605*

## Types, Custodians, and Locations of Educational Records

### **Admission Records**

- Director of Admissions Office
- Parker Student Union - First Floor

### **Cumulative Academic Records** (Current students and students who withdrew or graduated after 1986)

Registrar

- Registrar's Office
- Parker Student Union - First Floor and Lower Level

### **Cumulative Academic Records** (Former students who withdrew or graduated prior to 1986)

Registrar

- College Archives
- Parker Student Union - Lower Level

### **Financial Records**

Vice President of Finance

- Business Office
- Parker Student Union - First Floor

### **Placement Records**

Director of Personnel

- Personnel Office
- Parker Student Union - First Floor

### **Progress Records**

Instructor

- Faculty Offices

# Privacy Policy

## I. Commitment to Privacy

Hutchinson Community College (“HutchCC” and/or the “College”) is committed to safeguarding all Private Information entrusted to the College by the public and members of the HutchCC community. This notice describes the College’s general privacy policy as it relates to the collection, protection, and disclosure of such information. (Note: see the “Definitions” section below for the definition of “Private Information.”)

## II. Purpose

To set forth requirements regarding information entrusted to the College by the public and members of the HutchCC community.

## III. Scope & Application

This Privacy Policy describes College practices in connection with information HutchCC may collect through the use of the [College website](#) (“Site”). By accessing this site, visitors consent to the collection and use of the information described in this Privacy Policy. If you are a HutchCC consumer, please read about our policy and practices relating to information the College collects in providing services to you.

## IV. Definitions

**Private Information:** includes all information protected by state and/or federal law or that the College is contractually obligated to protect. Private Information also includes information designated by the College as private (confidential or sensitive) through the creation of standards, procedures, and guidelines. Access to these data must be tightly monitored.

Examples of Private Information include, but are not limited to the following:

- Nondirectory student records as defined by the *Family Educational Rights and Privacy Act* (FERPA) and the College [Family Educational Rights and Privacy Act Policy](#) (Policy 1043)
- Financial aid and scholarship records
- Any identifying information of an individual
- Personal information utilized to verify identify, including but not limited to Social Security numbers (SSN) and HutchCC identification numbers (HutchCC ID)
- Passwords and PINS
- Digital signatures
- Individually identifiable health information protected by state or federal law (including but not limited to “protected health information” as defined by the *Health Insurance Portability and Accountability Act* (HIPAA))
- Individually identifying information created and collected by research projects
- Credit card numbers and financial transactions covered by the Payment Card Industry (PCI) Standard
- Information resources with access to confidential or sensitive data
- Information covered by nondisclosure agreements
- Any information relating to an identified or identifiable person, or personal data, as defined by the European Union’s *General Data Protection Regulation* (GDPR).

## V. Collection of Private Information

HutchCC will only collect Private Information, such as your name, address, or telephone number, if you provide it to the College voluntarily. Private Information collected on our Site is stored and processed in the United States.

In addition, the College automatically collects certain information regarding visitors to our Site, including information about your equipment, browsing actions, and usage patterns. HutchCC uses this information solely for internal purposes, such as to improve our Site.

The technologies the College uses for this automatic data collection include cookies. A cookie is a small file, placed on the hard drive of your computer, containing an identifier (a string of letters and numbers) that is sent by a web server to your web browser. The information the College automatically collects is statistical data and does not include Private Information. However, Private Information that the College stores about you may be linked to the information stored in and obtained from cookies.

You have the ability to delete cookie files from your hard drive at any time or avoid cookies by configuring your browser to reject them or to notify you when a cookie is being placed on your hard drive.

Cookies may be either “persistent” cookies or “session” cookies: a persistent cookie will be stored by a web browser and will remain valid until its set expiry date, unless deleted by the user before the expiry date; a session cookie, on the other hand, will expire at the end of the user session, when the web browser is closed.

The College may use cookies for the following purposes:

- **Authentication:** to identify you when you visit our Site and as you navigate our Site
- **Security:** to protect user accounts, including preventing fraudulent use of login credentials, and to protect our Site and services generally
- **Advertising:** to help HutchCC display advertisements that will be relevant to you, including remarketing
- **Analysis:** to analyze the use and performance of our Site and services

The College, through third party vendors, occasionally uses third-party cookies together to inform, optimize, and serve advertisements based on your past visits to our Site. The techniques HutchCC’s third-party vendors employ do not collect any Private Information.

You can visit the [Digital Advertising Alliance](#) to identify and opt out of cookie-based targeted advertising. Alternatively, you can opt out of third-party cookies by visiting the [Network Advertising Initiative opt-out website](#).

In addition, your browser or device may offer settings that allow you to choose whether browser cookies are set and to delete them. For more information about these controls, visit your browser or device's help resources.

The College uses Google Analytics. The information gathered by Google Analytics cookies relating to our Site is used to create reports about the use of our Site. [Google's privacy policy](#) is available online.

The College uses Google AdWords. The information gathered by Google AdWords cookies is used to serve you with relevant advertising based on your interests, as determined by your use of our Site and other websites across the web. You can opt out of Google's use of cookies by visiting [Google's Ads Settings](#).

The College uses social media based Advertising (e.g. Facebook, Twitter, Instagram, etc.). The information gathered by social media cookies is used to serve you with relevant advertising based on your interests and use of our Site. You can opt out of seeing online internet-based ads from social media and other participating companies through the [Digital Advertising Alliance](#) in the United States, the [Digital Advertising Alliance of Canada](#) in Canada, or the [European Interactive Digital Advertising Alliance](#) in Europe.

The College occasionally hires other companies to provide services on its behalf; for example, to process event registrations. HutchCC will provide these companies only with the information they need to deliver services, and they are contractually prohibited from using that information for any other purpose.

At any time, while accessing our Site, any visitor may decline participation in any activity that would require providing information (e.g. such as survey email or e-commerce). Your decision not to participate will not affect your ability to use any other feature on our Site.

The College offers you opportunities to engage in blogs, forums, and social media accounts, as well as similar functions within its restricted DragonZone platform, that are designed to be visible to other users, including comments and postings. You should be aware that any private information you choose to submit via those methods can be read, collected, and used by other participants and could be used to send you unsolicited messages. HutchCC is not responsible for the private information you choose to submit when you engage in such activities.

The College does not knowingly collect any information from children under age 13 ("children") nor does it provide any Private Information collected from children, regardless of its source, to any third-party for any purpose whatsoever. No information collected from children is used for any marketing or promotional purposes, either inside or outside HutchCC. If the College learns that it has collected or received private information from a child without verification of parental consent, it will delete that information.

#### VI. Appropriate Use of Private Information

Private Information may be collected in a variety of ways, paper or electronic, including but not limited to, websites, surveys, email, information requests, databases, etc., as required to support official College activities.

Private Information collected, regardless of the method of collection or format, may be used only to carry out the authorized business of the College. The College shall make reasonable efforts to limit the Private Information it collects to only that information strictly relevant to accomplish a clearly defined institutional purpose.

Every division of the College is responsible for maintaining the necessary confidentiality, integrity, and availability of the Private Information it handles and for disclosing such information only with recipients officially authorized by the College. Every division is responsible for granting to assigned individuals within the division the reasonable, minimum access to Private Information needed to accomplish the necessary institutional purposes. All College employees are required to abide by state and federal laws and College policies, procedures and guidelines regarding the protection and handling of Private Information.

#### VII. Disclosure of Private Information

Private Information may be disclosed to external recipients only to the extent that is permitted or required by law and as authorized by the College. Disclosure must comply with applicable requirements regarding consent or authorization for disclosure. Additional College policies, procedures, and guidelines may also apply to specific types of information.

#### VIII. Security & Protection of Private Information

The College has implemented a number of security features to help prevent the unauthorized release of or access to personal information. Although HutchCC has endeavored to create a secure and reliable environment, the confidentiality of any communication or material transmitted to or from HutchCC cannot be guaranteed.

#### IX. External Websites

Some hyperlinks and banner advertisement may link to third-party websites. You should be aware that these third-party websites are not controlled by HutchCC and are not subject to this Privacy Policy. You should check the privacy policies of the third-party websites to learn how your Private Information will be collected and used.

#### X. User Rights

You have a number of rights under the GDPR. These include the rights of access, to be informed, to rectification, to erasure of private data ("to be forgotten"), to restrict processing, to data portability, to object, and rights in relation to automated decision making and profiling. You also have the right to withdraw consent to the use of your private data.

You may exercise these rights by contacting the HutchCC Privacy Officer.

#### XI. Changes to Policy

The College reserves the right to change this policy at any time by notifying visitors of the existence and location of the new or revised policy. Your continued use of this Site, following the posting of changes to these terms, will acknowledge your acceptance of such changes.

# Non-Discrimination of Individuals with Disabilities Policy

## I. POLICY STATEMENT

The Administration, Faculty and Staff of Hutchinson Community College (HutchCC) are committed to providing equal education, employment opportunity and full participation for its students and employees with disabilities.

HutchCC recognizes its responsibility to provide equal access to opportunity for persons with disabilities under Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990. It is HutchCC's policy that "no otherwise qualified" person with a disability be excluded from participating in any HutchCC program or activity, be denied the benefits of any HutchCC program or activity, or otherwise be subjected to discrimination with regard to any HutchCC program or activity.

Prospective and current students with disabilities requesting accommodations must do so by contacting the Coordinator of Accessibility Services at 620-665-3554, or by emailing [AccessibilityServices@hutchcc.edu](mailto:AccessibilityServices@hutchcc.edu).

Prospective and current employees with disabilities requesting accommodations must do so by contacting the Director of Human Resources at 620-665-3497, or by emailing [hinfo@hutchcc.edu](mailto:hinfo@hutchcc.edu).

Patrons with disabilities attending HutchCC sponsored functions requesting accommodations must contact the President's Office at 620-665-3505, 10 days prior to the event.

## II. DEFINITIONS

1. **Disability** means, with respect to an individual:

- a. a physical or mental impairment that substantially limits one or more of the person's major life activities;
- b. a history of such an impairment; or
- c. being regarded as having such an impairment

2. **Qualified Individual with a Disability** is someone who (with or without accommodations) meets the essential eligibility requirements for participating in programs, services, and activities provided by the college.

3. **Accommodations** means adjustments including reasonable modifications to rules, policies, or practices; environmental adjustments such as the removal of architectural, communication, or transportation barriers; or auxiliary aids and services. Examples of accommodations include, but are not limited to: alternative testing, extended time, scribe, sign language interpreting, reduced distraction environment, brailled material, taped lectures, and computer-assisted instruction.

4. **Essential Eligibility Requirement** means the academic or other technical standards required for admission to or participation in the college's programs, services, or activities which an individual must be able to meet with or without accommodation.

5. **Individual** means any person applying for admission to or participation in a program, service or activity of the college.

## III. RESPONSIBILITIES

### 1. Hutchinson Community College Administration:

- a. shall designate a person or office to coordinate its efforts to comply with and fulfill its responsibilities under Title II of the ADA and Section 504 and to investigate any complaints alleging the institution's non compliance with Title II of the ADA and Section 504.
- b. shall maintain and require, academic and technical standards in their individual programs.
- c. shall designate a person or persons to coordinate student requests for accommodations, assess provided documentation, determine appropriate accommodations and assist students with notification of accommodations to their instructors.
- d. shall provide students, faculty and staff with information regarding disabilities, accommodations, and assistive technology.
- e. shall provide a student an opportunity to appeal decisions made by the Office of Accessibility Services if the individual feels that he/she has been denied equal access to an HutchCC program or activity because of a disability.
- f. shall make available information regarding policies and procedures to students with disabilities.

### 2. The Office of Accessibility Services

- a. shall serve as a clearing house for all Accessibility Services requests and documentation and maintain appropriate confidentiality of documentation and communication concerning students with disabilities.
- b. shall develop appropriate accommodations that will provide a student with disabilities **equal access** to the campus, courses, programs and all college related activities.
- c. shall assist students with transition from high school to college.
- d. shall assist faculty who are providing accommodations.
- e. shall use the student interview, Request for Accommodations form, documentation and course requirements to make appropriate accommodation determinations.

### 3. The Student

- a. shall be responsible for self-identifying to the Office of Accessibility Services.
- b. shall turn in an Application for Accessibility Services.
- c. shall provide appropriate documentation to support the need for accommodations.
- d. shall meet with the Office of Accessibility Services either in person, on-line or on the phone **each semester** to set up accommodations.
- e. shall communicate with his/her instructor(s) regarding his/her disability and the accommodations needed to provide equal access to the course.
- f. shall return a signed copy of the Letter of Accommodation to the Office of Accessibility Services.

#### **4. The Faculty**

- a. shall provide classroom approved accommodations for students with disabilities with support from the Office of Accessibility Services.
- b. shall supply required tests, handouts, notes to the Office of Accessibility Services so they can be formatted for student use.

#### **5. The Employee**

- a. shall self-identify to the Human Resources Office.
- b. shall provide documentation as requested by the Human Resources Office.

#### **6. The Human Resources Office**

- a. shall provide reasonable accommodations as warranted.
- b. shall evaluate all requests individually.

# Equal Opportunity, Harassment, and Nondiscrimination Policy and Procedures

Hutchinson Community College

*Equal Opportunity, Harassment, and Nondiscrimination Policy & Procedures* [\[1\]](#)

Overview:

Hutchinson Community College (“the College”) affirms its commitment to promote the goals of fairness and equity in all aspects of the educational enterprise. All policies are subject to resolution using the College’s Equity Grievance Process, as detailed below. The Equity Grievance Process is applicable regardless of the status of the parties involved, who may be members or non-members of the campus community, students, student organizations, faculty, administrators, and/or staff. The College reserves the right to act on incidents occurring on-campus or off-campus when the off-campus conduct could have an on-campus impact or impact on the educational mission of the College.

The Coordinator of Equity & Compliance serves as the Title IX/Equity/Affirmative Action Coordinator and ADA/504 Coordinator and oversees implementation of the College’s Affirmative Action and Equal Opportunity Plan, disability compliance, and the College’s policy on equal opportunity, harassment, and nondiscrimination. Reports of discrimination, harassment, and/or retaliation should be made to the Coordinator of Equity & Compliance (or deputy/deputies) promptly, but there is no time limitation on the filing of grievances as long as the accused individual remains subject to the College’s jurisdiction. All reports are acted upon promptly while every effort is made by the College to preserve the privacy of reports. Anonymous reports may also be filed online, if such mechanisms are available, by using the designated reporting form. Reporting is addressed more specifically in Section VIII below. Reports of discrimination by the Coordinator of Equity & Compliance should be reported to the College President.

This policy applies to behaviors that take place on the campus, at college-sponsored events, and may also apply off-campus and to actions online when the Coordinator of Equity & Compliance determines that the off-campus conduct affects a substantial College interest. A substantial College interest is defined to include the following:

- Any action that constitutes criminal offense as defined by federal or Kansas state law. This includes, but is not limited to, single or repeat violations of any local, state, or federal law committed in the municipality where the College is located;
- Any situation where it appears that the accused individual may present a danger or threat to the health or safety of self or others;
- 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 interests of the College.
- Any online postings or other electronic communication by students, including cyber-bullying, cyber-stalking, cyber-harassment, etc. occurring completely outside of the College’s control (e.g., not on College networks, websites, or between College email accounts) will only be subject to this policy when those online behaviors can be shown to cause a substantial on-campus disruption. Otherwise, such communications are considered speech protected by the 1st Amendment.

Off-campus discriminatory or harassing speech by employees may be regulated by the College only when such speech is made in an employee’s official or work-related capacity.

Inquiries about this policy and procedure may be made internally to

Jacob Gunden  
Coordinator of Equity & Compliance  
Parker Student Union  
Hutchinson, KS 67501  
Phone: (620) 665-3512  
Email: [gundenj@hutchcc.edu](mailto:gundenj@hutchcc.edu)

Inquiries may be made externally to [\[2\]](#)

Office for Civil Rights (OCR) U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-1100  
Phone (Customer Service Hotline): (800) 421-3481  
Fax: (202) 453-6012  
TDD#: (877) 521-2172  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)  
Web: <http://www.ed.gov/ocr>

Office for Civil Rights (OCR) for Region VII  
U.S. Department of Health and Human Services  
601 East 12th Street - Room 353  
Kansas City, MO 64106  
Phone: (800) 368-1019  
Fax: (816) 426-3686  
TDD: (800) 537-7697 Equal Employment Opportunity Commission (EEOC)  
Contact: <http://www.eeoc.gov/contact/>

The Kansas Human Rights Commission (KHRC)

## I. College Policy on Nondiscrimination

Hutchinson Community College adheres to all federal and state civil rights laws banning discrimination in public institutions of higher education. The College will not discriminate against any employee, applicant for employment, student, or applicant for admission on the basis of race, color, ethnic or national origin, sex, sexual orientation, gender identity, marital status, pregnancy, genetic information, religion, age, ancestry, disability, military status, or veteran status (including special disabled veteran, Vietnam-era veteran, or recently separated veteran), domestic victim status, or any other protected category under applicable local, state, or federal law, including protections for those opposing discrimination or participating in any grievance process on campus or within the Equal Employment Opportunity Commission or other human rights agencies.

This policy covers nondiscrimination in employment and in access to educational opportunities. Therefore, any member of the campus community, guest, or visitor who acts to deny, deprive, or limit the educational, employment, residential and/or social access, benefits, and/or opportunities of any member of the campus community on the basis of their actual or perceived membership in the protected classes listed above is in violation of the College policy on nondiscrimination. When brought to the attention of the College, any such discrimination will be appropriately remedied by the College according to the procedures below.

## II. College Policy on Accommodation of Disabilities

Hutchinson Community College is committed to full compliance with the Americans With Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973, which prohibit discrimination against qualified persons with disabilities, as well as other federal and state laws pertaining to individuals with disabilities. Under the ADA and its amendments, a person has a disability if he or she has a physical or mental impairment that substantially limits a major life activity. The ADA also protects individuals who have a record of a substantially limiting impairment or who are regarded as disabled by the institution whether qualified or not. A substantial impairment is one that significantly limits or restricts a major life activity such as hearing, seeing, speaking, breathing, performing manual tasks, walking, caring for oneself, learning, reading, concentrating, or thinking.

The Coordinator of Equity & Compliance, in cooperation with the Coordinator of Accessibility Services and the Director of Human Resources, has been designated as the ADA/504 Coordinator responsible for coordinating efforts to comply with these disability laws, including investigation of any grievance alleging noncompliance.

### A. Students with Disabilities

The College is committed to providing qualified students with disabilities with reasonable accommodations and support needed to ensure equal access to the academic programs and activities of the College.

All accommodations are made on a case-by-case basis. A student requesting any accommodation should first contact the Coordinator of Accessibility Services who coordinates services for students with disabilities. The coordinator reviews documentation provided by the student and, in consultation with the student, determines which accommodations are appropriate to the student's particular needs and academic programs.

### B. Employees with Disabilities

Pursuant to the ADA, the College will provide reasonable accommodation(s) to all qualified employees with known disabilities, where their disability affects the performance of their essential job functions, except where doing so would be unduly disruptive or would result in undue hardship.

An employee with a disability is responsible for requesting an accommodation in writing to the Director of Human Resources and provide appropriate documentation. The Director of Human Resources, in cooperation with the Coordinator of Equity & Compliance, will work with the employee's supervisor to identify which essential functions of the position are affected by the employee's disability and what reasonable accommodations could enable the employee to perform those duties.

## III. College Policy on Discriminatory Harassment

Students, staff, administrators, and faculty are entitled to a working environment and educational environment free of discriminatory harassment. The College's harassment policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane but controversial or sensitive subject matters protected by academic freedom. The sections below describe the specific forms of legally prohibited harassment that are also prohibited under College policy. The sections below describe the specific forms of legally prohibited harassment that are also prohibited under College policy.

### A. Discriminatory and Bias-Related Harassment

Harassment constitutes a form of discrimination that is prohibited by law. The College will remedy all forms of harassment when reported, whether or not the harassment rises to the level of creating a hostile environment. When harassment rises to the level of creating a hostile environment, the College may also impose sanctions on the harasser. [3] The College's harassment policy explicitly prohibits any form of harassment, defined as unwelcome conduct on the basis of actual or perceived membership in a protected class, by any member or group of the community.

A hostile environment may be created by oral, written, graphic, or physical conduct that is sufficiently severe, persistent/pervasive, and objectively offensive that it interferes with, limits, or denies the ability of an individual to participate in or benefit from educational programs or activities or employment access, benefits or opportunities. [4]

Offensive conduct and/or harassment that does not rise to the level of discrimination or that is of a generic nature not on the basis of a protected status may not result in the imposition of discipline under this College policy but will be addressed through civil confrontation, remedial actions, education, effective conflict resolution mechanisms, and/or interventions/sanctions outlined in the College's Standards of Conduct for Students. For assistance with conflict resolution techniques, employees should contact the Director of Human Resources, and students should contact the Vice President of Student Services.

The College condemns and will not tolerate discriminatory harassment against any employee, student, visitor, or guest on the basis of any status protected by college policy or law.

## B. Sexual Harassment

Both the Equal Employment Opportunity Commission and the State of Kansas regard sexual harassment as a form of sex/gender discrimination and, therefore, as an unlawful discriminatory practice. The College has adopted the following definition of sexual harassment, in order to address the special environment of an academic community, which consists not only of employer and employee but also of students as well. [5] Sexual harassment is unwelcome, sexual or gender-based verbal, written, online, and/or physical conduct. [6]

Anyone experiencing sexual harassment in any College program is encouraged to report it immediately to the College's Coordinator of Equity & Compliance.

Sexual harassment creates a hostile environment, and may be disciplined when it is sufficiently severe, persistent/pervasive, and objectively offensive that it

- has the effect of unreasonably interfering with, denying or limiting employment opportunities or the ability to participate in or benefit from the university's educational, social and/or residential program, and is
- based on power differentials (*quid pro quo* [7]), the creation of a hostile environment or retaliation. [8]

## C. Sexual Misconduct

State law defines various violent and/or non-consensual sexual acts as crimes. Additionally, the College has defined categories of sexual misconduct, as stated below, for which action under this policy may be imposed. The College uses the term "sexual misconduct" to address behaviors like rape and sexual assault. The use of this term is not intended to diminish or minimize a victim's experience but is instead a recognition that the College has no authority to determine that a crime occurred. The College does not view sexual misconduct as a lesser form of misconduct than rape or sexual assault. Generally speaking, the College considers Non-Consensual Sexual Intercourse violations to be the most serious and therefore typically imposes the most severe sanctions, including suspension or expulsion for students and termination for employees. However, the College reserves the right to impose any level of sanction, ranging from a reprimand up to and including suspension or expulsion/termination, for any act of sexual misconduct or other gender-based offenses, including intimate partner or relationship (dating and/or domestic) violence, non-consensual sexual contact and stalking based on the facts and circumstances of the particular grievance. Acts of sexual misconduct may be committed by any person upon any other person, regardless of the sex, gender, sexual orientation, and/or gender identity of those involved. Violations include:

1. Sexual Harassment (as defined in section B above)
2. Non-Consensual Sexual Intercourse [9]

Defined as

- any sexual penetration or intercourse (anal, oral, or vaginal)
- however slight
- with any object
- by a person upon another person
- that is without consent and/or by force. [10]

Sexual penetration includes vaginal or anal penetration by a penis, tongue, finger, or object, or oral copulation by mouth to genital contact or genital to mouth contact.

3. Non-Consensual Sexual Contact

Defined as

- any intentional sexual touching
- however slight
- with any object
- by a person upon another person
- that is without consent and/or by force.

Sexual touching includes any bodily contact with the breasts, groin, genitals, mouth, or other bodily orifice of another individual, or any other bodily contact in a sexual manner.

4. Sexual Exploitation

Sexual Exploitation refers to a situation in which a person takes non-consensual or abusive sexual advantage of another, and situations in which the conduct does not fall within the definitions of Sexual Harassment, Non-Consensual Sexual Intercourse or Non-Consensual Sexual Contact. Examples of sexual exploitation include but are not limited to

- Invasion of sexual privacy;
- Sexual voyeurism (such as watching a person undressing, using the bathroom, or engaged in sexual acts without the consent of the person observed);
- Taking pictures or video or audio recording another in a sexual act, or in any other private activity without the consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person's consent);
- Prostitution;
- Prostituting another student or employee;
- Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or other sexually transmitted disease (STD) and without informing the other person of the infection;

- Administering alcohol or drugs (such as “date rape” drugs[11]) to another person without his or her knowledge or consent;
- Exposing one’s genitals in non-consensual circumstances; inducing another to expose their genitals;
- Sexually-based stalking and/or bullying may also be forms of sexual exploitation.

## 5. Consent[12]

Consent is knowing, voluntary, and clear permission by word or action to engage in mutually agreed upon sexual activity. Consent is active, not passive. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to make certain that the other has consented before engaging in the activity. For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Silence—without actions demonstrating permission—cannot be assumed to show consent.

Additionally, there is a difference between seduction and coercion. Coercing someone into sexual activity violates this policy in the same way as physically forcing someone into sex. Coercion happens when someone is pressured unreasonably for sex.

A person cannot consent if he or she is unable to understand what is happening or is disoriented, helpless, asleep, or unconscious for any reason, including due to alcohol or other drugs. An individual who engages in sexual activity when the individual knows, or should know, that the other person is physically or mentally incapacitated has violated this policy.

Because alcohol or other drug use can place the capacity to consent in question, sober sex is less likely to raise such questions. It is not an excuse that the individual responding party of sexual misconduct was intoxicated and, therefore, did not realize the incapacity of the other. Incapacitation is defined as a state where someone cannot make rational, reasonable decisions because s/he lacks the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or how” of her/his sexual interaction). This policy also covers a person whose incapacity results from mental disability, involuntary physical restraint and/or from the taking of incapacitating drugs.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous dating relationship is not sufficient to constitute consent. Likewise, consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred and any similar previous patterns that may be evidenced. Silence or the absence of resistance alone is not consent. A person can withdraw consent at any time during sexual activity by expressing in words or actions that he or she no longer wants the act to continue, and, if that happens, the other person must stop immediately. Under this policy, “No” always means “No,” and “Yes” may not always mean “Yes.” Anything but a clear, knowing, and voluntary consent to any sexual activity is equivalent to a “No.”

In the State of Kansas, a minor (meaning a person under the age of 17 years) cannot consent to sexual activity. This means that sexual contact by an adult with a person younger than 17 years old is a crime, as well as a violation of this policy, even if the minor wanted to engage in the act.

### D. Sexual Misconduct Scenarios:

#### 1. Situation:

Amanda and Bill meet at a party. They spend the evening dancing and getting to know each other. Bill convinces Amanda to come up to his room. From 11:00pm until 3:00am, Bill uses every line he can think of to convince Amanda to have sex with him, but she adamantly refuses. He keeps after her and begins to question her religious convictions, and accuses her of being “a prude.” Finally, it seems to Bill that her resolve is weakening, and he convinces her to give him a “hand job” (hand to genital contact). Amanda would never have done it but for Bill’s incessant advances. He feels he successfully seduced her and that she wanted to do it all along but was playing shy and hard to get. Why else would she have come up to his room alone after the party? If she really didn’t want it, she could have left.

*•Bill is responsible for violating the College’s non-consensual or forced sexual contact policy. It is likely that a College hearing board would find that the degree and duration of the pressure Bill applied to Amanda are unreasonable. Bill coerced Amanda into performing unwanted sexual touching upon him. Where sexual activity is coerced, it is forced. Consent is not effective when forced. Sex without effective consent is sexual misconduct.*

#### 2. Situation:

Mark is a sophomore at the college. Beth is a freshman. Mark comes to Beth’s dorm room with some mutual friends to watch a movie. Mark and Beth, who have never met before, are attracted to each other. After the movie, everyone leaves, and Mark and Beth are alone. They “hit it off” and are soon becoming more intimate. They start to make out. Mark verbally expresses his desire to have sex with Beth. Beth, who was abused by a baby-sitter when she was five and has not had any sexual relations since, is shocked at how quickly things are progressing. As Mark takes her by the wrist over to the bed, lays her down, undresses her, and begins to have intercourse with her, Beth has a severe flashback to her childhood trauma. She wants to tell Mark to stop but cannot. Beth is stiff and unresponsive during the intercourse.

*•Mark would be held responsible in this scenario for non-consensual sexual intercourse. It is the duty of the sexual initiator, Mark, to make sure that he has mutually understandable consent to engage in sex. Though consent need not be verbal, it is the clearest form of consent. Here, Mark had no verbal or non-verbal mutually understandable indication from Beth that she consented to sexual intercourse. Of course, wherever possible, students should attempt to be as clear as possible as to whether or not sexual contact is desired, but students must be aware that for psychological reasons, or because of alcohol or drug use, one’s partner may not be in a positive position to provide as clear an indication as the policy requires. As the policy makes clear, consent must be actively, not passively, given.*

#### 3. Situation:

Kevin and Amy are at a party. Kevin is not sure how much Amy has been drinking, but he is pretty sure it’s a lot. After the party, he walks Amy to her room, and Amy “comes on” to Kevin, initiating sexual activity. Kevin asks her if she is really up to this, and Amy says, “Yes.” Clothes go flying, and they end up in Amy’s bed. Suddenly, Amy runs for the bathroom. When she returns, her face is pale, and Kevin thinks she may have thrown up. Amy gets back into bed, and they begin to have sexual intercourse. Kevin is having a good time, though he can’t help but notice that Amy seems pretty groggy and passive, and he thinks Amy may have even passed out briefly during the sex, but he does not let that stop him. When Kevin runs into Amy the next day, he thanks her for the wild night. Amy remembers nothing and decides to make a complaint.

*•This is a violation of the non-consensual sexual intercourse policy. Kevin should have known that Amy was incapable of making a rational, reasonable*

*decision about sex. Even if Amy seemed to consent, Kevin was well aware that Amy had consumed a large amount of alcohol, and Kevin thought Amy was physically ill and knew that she passed out during sex. Kevin should be held accountable for taking advantage of Amy in her condition. This is not the level of respectful conduct expected of students.*

#### E. Sexual Misconduct—Risk Reduction Tips

Risk reduction tips can often take a victim-blaming tone, even unintentionally. With no intention to victim-blame and with recognition that only those who commit sexual misconduct are responsible for those actions, these suggestions may nevertheless help one reduce their risk experiencing a non-consensual sexual act. Below, suggestions to avoid committing a non-consensual sexual act are also offered:

- If you have limits, make them known as early as possible.
- Tell a sexual aggressor “NO” clearly and firmly.
- Try to remove yourself from the physical presence of a sexual aggressor.
- Find someone nearby and ask for help.
- Take affirmative responsibility for your alcohol intake/drug use and acknowledge that alcohol/drugs lower your sexual inhibitions and may make you vulnerable to someone who views a drunk or high person as a sexual opportunity.
- Take care of your friends and ask that they take care of you. Real friends will challenge you if you are about to make a mistake. Respect them when they do.

If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you to reduce your risk of being accused of sexual misconduct:

- Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.
- Understand and respect personal boundaries.
- DO NOT MAKE ASSUMPTIONS about consent, about someone’s sexual availability, about whether they are attracted to you, about how far you can “go” or about whether they are physically and/or mentally able to consent. If there are any questions or ambiguity, then you DO NOT have consent.
- Mixed messages from your partner are a clear indication that you should stop, defuse any sexual tension, and communicate better. You may be misreading them. S/he may not have figured out how far s/he wants to go with you yet. You must respect the timeline for sexual behaviors with which s/he is comfortable.
- Do not take advantage of someone’s drunkenness or drugged state, even if s/he did it to her/himself.
- Realize that your potential partner could be intimidated by or fearful of you. You may have a power advantage simply because of your gender or size. Do not abuse that power.
- Understand that consent to some form of sexual behavior does not automatically imply consent to any other forms of sexual behavior.
- Silence and passivity cannot be interpreted as an indication of consent. Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language.

#### IV. College Policy Expectations with Respect to Consensual Relationships

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions (such as faculty and student, supervisor and employee, coach and player). These relationships may be less consensual than perceived by the individual whose position confers power. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a romantic or sexual involvement, this past consent may not remove grounds for a later charge of a violation of applicable sections of this policy. The College does not wish to interfere with private choices regarding personal relationships when these relationships do not interfere with the goals and policies of the College. For the personal protection of members of this community, relationships in which power differentials are inherent (faculty-student, staff-student, administrator-student, supervisor-subordinate) are generally discouraged.

Consensual romantic or sexual relationships in which one party maintains a direct supervisory or evaluative role over the other party are unethical. Therefore, persons with direct supervisory or evaluative responsibilities who are involved in such relationships, including supervision in an athletic, academic, or classroom setting, must bring those relationships to the timely attention of their supervisor or department chairperson, and will likely result in the necessity to remove the employee from the supervisory or evaluative responsibilities, or shift a party out of being supervised or evaluated by someone with whom they have established a consensual relationship. This includes RAs and students over whom they have direct responsibility. While no relationships are prohibited by this policy, failure to self-report such relationships to a supervisor as required can result in disciplinary action for an employee.

#### V. Other Civil Rights Offenses, When the Act Is Based Upon the Status of a Protected Class

- Threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person on the basis of her/his actual or perceived membership in a protected class
- Discrimination, defined as actions that deprive other members of the community of educational or employment access, benefits, or opportunities on the basis of their actual or perceived membership in a protected class
- Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another on the basis of actual or perceived membership in a protected class
- Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the College community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity on the basis of actual or perceived membership in a protected class; hazing is also illegal under Kansas State law[\[13\]](#) and prohibited by College policy
- Bullying, defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally on the basis of actual or perceived membership in a protected class
- Violence between those in an intimate relationship to each other on the basis of actual or perceived membership in a protected class (which includes romantic relationships, dating[\[14\]](#), domestic[\[15\]](#), and/or relationship violence)[\[16\]](#)
- Stalking[\[17\]](#), defined as a course of conduct directed at a specific person on the basis of actual or perceived membership in a protected class that is

unwelcome and would cause a reasonable person to feel fear[18]

- Any other College rules, when a violation is motivated by the actual or perceived membership of the victim on the basis of sex or gender or in a protected class, may be pursued using this policy and process.

Sanctions for the above-listed “Other Civil Rights Behaviors” behaviors range from reprimand up through and including expulsion (students) or termination of employment.

## VI. Retaliation

Retaliation is defined as any adverse action taken against a person participating in a protected activity because of their participation in that protected activity. Retaliation against an individual for alleging harassment, for supporting a party bringing a grievance, or for assisting in providing information relevant to a claim of harassment is a serious violation of College policy and will be treated as another possible instance of harassment or discrimination. Acts of alleged retaliation should be reported immediately to the Coordinator of Equity & Compliance and will be promptly investigated. The College is prepared to take appropriate steps to protect individuals who fear that they may be subjected to retaliation.

## VII. Remedial Action

The College will implement initial remedial and responsive and/or protective actions upon notice of alleged harassment, retaliation, and/or discrimination. Such actions could include but are not limited to: no contact orders, providing counseling and/or medial services, academic support, living arrangement adjustments, providing a campus escort, academic or work schedule and assignment accommodations, safety planning, referral to campus and community support resources.

The College will take additional prompt remedial and/or disciplinary action with respect to any member of the community, guest, or visitor who has been found to engage in harassing or discriminatory behavior or retaliation. Procedures for handling reported incidents are fully described below. Deliberately false and/or malicious accusations of harassment, as opposed to grievances which, even if erroneous, are made in good faith, are just as serious an offense as harassment and will be subject to appropriate disciplinary action.

## VIII. Confidentiality and Reporting of Offenses Under This Policy

College officials, depending on their roles at the College, have varying reporting responsibilities and abilities to maintain confidentiality. In order to make informed choices, one should be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, some resources may maintain confidentiality, offering options and advice without any obligation to inform an outside agency or individual unless you have requested information to be shared. Other resources exist for you to report crimes and policy violations and these resources are required to take action when you report victimization to them. Some resources on campus fall in the middle of these two extremes; neither the College, nor the law, requires them to divulge private information that is shared with them, except in rare circumstances but yet must share general, non-identifiable information with designated officials. The following describes the three reporting options at the College:

### A. Privileged & Confidential Reporting

If a reporting party would like the details of an incident to be kept confidential, the reporting party may speak with one of the College’s professional, licensed counselors who provide mental-health counseling to members of the school community (and including those who act in that role under the supervision of a licensed counselor), off-campus local rape and/or domestic violence counselors (<https://www.brighthouseks.org/>) and/or local or state assistance agencies. [19] Such individuals will maintain confidentiality and are not required to report any information about an incident to the College’s Coordinator of Equity & Compliance, or other College officials, without the reporting party’s permission except in extreme cases of immediacy of threat or danger or abuse of a minor. Campus counselors are available to help free of charge and can be seen on an emergency basis during normal business hours. These College employees will submit anonymous statistical information for Clery Act purposes unless they believe it would be harmful to their client. A person bringing a grievance who initially requests confidentiality may later decide to wave such a request in order to file a formal complaint with the College or may choose to report the incident to local law enforcement and thus have the incident fully investigated.

Persons wishing to speak with one of the College’s licensed counselors, should contact the Student Success Center (<http://www.hutchcc.edu/student-success-center/personal-counseling>) or call 620-665-3377 during regular business hours.

### B. Private & Limited Reporting

Those desiring to report misconduct may seek advice from certain resources who are not required to initially tell anyone else your private, personally identifiable information unless there is a pattern of abuse, cause for fear for your safety or the safety of others. These are resources who the College has *not* specifically designated as “responsible employees” [20] for purposes of putting the institution on notice and for whom mandatory reporting is required, other than in the stated limited circumstances. For instance, individuals who work or volunteer in the College’s Student Health Services (HASHS), including the front desk staff and students, can generally talk to a victim without revealing any personally identifiable information about an incident to the College. While maintaining a victim’s confidentiality, these individuals or their office should report the nature, date, time, and general location of an incident to the Coordinator of Equity & Compliance. This limited reporting helps keep the College informed of the general extent and nature of sexual misconduct on and off campus and allows the institution to track patterns, evaluate the scope of the problem, and formulate appropriate campus-wide responses. Before reporting any information to the Coordinator of Equity & Compliance, these individuals will consult with the victim to ensure that no personally identifying details are shared.

The employees (or categories of employees) listed below are designated as “responsible employees” under College policy and *are* required to report alleged incidents brought to their attention to the College’s Coordinator of Equity & Compliance. A responsible employee must report all relevant details about the alleged incident shared by the reporting party—including the names of the reporting party, the alleged perpetrator(s) (responding party), any witnesses, and any other relevant information, including the date, time, and specific location of the alleged incident.

If the reporting party wants to tell the responsible employee what happened but also maintain confidentiality, the employee should tell the reporting party that the College will consider the request but that s/he cannot guarantee the College will be able to honor it. Responsible employees will not pressure a reporting party to request confidentiality but will honor and support the reporting party’s wishes, including for the College to fully investigate an incident. By the same token, responsible employees will not pressure a reporting party to make a full report if the reporting party is not ready to do so.

The College recognizes the following faculty, staff, and employee positions as responsible employees for which mandatory reporting, as outlined in the above policy, is mandatory:

- Members of the College Board of Trustees
- President of the College
- Vice Presidents
- Directors (including Executive, Associate, and Assistant)
- Coordinators
- Academic Advisors
- Coaches (including Head, Associate, Assistant, and Volunteer)
- Athletic Trainers
- Department Chairpersons
- Faculty/Instructors (including both full-time, adjunct, and part-time)
- Staff members with a formal supervisory role of either students or staff
- Residence Administrators

If a reporting party is unsure of a College official's duties and ability to maintain privacy and/or confidentiality, ask her/him before discussing the incident of concern with her/him. S/he will be able to explain and help a reporting party to make decisions about who is in the best position to help. All resources, except those specifically exempted from doing so, are instructed to share limited incident reports with their supervisors and/or the College's Coordinator of Equity & Compliance. If personally identifiable information is shared, it will be shared with as few people as possible and all efforts will be made to protect privacy to the greatest possible extent.

### C. Formal Reporting Options

A party bringing a grievance(s) is encouraged to speak to the College's Coordinator of Equity & Compliance or a member of the College's Equity Grievance Panel (see membership list below) to make formal reports of incidents of sexual misconduct. A party bringing a grievance(s) has the right, and can expect, to have grievances taken seriously by the College when formally reported and to have those incidents affords privacy to the reporter, and only a small group of officials who need to know will be told. Information will be shared as necessary with investigators, witnesses and the responding party. The circle of people with this knowledge will be kept as tight as possible to preserve a party bringing a grievance's rights and privacy. Additionally safe and anonymous reports, which do not trigger investigations, can be made by victims and/or third parties using an online reporting form, if such mechanism is available, by using the designated reporting form.

### D. Weighing Requests for Confidentiality in Reports Disclosed to Responsible Employees

If a reporting party discloses an incident to a responsible employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action be taken, the College must weigh that request against the College's obligation to provide a safe, non-discriminatory environment for all individuals, including the reporting party.

If the College honors the request for confidentiality, a reporting party must understand that the College's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited. Although rare, there are times when the College may not be able to honor a reporting party's request in order to provide a safe, non-discriminatory environment for all individuals.

The College has designated the Coordinator of Equity & Compliance to evaluate requests for confidentiality once a responsible employee is on notice of alleged misconduct. When weighing a reporting party's request for confidentiality or that no investigation or disciplinary action be pursued, the Coordinator of Equity & Compliance will consider a range of factors, including the following:

- The increased risk that the alleged perpetrator will commit additional acts of misconduct or other violence, such as
  - whether there have been other misconduct complaints about the same alleged perpetrator;
  - whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence;
  - whether the alleged perpetrator threatened sexual violence or other violence against the reporting party or others;
- Whether the sexual violence was perpetrated with a weapon;
- Whether the reporting party is a minor;
- Whether the College possesses other means to obtain relevant evidence of the sexual misconduct (e.g., security cameras or personnel, physical evidence);
- Whether the reporting party's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors could lead the College to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the College will likely respect the reporting party's request for confidentiality.

If the College determines that it cannot maintain a reporting party's confidentiality, the College will inform the victim prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the College's response.

The College will remain ever mindful of the reporting party's well-being and will take ongoing measures to protect the reporting party from retaliation or harm and work with the reporting party to create a safety plan. Retaliation against the reporting party, whether by students or College employees, will not be tolerated. The College will also

- assist the reporting party in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance both on and off campus;
- provide other security and support, which could include issuing a no-contact order, helping arrange a change of living or working arrangements or course schedules (including for the alleged perpetrator pending the outcome of an investigation) or adjustments for assignments or tests; and
- inform the reporting party of the right to report a crime local law enforcement—and provide the reporting party with assistance if the victim wishes to

do so.

The College may not require a reporting party to participate in any investigation or disciplinary proceeding.

Because the College is under a continuing obligation to address the issue of sexual misconduct campus-wide, reports of sexual misconduct (including non-identifying reports) will also prompt the College to consider broader remedial action—such as increased monitoring, supervision or security at location where the reported sexual misconduct occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments; and/or revisiting its policies and practices.

If the College determines that it can respect a reporting party's request for confidentiality, the College will also take immediate action as necessary to protect and assist the reporting party.

#### IX. Federal Statistical Reporting and Timely Warning Obligations

Certain campus officials have a duty to report sexual assault, domestic violence, dating violence and stalking for federal statistical purposes (Clery Act). All personally identifiable information is kept confidential, but statistical information must be shared with campus law enforcement regarding the type of incident and its general location (on or off-campus, in the surrounding area, but no addresses are given) for publication in the College's Annual Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety. Mandated federal reporters include student/conduct affairs, campus security, local police, coaches, athletic directors, residence life staff, student activities staff, human resource staff, advisors to student organizations, and any other official with significant responsibility for student and campus activities. The information to be shared includes the date, the location of the incident (using Clery location categories) and the Clery crime category. This reporting protects the identity of the victim and may be done anonymously.

Victims of sexual misconduct should be aware that College administrators must issue timely warnings for incidents reported to them that pose a substantial threat of bodily harm or danger to members of the campus community. The College will make every effort to ensure that a victim's name and other identifying information is not disclosed while still providing enough information for community members to make safety decisions in light of the potential danger.

#### X. Frequently Asked Questions Regarding Reporting

The following are some of the most commonly asked questions regarding the College's sexual misconduct policy and procedures.

- *Does information about a complaint remain private?*

The privacy of all parties to a complaint of sexual misconduct must be respected, except insofar as it interferes with the College's obligation to fully investigate allegations of sexual misconduct. Where privacy is not strictly kept, it will still be tightly controlled on a need-to-know basis. Dissemination of information and/or written materials to persons not involved in the complaint procedure is not permitted. Violations of the privacy of the complainant or the accused individual may lead to conduct action by the College.

In all complaints of sexual misconduct, all parties will be informed of the outcome. In some instances, the administration also may choose to make a brief public announcement of the nature of the violation and the action taken, without using the name or identifiable information of the alleged victim. Certain college administrators are informed of the outcome within the bounds of student privacy (e.g., the President of the College, Vice President of Student Services, Campus Security Officer). If there is a report of an act of alleged sexual misconduct to a conduct officer of the College and there is evidence that a felony has occurred, local police will be notified. This does not mean charges will be automatically filed or that a victim must speak with the police, but the institution is legally required to notify law enforcement authorities. The institution also must statistically report the occurrence on campus of major violent crimes, including certain sex offenses, in an annual report of campus crime statistics. This statistical report does not include personally identifiable information.

- *Will my parents be told?*

No, not unless you tell them or unless you are a minor. Whether you are the complainant or the accused individual, the College's primary relationship is to the student and not the parent. However, in the event of major medical, disciplinary, or academic jeopardy, students are encouraged to inform their parents. College officials will directly inform parents when requested to do so by a student, in a life-threatening situation, or if an accused individual has signed the permission form at registration which allows such communication.

- *Will the accused individual know my identity?*

Yes, if you file a formal complaint. Sexual misconduct is a serious offense and the accused individual has the right to know the identity of the complainant/alleged victim. If there is a hearing, the College does provide options for questioning without confrontation, including closed-circuit testimony, Skype, using a room divider or using separate hearing rooms.

- *Do I have to name the perpetrator?*

Yes, if you want formal disciplinary action to be taken against the alleged perpetrator. No, if you choose to respond informally and do not file a formal complaint (but you should consult the reporting policy above to better understand the college's legal obligations depending on what information you share with different college officials). Victims should be aware that not identifying the perpetrator may limit the institution's ability to respond comprehensively.

- *What do I do if I am accused of sexual misconduct?*

DO NOT contact the alleged victim. You may immediately want to contact someone who can act as your advocate (advisor); anyone may serve as your advocate. You may also contact the Student Services Office or the Coordinator of Equity & Compliance, which can explain the college's procedures for addressing sexual misconduct complaints. You may also want to talk to one of the college's confidential counselors or seek other community assistance.

- *Will I (as a victim) have to pay for counseling/or medical care?*

Not typically, if the institution provides these services already. If a victim is accessing community and non-institutional services, payment for these will be subject to state/local laws, insurance requirements, etc. In this state, victims may be ineligible for state-based assistance if they were engaged in any illegal activity during the assault or if they fail to cooperate with criminal prosecution.

- *What about legal advice?*

Victims of criminal sexual assault need not retain a private attorney to pursue prosecution because representation will be handled by the District Attorney's (Prosecutor's) office. You may want to retain an attorney if you are the accused individual or are considering filing a civil action. The accused individual may retain counsel at their own expense if they determine that they need legal advice about criminal prosecution.

- *What about changing residence hall rooms?*

If you want to move, you may request a room change. Room changes under these circumstances are considered emergencies. It is typically institutional policy that in emergency room changes, the student is moved to the first available suitable room. If you want the accused individual to move and believe that you have been the victim of sexual misconduct, you must be willing to pursue a formal or informal college complaint. No contact orders can be imposed and room changes for the accused individual can usually be arranged quickly. Other accommodations available to you might include

- Assistance from college support staff in completing the relocation;
- Arranging to dissolve a housing contract and pro-rating a refund;
- Assistance with or rescheduling an academic assignment (paper, exams, etc.);
- Taking an incomplete in a class;
- Assistance with transferring class sections;
- Temporary withdrawal;
- Assistance with alternative course completion options;
- Other accommodations for safety as necessary.

- *What should I do about preserving evidence of a sexual assault?*

Police are in the best position to secure evidence of a crime. Physical evidence of a criminal sexual assault must be collected from the alleged victim's person within 120 hours, though evidence can often be obtained from towels, sheets, clothes, etc. for much longer periods of time. If you believe you have been a victim of a criminal sexual assault, you should go to the Hospital Emergency Room before washing yourself or your clothing. The Sexual Assault Nurse Examiner (a specifically trained nurse) at the hospital is usually on call 24 hours a day, 7 days a week (call the Emergency Room if you first want to speak to the nurse; ER will refer you). A victim advocate from the institution can also accompany you to the hospital and law enforcement or campus security can provide transportation. If a victim goes to the hospital, local police will be called, but s/he is not obligated to talk to the police or to pursue prosecution. Having the evidence collected in this manner will help to keep all options available to a victim but will not obligate him or her to any course of action. Collecting evidence can assist the authorities in pursuing criminal charges, should the victim decide later to exercise it.

For the Victim: the hospital staff will collect evidence, check for injuries, address pregnancy concerns and address the possibility of exposure to sexually transmitted infections. If you have changed clothing since the assault, bring the clothing you had on at the time of the assault with you to the hospital in a clean sanitary container such as a clean paper grocery bag or wrapped in a clean sheet (plastic containers do not breathe, and may render evidence useless). If you have not changed clothes, bring a change of clothes with you to the hospital if possible, as they will likely keep the clothes you are wearing as evidence. You can take a support person with you to the hospital, and they can accompany you through the exam if you want. Do not disturb the crime scene—leave all sheets, towels, etc. that may bear evidence for the police to collect.

- *Will a victim be sanctioned when reporting a sexual misconduct policy violation if s/he has illegally used drugs or alcohol?*

No. The severity of the infraction will determine the nature of the College's response, but whenever possible the College will respond educationally rather than punitively to the illegal use of drugs and/or alcohol. The seriousness of sexual misconduct is a major concern and the College does not want any of the circumstances (e.g., drug or alcohol use) to inhibit the reporting of sexual misconduct.

- *Will the use of drugs or alcohol affect the outcome of a sexual misconduct complaint?*

The use of alcohol and/or drugs by either party will not diminish the accused individual's responsibility. On the other hand, alcohol and/or drug use is likely to affect the complainant's memory and, therefore, may affect the outcome of the complaint. A person bringing a complaint of sexual misconduct must either remember the alleged incident or have sufficient circumstantial evidence, physical evidence, and/or witnesses to prove her/his complaint. If the complainant does not remember the circumstances of the alleged incident, it may not be possible to impose sanctions on the accused without further corroborating information. Use of alcohol and/or other drugs will never excuse a violation by an accused individual.

- *Will either party's prior use of drugs and/or alcohol be a factor when reporting sexual misconduct?*

Not unless there is a compelling reason to believe that prior use or abuse is relevant to the present complaint.

- *What should I do if I am uncertain about what happened?*

If you believe that you have experienced sexual misconduct but are unsure of whether it was a violation of the institution's sexual misconduct policy, you should contact the College's Coordinator of Equity & Compliance or the College's counseling office. The College provides non-legal advocates (advisors) who can help you to define and clarify the event(s) and advise you of your options.

Equity Grievance Process for Resolving Grievances of Harassment, SEXUAL MISCONDUCT and OTHER FORMS OF Discrimination

The College will act on any formal or informal grievance or notice of violation of the policy on Equal Opportunity, Harassment and Nondiscrimination, that is received by the Coordinator of Equity & Compliance, his or her deputies (if/when applicable), a member of the Equity Grievance Panel, a member of the administration, or a responsible employee (as designated by College policy).

The procedures described below will apply to all grievances involving students, staff or faculty members. Redress and requests for responsive actions for grievances brought involving non-members of the community are also covered by these procedures.

#### I. Equity Grievance Panel (EGP)

## A. Membership Roles

Members of the EGP are announced in an annual distribution of this policy to campus, prospective students, their parents and prospective employees. The list of members and a description of the panel can be found at [www.hutchcc.edu](http://www.hutchcc.edu). Members of the EGP are trained in all aspects of the grievance process and can serve in any of the following roles at the direction of the Coordinator of Equity & Compliance

- To provide sensitive intake and initial counseling of grievances
- To serve in a mediation role in conflict resolution
- To investigate grievances
- To act as advocates (advisors) to those involved in grievances
- To serve on hearing panels for grievances
- To serve on appeal panels for grievances

EGP members also recommend proactive policies and serve in an educative role for the community. The President, in consultation with the Coordinator of Equity & Compliance, appoints the panel which reports to the Coordinator of Equity & Compliance. EGP members receive annual training organized by the Coordinator of Equity & Compliance, including a review of College policies and procedures, so that they are able to provide accurate information to members of the community. All EGP members are required to attend this annual training.

## B. Membership

The Equity Grievance Panel includes

- At least 2 Co-chairs: one representative from Human Resources and one from Student Services, etc.
- One Administrative Hearing Officer who is an *ex officio* member and serves as Chair of grievance panel hearings for grievances involving student responding parties such as the Vice President of Student Services or her/his designee
- At least 2 members of academic affairs administrators and/or faculty
- At least 2 members of the administration
- At least 2 members of the staff
- At least 1 representative from Campus Security and/or Campus Facilities
- At least 1 representative from Human Resource
- At least 1 representative from Athletics

Panel members are usually appointed to three-year terms. Appointments to the EGP should be made with attention to representation of groups protected by the harassment and non-discrimination policy. Individuals who are interested in serving on the EGP are encouraged to contact the Coordinator of Equity & Compliance.

## II. Filing a grievance

Any member of the community, guest or visitor who believes that the policy on Equal Opportunity, Harassment and Nondiscrimination has been violated should contact the Coordinator of Equity & Compliance or a member of the EGP. It is also possible for employees to notify a supervisor, or for students to notify an administrative advisor or faculty member, or any member of the community may contact Campus Security. These individuals will in turn notify the Coordinator of Equity & Compliance. The College website may also include a reporting form, if available, which may serve to initiate a grievance.

All employees receiving reports of a potential violation of College policy are expected to promptly contact the Coordinator of Equity & Compliance, within 24 hours of becoming aware of a report or incident. All initial contacts will be treated with the maximum possible privacy; specific information on any grievances received by any party will be reported to the Coordinator of Equity & Compliance, but, subject to the College's obligation to redress violations, every effort will be made to maintain the privacy of those initiating a report of a grievance. In all cases, the College will give consideration to the party bringing a grievance with respect to how the grievance is pursued, but reserves the right, when necessary to protect the community, to investigate and pursue a resolution when an alleged victim chooses not to initiate or participate in a formal grievance.

## III. Grievance Intake

Following receipt of notice of a grievance, the Coordinator of Equity & Compliance [\[21\]](#) will, promptly assign an EGP panel member to work as an advocate (advisor) to the person who reported the grievance or, if so desired by the party bringing a grievance, the party bringing a grievance may choose from the EGP pool (or choose a non-trained advocate from outside the pool, if preferred, or proceed without an advocate). Normally, within two business days, an initial determination is made whether a policy violation may have occurred and/or whether conflict resolution might be appropriate. If the grievance does not appear to allege a policy violation or if conflict resolution is desired by the party bringing a grievance and appears appropriate given the nature of the alleged behavior, then the grievance does not proceed to investigation.

A full investigation will necessarily be pursued if there is evidence of a pattern of misconduct or a perceived threat of further harm to the community or any of its members. The College aims to complete all investigations within a 60 business day time period, which can be extended as necessary for appropriate cause by the Coordinator of Equity & Compliance with notice to the parties.

In campus investigations and hearings, legal terms like "guilt," "innocence," and "burdens of proof" are not applicable, but the College never assumes a student is in violation of College policy. Campus investigations and hearings are conducted to take into account the totality of all evidence available from all relevant sources.

The College reserves the right to take whatever measures it deems necessary in response to an allegation of sexual misconduct in order to protect students' rights and personal safety. Such measures include, but are not limited to, modification of living arrangements, interim suspension from campus pending a hearing, and reporting the matter to local law enforcement. Not all forms of harassment or misconduct will be deemed to be equally serious offenses, and the College reserves the right to impose different sanctions, ranging from verbal warning to expulsion, depending on the severity of the offense. The College will consider the concerns and rights of both the party bringing a grievance and the respondent (person accused of misconduct).

#### IV. Investigation

If a party bringing a grievance wishes to pursue a formal grievance or if the College, based on the alleged policy violation, wishes to pursue a formal grievance, then the Coordinator of Equity & Compliance appoints EGP members to conduct the investigation, usually within two business days of determining that a grievance should proceed. Investigation of grievances brought directly by those alleging harm should be completed expeditiously, normally within 10 business days of notice to the Coordinator of Equity & Compliance. The investigation may take longer when initial grievances fail to provide direct first-hand information. The College may undertake a short delay (3-10 days, to allow evidence collection) when criminal charges on the basis of the same behaviors that invoke this process are being investigated. College action will not be altered or precluded on the grounds that civil or criminal charges involving the same incident have been filed or that charges have been dismissed or reduced. All investigations will be thorough, reliable, and impartial, and will entail interviews with all relevant parties and witnesses, obtaining available evidence and identifying sources of expert information if necessary.

#### V. Interim Remedies

If, in the judgment of the Coordinator of Equity & Compliance, the safety or well-being of any member(s) of the campus community may be jeopardized by the presence on-campus of the accused individual or the ongoing activity of a student organization whose behavior is in question, the Coordinator of Equity & Compliance (or designee) may provide interim remedies intended to address the short-term effects of harassment, discrimination and/or retaliation, i.e., to redress harm to the alleged victim and the community and to prevent further violations. These remedies may include referral to counseling and health services or to the Employee Assistance Program (if available), education to the community, altering the housing situation of an accused student or resident employee (or the alleged victim, if desired), altering work arrangements for employees, providing campus escorts, implementing contact limitations between the parties, offering adjustments to academic deadlines, course schedules, etc.

The College may interim suspend a student, employee, or organization pending the completion of EGP investigation and procedures. In all cases in which an interim suspension is imposed, the student, employee, or student organization will be given the opportunity to meet with the Coordinator of Equity & Compliance prior to such suspension being imposed, or as soon thereafter as reasonably possible, to show cause why the suspension should not be implemented. The Coordinator of Equity & Compliance has sole discretion to implement or stay an interim suspension under the policy on Equal Opportunity, Harassment and Nondiscrimination, and to determine its conditions and duration. Violation of an interim suspension under this policy will be grounds for expulsion or termination.

During an interim suspension or administrative leave, a student or employee may be denied access to College housing and/or the College campus/facilities/events. As determined by the Coordinator of Equity & Compliance (or designee), this restriction includes classes and/or all other College activities or privileges for which the student might otherwise be eligible. At the discretion of Coordinator of Equity & Compliance (or designee), alternative coursework options may be pursued to ensure as minimal an impact as possible on the accused student.

#### VI. Grievance Resolution

During or upon the completion of investigation, the investigators will meet with the Coordinator of Equity & Compliance. Based on that meeting, the Coordinator of Equity & Compliance will make a decision on whether there is reasonable cause to proceed with the grievance. If the Coordinator of Equity & Compliance decides that no policy violation has occurred or that the preponderance of evidence (i.e., whether it is more likely than not that the accused individual committed each alleged violation) does not support a finding of a policy violation, then the process will end unless the party bringing a grievance requests that the Coordinator of Equity & Compliance makes an extraordinary determination to re-open the investigation or to forward the matter for a hearing. This decision lies in the sole discretion of the Coordinator of Equity & Compliance. If there is reasonable cause, the Coordinator of Equity & Compliance will direct the investigation to continue, or if there is a preponderance of evidence of a violation, then the Coordinator of Equity & Compliance may recommend conflict resolution, a resolution without a hearing, or a formal hearing, based on the below criteria.

##### A. Conflict Resolution

Conflict resolution is often used for less serious, yet inappropriate, behaviors and is encouraged as an alternative to the formal hearing process to resolve conflicts. The Coordinator of Equity & Compliance will determine if conflict resolution is appropriate, based on the willingness of the parties, the nature of the conduct at issue and the susceptibility of the conduct to conflict resolution. In a conflict resolution meeting, an EGP member will facilitate a dialogue with the parties to an effective resolution, if possible. Sanctions are not possible as the result of a conflict resolution process, though the parties may agree to appropriate remedies. The Coordinator of Equity & Compliance will keep records of any resolution that is reached, and failure to abide by the accord can result in appropriate responsive actions.

Conflict resolution will not be the primary resolution mechanism used to address grievances of sexual misconduct or violent behavior of any kind or in other cases of serious violations of policy, though it may be made available *after* the formal process is completed should the parties and the Coordinator of Equity & Compliance believe that it could be beneficial. It is not necessary to pursue conflict resolution first in order to make a formal EGP grievance, and anyone participating in conflict resolution can stop that process at any time and request a formal hearing.

##### B. Resolution Without a Hearing

Resolution without a hearing can be pursued for any behavior that falls within the policy on Equal Opportunity, Harassment and Nondiscrimination, at any time during the process. The Coordinator of Equity & Compliance will provide written notification of a grievance to any member of the College community who is accused of an offense of harassment, discrimination, or retaliation. The Coordinator of Equity & Compliance [together with the investigator(s)] will meet with the responding individual to explain the finding(s) of the investigation. Once informed, the responding party may choose to admit responsibility for all or part of the alleged policy violations at any point in the process. If so, the Coordinator of Equity & Compliance will render a finding that the individual is in violation of College policy for the admitted conduct, and will normally proceed to convene a formal hearing on any remaining disputed violations. For admitted violations, the appropriate Co-chair of the EGP will recommend an appropriate sanction or responsive action. If the sanction/responsive action is accepted by both the party bringing a grievance and responding party, the Coordinator of Equity & Compliance will implement it, and act promptly and effectively to remedy the effects of the admitted conduct upon the victim and the community. If either party rejects the sanction/responsive action, an EGP hearing will be held on the sanction/responsive action only, according to the EGP procedures below, except in the case of at-will employees for whom findings and responsive actions will be determined by the Director of Human Resources, in cooperation with the Coordinator of Equity & Compliance, based on the results of the investigation.

##### C. Formal Hearing

For any grievances that are not appropriate for conflict resolution and which are not resolved without a hearing, the Coordinator of Equity & Compliance will

initiate a formal hearing or for employees for whom no hearing process is available and will refer her/his findings to the Director of Human Resources for joint implementation.

## VII. Formal EGP Procedure

### A. Hearing Panels

The Coordinator of Equity & Compliance will appoint a non-voting panel Chair (one of the EGP co-chairs [or their designee]; the Administrative Hearing Officer [or her/his designee]), depending on whether the responding party is a faculty member, other employee, or student, and three members of the EGP to the hearing panel, none of whom have been previously involved with the grievance. EGP members who served as investigators will be witnesses in the hearing of the grievance and therefore may not serve as hearing panel members. Hearing panels may include both faculty and non-faculty employees with a least one faculty or academic affairs employee selected in a grievance involving a faculty member. No member of the panel may be a practicing attorney. The panel will meet at times determined by the Chair.

### B. Notification of Charges

At least one week prior to the hearing, or as far in advance as is reasonably possible if an accelerated hearing is scheduled with the consent of the parties, the EGP Co-chair will send a letter to the parties with the following information. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered. The letter will contain

- A description of the alleged violation(s), a description of the applicable procedures, and a statement of the potential sanctions/responsive actions that could result.
- The time, date, and location of the hearing and a reminder that attendance is mandatory, superseding all other campus activities. If any party does not appear at the scheduled hearing, the hearing will be held in their absence. For compelling reasons, the Co-chair may reschedule the hearing.
- The parties may have the assistance of an EGP panel member, or other advocate (advisor), at the hearing. Typically, advocates are members of the campus community, but the Coordinator of Equity & Compliance may grant permission for an outside advocate upon request. The advocate may not make a presentation or represent the party bringing a grievance or responding party during the hearing. The parties to the hearing are expected to ask and respond to questions on their own behalf, without representation by their advocate. The advocate may consult with the party quietly or in writing, or outside the hearing during breaks, but may not speak on behalf of the advisee to the panel.
- Hearings for possible violations that occur near or after the end of an academic term will be held immediately after the end of the term or during the summer, as needed, to meet the resolution timeline followed by the College and remain within the 60-day goal for resolution.

### C. Hearing Procedures

EGP Hearings will be convened, usually within one to two weeks of the completion of the investigation, and will be conducted in private. The EGP has the authority to hear all collateral misconduct, meaning that it hears all allegations of discrimination, harassment and retaliation, but also may hear any additional alleged policy violations that have occurred in concert with the discrimination, harassment or retaliation, even though those collateral allegations may not specifically fall within EGP jurisdiction. Accordingly, investigations should be conducted with as wide a scope as necessary.

Participants will include the non-voting Chair, the three members of the panel, the investigator(s) who conducted the investigation on the grievance, the party bringing a grievance and responding party(ies) (or three organizational representatives in a case where an organization is charged), advocates (advisors) to the parties, and any called witnesses. The Chair will exchange the names of witnesses the College intends to call, all pertinent documentary evidence and any written findings from the investigators between the parties at least two business days prior to the hearing. In addition, the parties will be given a list of the names of each of the EGP panel members at least two business days in advance of the hearing. Should either (any) party object to any panelist, s/he must raise all objections, in writing, to the Chair immediately. Panel members will only be unseated if the Chair concludes that their bias precludes an impartial hearing of the grievance. Additionally, any panelist or Chair who feels s/he cannot make an objective determination must recuse himself or herself from the proceedings when notified of the identity of the parties and all witnesses in advance of the hearing.

The Chair, in consultation with the parties and investigators, may decide in advance of the hearing that certain witnesses do not need to be physically present if their testimony can be adequately summarized by the investigator(s) during the hearing. All parties will have ample opportunity to present facts and arguments in full and question all present witnesses during the hearing, though formal cross-examination is not used between the parties. If alternative questioning mechanisms are desired (screens, Skype, questions directed through the Chair, etc.), the parties should request them from the Chair at least two business days prior to the hearing.

Once the procedures are explained and the participants are introduced, the investigator will present the report of the investigation first and be subject to questioning by the parties and the EGP. The investigator(s) will be present during the entire hearing process but will only be present during deliberations at the request of the Chair. The findings of the investigation are not binding on the panel, though any undisputed conclusions of the investigation report will not be revisited, except as necessary to determine sanctions/responsive actions. Once the investigator(s) is/are questioned, the EGP will permit questioning of and by the parties and of any present witness. Questions may be directed through the panel at the discretion of the Chair.

Formal rules of evidence will not apply. Any evidence that the panel believes is relevant and credible may be considered, including history and pattern evidence. The Chair will address any evidentiary concerns prior to and/or during the hearing, may exclude irrelevant or immaterial evidence and may ask the panel to disregard evidence lacking in credibility. The Chair will determine all questions of procedure and evidence. Anyone appearing at the hearing to provide information will respond to questions on her/his own behalf.

Unless the Chair determines it is appropriate, no one will present information or raise questions concerning (1) incidents not directly related to the possible violation, unless they show a pattern, or (2) the sexual history of or the character of the victim/party bringing a grievance.

There will be no observers in the hearing. The Chair may allow witnesses who have relevant information to appear at a portion of the hearing in order to respond to specific questions from the panel or the parties involved. The panel does not hear from character witnesses but will accept up to two letters supporting the character of the individuals involved.

In hearings involving more than one accused individual or in which two parties bringing a grievances have accused the same individual of substantially similar conduct, the standard procedure will be to hear the grievances jointly; however, the Coordinator of Equity & Compliance may permit the hearing pertinent to each responding party to be conducted separately. In joint hearings, separate determinations of responsibility will be made for each responding

party.

Proceedings are private. All persons present at any time during the hearing are expected to maintain the privacy of the proceedings, subject to College consequences for failure to do so. While the contents of the hearing are private, the parties have discretion to share their own experiences if they so choose and should discuss doing so with their advocates.

Hearings are recorded for purposes of review in the event of an appeal. EGP members, the parties and/or the persons who initiated the action, and appropriate administrative officers of the College will be allowed to listen to the recording in a location determined by the Coordinator of Equity & Compliance or designee. No person will be given or be allowed to make a copy of the recording without permission of the Coordinator of Equity & Compliance. Persons given access to the recording will be required to sign an agreement confirming that they will protect the privacy of the information contained in the recording.

#### D. Decisions

The EGP will deliberate in closed session to determine whether the responding party is responsible or not responsible for the violation(s) in question. The panel will base its determination on a preponderance of the evidence (i.e., whether it is more likely than not that the accused individual committed each alleged violation). If an individual responding party or organization is found responsible by a majority of the panel, the panel will recommend appropriate sanctions to the Coordinator of Equity & Compliance.

The Chair will prepare a written deliberation report and deliver it to the Coordinator of Equity & Compliance, detailing the finding, how each member voted, the information cited by the panel in support of its recommendation and any information the hearing panel excluded from its consideration and why. The report should conclude with any recommended sanctions. This report should not exceed two pages in length and must be submitted to the Coordinator of Equity & Compliance within two (2) days of the end of deliberations.

The Coordinator of Equity & Compliance will inform the responding party and the party bringing a grievance of the final determination within 2-3 business days of the hearing, without significant time delay between notifications. Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official College records, or emailed to the parties' College-issued email account. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

#### E. Sanctions

Sanctions or responsive actions will be determined by the EGP. Factors considered when determining a sanction/responsive action may include

- The nature, severity of, and circumstances surrounding the violation
- An individual's disciplinary history
- Previous grievances or allegations involving similar conduct
- Any other information deemed relevant by the EGP
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the victim and the community

##### 1. Examples of Possible Student Sanctions

The following are the usual sanctions that may be imposed upon students or organizations singly or in combination:

- *Warning*: A formal statement that the behavior was unacceptable and a warning that further infractions of any College policy, procedure or directive will result in more severe sanctions/responsive actions. *Probation*: A written reprimand for violation of the Code of Student Conduct, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any College policy, procedure or directive within a specified period of time. Terms of the probation will be specified and may include denial of specified social privileges, exclusion from co-curricular activities, non-contact orders and/or other measures deemed appropriate.
- *Suspension*: Termination of student status for a definite period of time not to exceed two years, and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure at the College. This sanction may be noted as a Conduct Suspension on the student's official transcript.
- *Expulsion*: Permanent termination of student status, revocation of rights to be on campus for any reason or attend College-sponsored events. This sanction may be noted as a Conduct Expulsion on the student's official transcript.
- *Withholding Diploma*. The College may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities if the student has a grievance pending or as a sanction if the student is found responsible for an alleged violation.
- *Revocation of Degree*. The College reserves the right to revoke a degree awarded from the College for fraud, misrepresentation or other violation of College policies, procedures or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- *Organizational Sanctions*. Deactivation, de-recognition, loss of all privileges (including University registration), for a specified period of time.
- *Other Actions*: In addition to or in place of the above sanctions, the College may assign any other sanctions as deemed appropriate.

##### 2. Employee Sanctions

Responsive actions for an employee who has engaged in harassment, discrimination, and/or retaliation include warning, required counseling, demotion, suspension with pay, suspension without pay, and/or termination.

#### F. Withdrawal or Resignation While Charges Pending

Students: The College does not permit a student to withdraw if that student has a grievance pending for violation of the policy on Equal Opportunity, Harassment and Nondiscrimination, or for charges under the Code of Student Conduct. Should a student decide to leave and not participate in the investigation and/or hearing, the process will nonetheless proceed in the student's absence to a reasonable resolution and that student will not be permitted to return to College unless all sanctions have been satisfied.

Employees: Should an employee resign while charges are pending, the records of the Coordinator of Equity & Compliance will reflect that status, as will College responses to any future inquiries regarding employment references for that individual. The Coordinator of Equity & Compliance will act to promptly and effectively remedy the effects of the conduct upon the victim and the community.

#### G. Appeals

All requests for appeal considerations must be submitted in writing to the Coordinator of Equity & Compliance within three business days of the delivery of the written finding of the EGP.

A three-member panel of the EGP designated by the Coordinator of Equity & Compliance who was not involved in the grievance previously will consider all appeal requests. Any party may appeal, but appeals are limited to the following:

- A procedural error or omission occurred that significantly impacted the outcome of the hearing (e.g., substantiated bias, material deviation from established procedures, etc.).
- To consider new evidence, unknown or 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.
- The sanctions fall outside the range of sanctions the College has designated for this offense.

The appeals panel of the EGP will review the appeal request(s). The original finding and sanction/responsive actions will stand if the appeal is not timely or is not based on the grounds listed above, and such a decision is final. When any party requests an appeal, the other party (parties) will be notified and joined in the appeal. The party requesting appeal must show that the grounds for an appeal request have been met, and the other party or parties may show the grounds have not been met, or that additional grounds are met. The original finding and sanction are presumed to have been decided reasonably and appropriately.

Where the EGP appeals panel finds that at least one of the grounds is met, and proceeds, additional principles governing the hearing of appeals include the following:

- Appeals decisions by the EGP panel are to be deferential to the original decision, making changes to the finding only where there is clear error and to the sanction/responsive action only if there is a compelling justification to do so.
- Appeals are not intended to be full rehearings of the grievance. In most cases, appeals are confined to a review of the written documentation or record of the original hearing, and pertinent documentation regarding the grounds for appeal. Appeals granted based on new evidence should normally be remanded to the original hearing panel for reconsideration. Other appeals may be remanded at the discretion of the Coordinator of Equity & Compliance or heard by the three-member panel of the EGP.
- Sanctions imposed are implemented immediately unless the Coordinator of Equity & Compliance or designee stays their implementation in extraordinary circumstances, pending the outcome of the appeal.
- The Coordinator of Equity & Compliance will normally, after conferring with the EGP appeals panel, render a written decision on the appeal to all parties within 2-3 business days from hearing of the appeal.
- All parties should be informed of whether the grounds for an appeal are accepted and the results of the appeal decision.
- Once an appeal is decided, the outcome is final; further appeals are not permitted.

#### H. Failure to Complete Sanctions/Comply with Responsive Actions

All responding parties are expected to comply with conduct sanctions/responsive/corrective actions within the time frame specified by the Coordinator of Equity & Compliance. Failure to follow through on conduct sanctions/responsive/corrective actions by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanctions/responsive/corrective actions and/or suspension, expulsion, and/or termination from the College and may be noted on a student's official transcript. A suspension will only be lifted when compliance is achieved to the satisfaction of the Coordinator of Equity & Compliance.

#### I. Records

In implementing this policy, records of all grievances, resolutions, and hearings will be kept by the Coordinator of Equity & Compliance indefinitely in the Coordinator's designated database and/or filing system.

#### J. Statement of the Rights of a Party Bringing a Grievance

- To be treated with respect by College officials.
- To take advantage of campus support resources (such as counseling services, the Hutchinson Area Student Health Services for students, or EAP services for employees [if such program is available]).
- To experience a safe living, educational, and work environment.
- To have an advocate (advisor), if desired, during this process.
- To refuse to have an allegation resolved through conflict resolution procedures.
- To receive amnesty for minor student misconduct (such as alcohol or drug violations) that is ancillary to the incident.
- To be free from retaliation.
- To have grievances heard in substantial accordance with these procedures.
- To full participation of the injured party in any EGP process whether the injured party is serving as the party bringing a grievance or the College is serving as party bringing a grievance.
- To be informed in writing of the outcome/resolution of the grievance, sanctions where permissible, and the rationale for the outcome where permissible.
- Refer to law enforcement and have assistance.
- Housing and living accommodations.

- No contacts.

#### K. Statement of the Rights of the Responding Party

- To be treated with respect by College officials.
- To take advantage of campus support resources (such as counseling services, the Hutchinson Area Student Health Services for students, or EAP services for employees [if such program is available]).
- To have an advocate (advisor), if desired, during this process.
- To refuse to have an allegation resolved through conflict resolution procedures.
- To have grievances heard in substantial accordance with these procedures.
- To be informed of the outcome/resolution of the grievance and the rationale for the outcome in writing.

#### VIII. Revision

These policies and procedures will be reviewed and updated annually by the Coordinator of Equity & Compliance. The Coordinator of Equity & Compliance may make minor modifications to procedure that do not materially jeopardize the fairness owed to any party. However, the Coordinator of Equity & Compliance may also vary procedures materially with notice (on the institutional web site, with appropriate date of effect identified) upon determining that changes to law or regulation require policy or procedural alterations not reflected in this policy and procedure. Procedures in effect at the time of its implementation will apply. Policy in effect at the time of the offense will apply even if the policy is changed subsequently, unless the parties consent to be bound by the current policy.

This policy and procedure was originally approved by the Board of Trustees on January 15, 2015.

**[1]**USE AND ADAPTATION OF THIS MODEL WITH CITATION TO THE NCHERM GROUP/ATIXA IS PERMITTED THROUGH A LICENSE TO HUTCHINSON COMMUNITY COLLEGE (HUTCHINSON, KS). ALL OTHER RIGHTS RESERVED. ©2013. THE NCHERM GROUP, LLC/ATIXA

**[2]**Specific requirements and time frames may exist for filing complaints with these agencies.

**[3]**The determination of whether an environment is "hostile" must be based on all of the circumstances. These circumstances could include

- The frequency of conduct;
- The nature and severity of the conduct;
- Whether the conduct was physically threatening;
- Whether the conduct was humiliating;
- The effect of the conduct on the complainant's mental or emotional state;
- Whether the conduct was directed at more than one person;
- Whether the conduct arose in the context of other discriminatory conduct;
- Whether the conduct unreasonably interfered with the complainant's educational work performance;
- Whether the statement is a mere utterance of an epithet which engenders offense in an employee or student, or offends by mere discourtesy or rudeness;
- Whether the speech or conduct deserves the protections of academic freedom or the 1st Amendment.

**[4]**This definition of hostile environment is based on Federal Register / Vol. 59, No. 47 / Thursday, March 10, 1994: Department Of Education Office For Civil Rights, Racial Incidents And Harassment Against Students At Educational Institutions Investigative Guidance. The document is available at <http://www.ed.gov/about/offices/list/ocr/docs/race394.html>.

**[5]**Also of relevance is the Office of Civil Rights 2001 statement on sexual harassment, "Revised Sexual Harassment Guidance: Harassment Of Students By School Employees, Other Students, Or Third Parties, Title IX," which can be found at <http://www2.ed.gov/about/offices/list/ocr/docs/shguide.pdf>.

**[6]**Some examples of possible Sexual Harassment include

- A professor insists that a student have sex with him/her in exchange for a good grade. This is harassment regardless of whether the student accedes to the request.
- A student repeatedly sends sexually oriented jokes around on an email list s/he created, even when asked to stop, causing one recipient to avoid the sender on campus and in the residence hall in which they both live.
- Explicit sexual pictures are displayed in a professor's office or on the exterior of a residence hall door.
- Two supervisors frequently "rate" several employees' bodies and sex appeal, commenting suggestively about their clothing and appearance.
- A professor engages students in her class in discussions about their past sexual experiences, yet the conversation is not in any way germane to the subject matter of the class. She probes for explicit details, and demands that students answer her, though they are clearly uncomfortable and hesitant.
- An ex-girlfriend widely spreads false stories about her sex life with her former boyfriend to the clear discomfort of the boyfriend, turning him into a social pariah on campus.
- Male students take to calling a particular brunette student "Monica" because of her resemblance to Monica Lewinsky. Soon, everyone adopts this nickname for her, and she is the target of relentless remarks about cigars, the president, "sexual relations," and Weight Watchers.
- A student grabbed another student by the hair, then grabbed her breast and put his mouth on it. While this is sexual harassment, it is also a form of sexual violence.

**[7]** *Quid pro quo sexual harassment exists when there are*

1. *unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature; and*
2. *submission or rejections of such conduct results in adverse educational or employment action.*

**[8]** *Retaliatory harassment is any adverse employment or educational action taken against a person because of the person's participation in a complaint or investigation of discrimination or sexual misconduct.*

**[9]** *The state definition of rape (sexual assault), as outlined by K.S.A. 44-1131 or any crime defined in chapter 21 article 55 of the Kansas Statutes Annotated, is provided below and is applicable to criminal prosecutions for rape (sexual assault) in Kansas, but may differ from the definition used on campus to address policy violations.*

*Rape is*

1. *knowingly engaging in sexual intercourse with a victim who does not consent to the sexual intercourse under any of the following circumstances:*
  - a. *when the victim is overcome by force or fear; or*
  - b. *when the victim is unconscious or physically powerless;*
2. *knowingly engaging in sexual intercourse with a victim when the victim is incapable of giving consent because of mental deficiency or disease, or when the victim is incapable of giving consent because of the effect of any alcoholic liquor, narcotic, drug or other substance, which condition was known by the offender or was reasonably apparent to the offender;*
3. *sexual intercourse with a child who is under 14 years of age;*
4. *sexual intercourse with a victim when the victim's consent was obtained through a knowing misrepresentation made by the offender that the sexual intercourse was a medically or therapeutically necessary procedure; or*
5. *sexual intercourse with a victim when the victim's consent was obtained through a knowing misrepresentation made by the offender that the sexual intercourse was a legally required procedure within the scope of the offender's authority.*

**[10]** *Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcome resistance or produce consent.*

- *Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressures someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.*
- *Note: There is no requirement that a party resists the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition non-consensual but non-consensual sexual activity is not by definition forced.*

**[11]** *Possession, use and/or distribution of any of these substances, including, but not limited to, Rohypnol, Ketomine, GHB, Burundanga, etc., is prohibited, and administering one of these drugs to another student is a violation of this policy. More information about these drugs can be found at <http://www.911rape.org/>*

**[12]** *The state meaning of 'consent' (or the inability to provide it) is implied through the related state definition of rape (and/or sexual assault), as outlined by K.S.A. 44-1131, K.S.A. 21-5501, and/or in chapter 21 article 55 of the Kansas Statutes Annotated. Such a definition may differ from the definition used on campus to address policy violations. [See earlier footnote for the definition of rape (and/or sexual assault)].*

**[13]** *The state meaning of 'hazing,' as outlined by K.S.A. 21-5418 or any crime defined in chapter 21 article 54 of the Kansas Statutes Annotated, is provided below. Such a definition may differ from the definition used on campus to address policy violations.*

*Hazing is recklessly coercing, demanding or encouraging another person to perform, as a condition of membership in a social or fraternal organization, any act which could reasonably be expected to result in great bodily harm, disfigurement or death or which is done in a manner whereby great bodily harm, disfigurement or death could be inflicted.*

**[14]** *The federal definition of dating violence, as outlined by 42 U.S.C. § 40002(a) of the Violence Against Women Act of 1994 and subsequent amendments thereof, and for which the College is required to both track and disclose incidents of in its Annual Security Report (ASR), is applicable to criminal prosecutions for, but may differ from the definition used on campus to address policy violations.*

*Dating Violence means violence committed by a person*

- *who is or has been in a social relationship of a romantic or intimate nature with the victim; and*
- *where the existence of such a relationship shall be determined based on a consideration of the following factors*
  - *the length of the relationship;*
  - *the type of relationship; and*
  - *the frequency of interaction between the persons involved in the relationship.*

**[15]** *The state definition of domestic violence (domestic battery), as outlined by K.S.A. 21-5414 or any crime defined in chapter 21 article 54 of the Kansas Statutes Annotated, is provided below and is applicable to criminal prosecutions for domestic violence in Kansas, but may differ from the definition used on campus to address policy violations.*

*Domestic Violence is*

1. *knowingly or recklessly causing bodily harm by a family or household member against a family or household member; or*
2. *knowingly causing physical contact with a family or household member by a family or household member when done in a rude, insulting or angry*

manner.

- "Family or household member" means persons 18 years of age or older who are spouses, former spouses, parents or stepparents, and children or stepchildren, and persons who are presently residing together or who have resided together in the past, and persons who have a child in common regardless of whether they have been married or who have lived together at any time. "Family or household member" also includes a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time.

Furthermore, the federal definition of domestic violence, as outlined by 42 U.S.C. § 40002(a) of the Violence Against Women Act of 1994 and subsequent amendments thereof, and for which the College is required to both track and disclose incidents of in its Annual Security Report (ASR), is also applicable.

Domestic Violence means a felony or misdemeanor crime of violence committed by

- a current or former spouse or intimate partner of the victim,
- a person with whom the victim shares a child in common,
- a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
- a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or
- any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

**[16]** Relevant Examples:

- Employee A has been in an intimate relationship with Employee B for over a year; Employee A punches Employee B in the face during an argument (Dating Violence).
- Student A has been in an intimate relationship with Student B for over a year; Students A & B live together. During an argument, Student A shoves Student B to the ground (Domestic Violence).

**[17]** The state definition of stalking is, as outlined by K.S.A. 21-5427 or any crime defined in chapter 21 article 54 of the Kansas Statutes Annotated, is provided below and is applicable to criminal prosecutions for stalking in Kansas, but may differ from the definition used on campus to address policy violations.

Stalking is

1. recklessly engaging in a course of conduct targeted at a specific person which would cause a reasonable person in the circumstances of the targeted person to fear for such person's safety, or the safety of a member of such person's immediate family and the targeted person is actually placed in such fear;
2. engaging in a course of conduct targeted at a specific person with knowledge that the course of conduct will place the targeted person in fear for such person's safety or the safety of a member of such person's immediate family.

Furthermore, the federal definition of stalking, as outlined by 42 U.S.C. § 40002(a) of the Violence Against Women Act of 1994 and subsequent amendments thereof, and for which the College is required to both track and disclose incidents of in its Annual Security Report (ASR), is also applicable.

Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to

- fear for his or her safety or the safety of others; or
- suffer substantial emotional distress.

**[18]** Relevant Examples:

- Employee A recently ended an intimate relationship with Employee B. For the past three weeks, B has been sending A 100 text messages per day and waits by A's car at the end of each day to beg and plead with her to take him back. When she refuses, he loses control, makes threatening gestures, and tells her she will regret this. Employee A indicates she is fearful of what B might do to her (Stalking).
- Joe is a student on campus who has always been fascinated by women who dye their hair. One day, he notices Mary Lou, whose hair is dyed a very bright purple. He follows her home to see where she lives and begins to track her history, actions, and movements online. His fascination increases to the point where he follows her frequently on campus, takes pictures of her without her permission, and spies through her window at night with a long-range camera lens. He wants to have her beautiful purple hair for his own so that he can stroke it whenever he wants.

**[19]** While these off-campus counselors and agencies may maintain a victim's confidentiality vis-à-vis the College, they may have reporting or other obligations under state law.

**[20]** A "responsible employee" is a College employee who has the authority to redress sexual harassment or sexual misconduct, who has the duty to report incidents of sexual harassment or sexual misconduct, or who a student could reasonably believe to have this authority or duty. A responsible employee should work to ensure that the reporting party understands the employee's obligations.

**[21]** If circumstances require, the President of the College or Coordinator of Equity & Compliance may designate another person to oversee the process below, should a grievance be made against the Coordinator or the Coordinator be otherwise unavailable or unable to fulfill her/his duties.

# Rights of Pregnant and Parenting Students

## Applicable Scope:

Hutchinson Community College (the College) affirms its commitment to promote the goals of fairness and equity in all aspects of the educational enterprise. All students are protected by Title IX of the Education Amendments of 1972 (Title IX)—regardless of their sex, sexual orientation, gender identity, part- or full-time status, disability, race, or national origin—in all aspects of College educational programs and activities. The College is committed to creating and maintaining a community in which all individuals enjoy freedom from discrimination, including discrimination on the basis of sex, as mandated by Title IX. Sex discrimination, which can include discrimination based on pregnancy, marital status, or parental status, is prohibited in admissions, educational programs and activities, extracurricular activities, hiring, absences, employment policies, and health insurance coverage.

## Compliance:

Any member of the Hutchinson Community College community may report a violation of this policy to the Coordinator of Equity & Compliance [\[1\]](#) (Title IX Coordinator) or the Coordinator of Accessibility Services. Any report should be promptly forwarded to the Office of Equity & Compliance. The Coordinator of Equity & Compliance is responsible for overseeing complaints of discrimination involving pregnant and parenting students, as detailed by this policy, the College [Equal Opportunity, Harassment, and Nondiscrimination Policy and Procedures \(1089\)](#), and the College [Non-Discrimination of Individuals with Disabilities Policy \(1060\)](#).

Inquiries about and reports regarding this policy may be made internally to:

**Jacob Gunden**

**Coordinator of Equity & Compliance**

**Office of Equity & Compliance**

**1300 N. Plum**

**Hutchinson, KS 67501**

**(620) 665-3512**

**[gundenj@hutchcc.edu](mailto:gundenj@hutchcc.edu) or [equity@hutchcc.edu](mailto:equity@hutchcc.edu)**

Inquiries may be made externally with the U.S. Department of Education's Office for Civil Rights at:

Office for Civil Rights (OCR)

U.S. Department of Education

400 Maryland Avenue, SW

Washington, DC 20202-1100 Phone (Customer Service Hotline): (800) 421-3481

Fax: (202) 453-6012

TDD#: (877) 521-2172

Email: [OCR@ed.gov](mailto:OCR@ed.gov)

Web: <http://www.ed.gov/ocr>

Complaints may be filed online using the [Office of Civil Right Complaint Form](#).

## I. Overview of College Policy on Pregnant and Parenting Students

Under the Department of Education's (DOE) Title IX regulations, an institution that receives federal funding "shall not discriminate against any student, or exclude any student from its education program or activity, including any class or extracurricular activity, on the basis of such student's pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom." According to the DOE, appropriate treatment of a pregnant student includes granting the student leave "for so long a period of time as is deemed medically necessary by the student's physician," and then effectively reinstating the student to the same status as was held when the leave began.

The College will treat pregnancy, childbirth, false pregnancy, termination of pregnancy and recovery from pregnancy, and related medical conditions in the same manner and under the same policies as any other temporary disability. As with all temporary disabilities, the Coordinator of Accessibility Services may request a physician's note or other documentation. The Coordinator of Accessibility Services, in consultation with the Coordinator of Equity & Compliance, has the authority to determine that an accommodation is reasonable, necessary and appropriate.

For the purpose of this policy, reasonable accommodations are changes in the academic environment or typical operations which enable pregnant students or students with pregnancy-related medical conditions to continue to pursue their education and to enjoy the equal benefits of the College. The College need not provide an accommodation if the accommodation would cause the College undue hardship.

An accommodation will be deemed to cause undue hardship if it would:

- fundamentally alter the nature of the course and/or program;
- pose a safety risk to the individual seeking the accommodation or to others; or
- create an undue administrative or financial burden.

Determination of fundamental requirements and essential elements of a program and/or course are reviewed, as necessary, by the department chairperson(s) and the Coordinator of Accessibility Services.

Reasonable accommodations may include, but are not limited to:

- Extending deadlines and/or allowing the student to make up tests, quizzes, papers, presentations, or assignments missed for pregnancy-related absences;
- Offering remote learning options;
- Excusing medically-necessary absences (this must be granted, irrespective of classroom attendance requirements set by a faculty member or department);
- Providing accommodations requested by a pregnant student to protect the health and safety of the student and/or the pregnancy (such as allowing the student to maintain a safe distance from hazardous substances);
- Making modifications to the physical environment (such as accessible seating);

- Providing mobility or other ergonomic and assistive supports typically provided by the College Accessibility Services Office;
- Granting leave per the College medical leave policy (when applicable) or implementing incomplete grades for classes that will be resumed at a future date; or
- Allowing breastfeeding students reasonable time and space to pump breast milk in a location that is private, clean, and reasonably accessible. Bathroom stalls do not satisfy this requirement. See the College [Lactation Policy \(1095\)](#) regarding the specific locations and availability of designated lactation rooms for on-campus facilities.

A pregnant student may be eligible for a medical leave if prescribed by the student's physician. In that situation, the pregnant student must provide a physician's note or documentation regarding the need for medical leave to the Coordinator of Accessibility Services, who will approve, coordinate, and implement an appropriate accommodation plan for the student. To the extent possible and pursuant to normal operating procedures of the College, the College will take reasonable steps to return pregnant students to the same position of academic progress as they were in when they took medical leave. In situations such as clinical rotations, performances, labs, and group work, the College will work with the student to devise an alternative path to completion, if possible. In progressive curricular and/or cohort-model programs, medically necessary leaves are sufficient cause to permit the student to shift course order, substitute similar courses, or join a subsequent cohort when returning from leave.

As with disability accommodations, information about pregnant students' requests for accommodations will be shared with faculty and staff only to the extent necessary to provide the reasonable accommodation. Faculty and staff will consider all information associated with such requests as private and will not disclose this information unless necessary. Administrative responsibility for these accommodations lies with the Coordinator of Accessibility Services, who, in cooperation with the Coordinator of Equity & Compliance, will maintain all appropriate documentation related to accommodations. No artificial deadlines or time limitations will be imposed on requests for accommodations, but the College is limited in its ability to impact or implement accommodations retroactively.

Communication and cooperation among the student, the student's academic advisor, the appropriate academic department(s), the Coordinator of Equity & Compliance, and the Coordinator of Accessibility Services are crucial. This policy should not replace that communication. Rather it should reinforce the importance of that cooperation, offer a formal mechanism to enable reasonable and appropriate accommodations, and encourage flexibility from all involved parties. Students, faculty, administration, and staff are expected to work with sensitivity and creativity, making good-faith efforts to articulate and meet the needs of the pregnant and parenting student. Students are expected to be proactive in articulating specific accommodations that will enable them to retain satisfactory progress toward a degree.

The Coordinator of Accessibility Services, in consultation with the Coordinator of Equity & Compliance, will coordinate the development and implementation of reasonable and appropriate accommodations. Students are encouraged to work with their faculty members and College support systems to devise a plan for how to best address the conditions as pregnancy progresses, anticipate the need for leaves, minimize the academic impact of their absence, and get back on track as efficiently and comfortably as possible. The student's academic requirements will be adjusted and deadlines postponed as appropriate, in collaboration with the Accessibility Services Office, the Office of Equity & Compliance, and the relevant academic department(s).

Students are advised to consult with the appropriate departments concerning how a medical leave for parenting students may affect financial aid, employment, non-immigrant status, or other concerns.

## **II. Harassment and Retaliation**

Harassment of any member of the College community based on sex, gender identity, gender expression, pregnancy, or parental status is prohibited by federal law and the College [Equal Opportunity, Harassment, and Nondiscrimination Policy & Procedures \(1089\)](#). College employees are prohibited from interfering with students exercising their rights under this policy, including but not limited to seeking reasonable accommodation and taking medical leave.

College employees are prohibited from retaliating against students for exercising the rights articulated by this policy, including imposing or threatening to impose negative educational outcomes because students request leave or accommodation, file a complaint, or otherwise exercise their rights under this policy.

## **III. Frequently Asked Questions**

Below are some frequently asked questions from students in postsecondary schools regarding their Title IX rights.

### **How does Title IX ensure that my pregnancy or family responsibilities do not interfere with my education?**

Title IX requires faculty and administrators to treat pregnancy, childbirth, and related medical conditions in the same manner and under the same policies as any other temporary disability. The College can require a pregnant student to provide a doctor's certification of fitness to continue in an education program or activity only if the same requirement is imposed on all other students with physical or emotional conditions requiring a doctor's care. Pregnant students must be provided the same accommodations and support services available to other students with similar medical needs. Neither faculty nor staff should tell you that you have to drop out of your classes or academic program or change your educational plans due to your pregnancy. If you have a concern regarding your status as a pregnant or parenting student at the College, please contact the Coordinator of Equity & Compliance or the Coordinator of Accessibility Services.

### **What constitutes pregnancy discrimination under Title IX?**

Pregnancy discrimination includes treating an individual affected by pregnancy or a pregnancy-related condition less favorably than similar individuals not so affected. It may also occur through a failure to provide legally mandated leave or accommodations.

### **Will my absences be excused due to documented pregnancy, childbirth, or abortion?**

Absences due to documented pregnancy, childbirth, or related medical conditions must be excused and cannot be treated or penalized like unexcused absences. A pregnant student may be eligible for a medical leave if prescribed by the student's physician. In that situation, the pregnant student must provide a physician's note or documentation regarding the need for medical leave to the Coordinator of Accessibility Services, who will approve, coordinate, and implement an appropriate accommodation plan for the student.

To the extent possible and pursuant to normal operating procedures of the College, the College will take reasonable steps to return pregnant students to the same position of academic progress as they were in when they took medical leave.

After returning from an excused absence or medical leave, faculty must allow a reasonable amount of time to make up missed assignments and tests. The makeup assignments and tests must be reasonably equivalent to those missed, but need not be identical. If a faculty member provides specific "points" or

other advantages to students based on class attendance, you must be given the opportunity to earn back the credit from classes missed due to pregnancy.

**What if faculty members say their absence/makeup policy applies regardless of any medical condition?**

While faculty may have a strict attendance policy, the College is bound by federal civil rights law. Title IX requires that the College ensure all faculty and staff comply with the law and do not discriminate against pregnant and parenting students. An individual faculty member's policy is not okay if it breaks the law. Please contact the Coordinator of Equity & Compliance if you have questions about your faculty member's attendance policy as it relates to your pregnancy or parental responsibilities.

**Does the College need to provide me with special academic services?**

Title IX requires the College to provide pregnant students with any special services provided to students with any other type of temporary disabilities. Please contact the Coordinator of Accessibility Services for more information.

**If my program requires internships, career rotations, or other off-campus elements, can I be excluded from participation?**

No. Your program must allow you to continue participating in off-campus programs. If your program provides opportunities to "work in the field," you cannot be excluded based on your pregnancy. Faculty cannot require a doctor's note for continued participation unless faculty requires one for all students who have a medical condition that requires treatment by a doctor. If a faculty member asks for a note, the faculty member cannot second-guess your doctor's decision.

**What if classmates or faculty have made offensive comments to me about my pregnancy?**

Title IX requires the College to prevent and address sex-based harassment, including harassment based on pregnancy. If you experience this sort of treatment, you should immediately contact the Coordinator of Equity & Compliance. The law prohibits anyone from retaliating against you for filing a complaint or raising a concern.

---

[1] Note that throughout this policy, the term "Coordinator of Equity & Compliance" refers to the Coordinator of Equity & Compliance or designee.

# **Violence Against Women Reauthorization Act - SaVE Act**

SaVE Act, (SEC. 304 of the [Violence Against Women Reauthorization Act of 2013](#)) mandates that community colleges provide prevention educational programs on interpersonal violence to all new students.

# HutchCC Job Placement Services

Hutchinson Community College Job Placement Services is a two-part program combining the Human Resources office and our job board/career services tool, CareerZone.

HutchCC Human Resources provides job search services to students, alumni and community members. We assist in locating part time and full time employment, as well as resume writing, applications and interview techniques. Some individuals are seeking resume writing assistance, while others would like advice regarding how to position themselves for better opportunities.

HutchCC's CareerZone offers HutchCC students, graduates and community free access to online job boards and job search resources – including Resume Builder, which formats a professional resume quickly, and a Career Portfolio option. There are print, video and audio resources on job search and retention skills. Access to CareerZone is available from our main web page, in the lower right corner. Accounts for employers are free as well.

## **Veterans**

If you are a student or potential student who may be eligible for VA benefits please see the Director of Financial Aid in the Financial Aid Office in the Parker Student Union to help you through the process.

If you have never drawn benefits from any college, items we need to process VA benefits:

1. Application for Benefits (Military Form)
2. Certificate of Eligibility
3. [HCC Form #100](#) (HCC Form)

If you have drawn benefits from another college, items we need to process VA benefits:

1. Change of program or place of training form (Military Form) 22-1995.

# HutchCC Campus Store

## Payments

The HutchCC Campus Store will accept cash, Visa, MasterCard and Discover. The Campus Store will also accept personal checks or money orders, but you must have a current student ID or driver's license and make checks payable to HutchCC. Check purchases cannot be refunded prior to fifteen days from purchase.

## Book Charges

All book charges must have prior authorization from the HutchCC Business Office or the Financial Aid Office.

## Order Books Online

Are you needing to purchase your textbooks but aren't able to make it to the bookstore during business hours? Hate the fall rush crowds and want to skip the lines? NOW YOU CAN!!

If you are purchasing your books by credit/debit card or e-check you can now order them from home any time of day through your [DragonZone](#) account.

Once you've logged into your [DragonZone](#) account go to academics and then click on "My Books". From there you can add the books you need to your cart. You can choose to have them shipped to your house or even held in the main campus bookstore for you to pick up. Please allow 24 - 48 hours for us to process. An updated status on your order will be available in your DragonZone account.

It's easy and beats standing in line!!!

**\*\*Financial Aid, Book Scholarship, and 3rd Party Pay students are not able to order using the online ordering system.\*\***

Questions can be directed to the HutchCC Campus Store at 620-665-3517.

1. [Order Books in DragonZone](#)
2. [FACTS, Financial Aid & 3rd Party Pay Book Order Form](#)

## HutchCC Campus Store Book Refund Policy

1. All returns must be accompanied by a dated sales receipt. Credit card purchases will be refunded to the credit card used in original transaction. All other refunds will be placed on a student account. **NO CASH WILL BE GIVEN OUT!!!**
2. New & Used Books must be returned within ten business days from the date of purchase for the Fall and Spring semesters and 3 business days from the date of purchase for Summer semester and classes starting after September 1st for Fall and February 1st for Spring semester. Exception: The BI100 – Basic Concepts Class has one day to return their book for full refund.
3. Canceled courses have ten business days to return the book for a full refund. This only applies to courses canceled by HutchCC.
4. All books returned after the above mentioned time frames may be purchased at a reduced refund rate with appropriate dated sales receipt.
5. New books must be in perfect condition, free from all writing, stains, markings, tears, or damage to the cover and binding in order to be eligible for a refund. Shrink-wrapped books must remain in original shrink-wrap to receive a full refund.
6. Defective books will be replaced and should be returned as soon as possible. Replacement books will be new for new, used for used where available-the student must meet any price differences.
7. Any CD's or other supplementary products that were in your text at the time of purchase must be returned with text.
8. After 3 weeks of class, the bookstore may or may not have your book in stock.
9. All clothing returns must be accompanied by a dated sales receipt. Clothing and gift items must be returned within ten business days from the purchase date. Tags must be attached and clothing must be in same condition as when purchased.
10. If an item is listed as "No Refund" on the receipt, it cannot be returned. Non-returnable items include: Opened Access Codes, Software, Electronics, Calculators, Lab Manuals, Lab Packages, and Sale/ Clearance Items. These cannot be returned. **NO EXCEPTIONS!**

## Book Buyback Policy

A buyback will be held the week of finals beginning on Monday and ending on Thursday for the Main Campus. Dates will be posted around campus.

### Buyback hours (during Finals Week)

Monday & Tuesday 8:00 am - 5:00 pm

Wednesday & Thursday 8:00 am - 7:00 pm

## Off-Campus Buyback

McPherson Buyback ... Wednesday 3:00 pm - 7:00 pm

Newton Buyback ... Thursday 3:00 pm - 7:00 pm

**Scholarship Books**

*All Athletic and Academic scholarship students must return all of their books to the HutchCC Campus Store by 4:00 pm the Friday of Finals week. Scholarship books not returned by Friday at 4:00 pm will be charged to your student account.*

# **IT Acceptable Use Policy**

## **Purpose:**

All users of the Hutchinson Community College (HutchCC) computer system - defined as a computer, hand held/cell phones, computer system, computer network, computer software, computer program, data base, or any part thereof owned and controlled by HutchCC - hereby agree to abide by the procedures and policies of HutchCC and the State and Federal laws. Outlined in this policy are expected standards of conduct on the use of the HutchCC computer system and the disciplinary actions taken for not adhering to those standards.

## **Mission and Rights:**

HutchCC owns a variety of computing systems that are provided for the use of HutchCC students, faculty, and staff in support of the educational programs of the college. All computer use shall be consistent with the mission and goals of HutchCC.

Unauthorized commercial uses of the HutchCC computer system are prohibited.

All users are responsible for seeing that the computing facilities are used in an effective, efficient, ethical, and lawful manner.

HutchCC reserves all rights, including termination of service without notice, to the computing resources that it owns and operates.

This policy shall not be construed as a waiver of any rights of HutchCC, nor shall it conflict with applicable laws.

## **Computer User Names and Passwords:**

It is the responsibility of all HutchCC users to maintain and protect their user names and passwords. HutchCC users are solely responsible for all computing operations executed under their user names.

Sharing a user name and/or password with others is prohibited.

Disguising an identity to acquire a user name falsely is prohibited.

Users may not, under any circumstances (except for system administrators), transfer or confer computer information privileges to other individuals.

## **System Resources:**

Users are responsible for maintaining an environment in which resources are shared equitably between users.

Any attempt to deprive other authorized users of resources or access to any HutchCC computer is prohibited.

Any attempt to gain access to unauthorized computer resources is prohibited.

Any unauthorized modification or destruction of computer resources is prohibited.

The willful introduction of malicious software, such as computer "viruses" is prohibited.

## **Harassment:**

HutchCC's Harassment Policy applies with full force and effect to any use of the HutchCC computer system. Harassment of any kind is prohibited. No messages with derogatory or inflammatory remarks about any individual or group's race, color, ancestry, religion, national origin, physical or mental attribute, age, gender, and/or sexual preference will be transmitted. A user who violates this policy shall bear full responsibility for his or her actions. Further, by their use of HutchCC's computer system, users agree that individuals who transmit such remarks shall bear sole responsibility for their actions.

All users have the right to be free from any conduct connected with the use of HutchCC's computing systems that discriminates against any person on the basis of race, color, ancestry, religion, national origin, disability, age, gender, and/or sexual preference. Discriminatory conduct includes, but is not limited to, written or graphic conduct that satisfies the following conditions:

1. Harasses, denigrates, or shows hostility or aversion toward an individual or group based on that person's race, color, ancestry, religion, national origin, age, gender, and/or sexual preference; and
2. Has the purpose or effect of creating a hostile, intimidating, or offensive environment.
3. Users agree that HutchCC's role in managing this system is only as an information carrier and that they will never consider transmission through this system as an endorsement of said transmission by HutchCC.

## **Internet Access, including Internet II and other private networks:**

The purpose of allowing or providing internet access through HutchCC's computer system is to facilitate communications and research in support of the public purpose, mission, vision, and value statements at HutchCC. Users have the responsibility to act consistent with and to enhance the public purpose of HutchCC including the mission, vision, and value statements of HutchCC. Within these purposes, users must comply with the following guidelines for using the internet through the HutchCC computer system:

1. Users accessing the internet are representing HutchCC. All communications should be for or related to the purposes, mission, vision, and value statements of HutchCC;
2. Users are responsible for ensuring that the internet is used in an effective, ethical, and lawful manner;
3. Users are responsible for the content of all text, audio, or images placed or sent over the internet. Messages that are inconsistent with the HutchCC Acceptable Use are prohibited, including but not limited to, fraudulent, harassing, or obscene messages;
4. All messages communicated on the HutchCC computer system should have the user's name attached. No messages will be transmitted under an assumed name;

5. Information published on the internet through the HutchCC computer system should not violate or infringe upon the rights of others;
6. Any network traffic that originates at HutchCC and moves to other networks must conform with any applicable policies of those subsequent networks.
7. HutchCC reserves the right to restrict access to internet or any other outside network.

**Unacceptable uses:**

1. Uses that violate any local, state, or federal statute;
2. Uses that interfere with the user's duties and responsibilities to HutchCC;
3. Downloading software that does not follow the procedures outlined in HutchCC's Software Acquisition Process;
4. Accessing, uploading, downloading, or distributing any text, graphic, video, or audio clip that is obscene, sexually explicit, profane, or harassing in nature;
5. Accessing, uploading, downloading, or distributing any test, text, graphic, video, or audio clip that is for personal financial gain;
6. Uses that interfere with or disrupt any network services - disruptions include, but are not limited to, introducing malicious software, such as computer viruses, and unauthorized entry into any other machine or system (hacking);
7. Uses that violate any other provisions of the HutchCC Acceptable Use Policy and/or the HutchCC Conflict of Interest policy.

**Software Licensing, Copyright and Unauthorized Distribution:**

Computer software protected by copyright shall not be copied from, into, or by means of HutchCC computing facilities, except as permitted by law or by the contract with the owner of the copyright.

HutchCC may not duplicate any software or related documentation for use either on HutchCC premises or elsewhere unless HutchCC is expressly authorized to do so by agreement with the licensor. Unauthorized duplication of software may subject the user to both civil and criminal penalties under the United States Copyright Act.

HutchCC computers are organization-owned assets and must be kept both software legal and virus free. Only software approved through the software acquisition/standardization procedures may be used on HutchCC machines. Software purchased outside of this procedure is not permitted to be loaded on HutchCC computers.

Generally, institution-owned software is not licensed for home use; however, some software companies permit home use under certain circumstances. If software is needed for home use, and is not covered in its license agreement, a separate license should be purchased and recorded as an institution-owned asset in the software register. Before taking any software home, please check with the software manager.

Assume that all software is bound by copyright.

Any unauthorized release of printed or computer-based information is prohibited.

**Disclaimers:**

While reasonable attempts have been made to ensure the privacy of users' electronic information, this in no way guarantees that electronic information is private. The HutchCC computing system is not necessarily secure.

System administrators will respect users' privacy to the extent possible and will not examine electronic information except when investigating an apparent violation, investigating systems resource over-utilization or abuse, performing preventive maintenance, forwarding misdelivered messages, or closing an account.

**Violations:**

Any violation of this policy or applicable laws will result in disciplinary actions by the proper authorities.

Any user's privileges may be suspended immediately upon the discovery of a possible violation of this policy.

Such suspected violations will be confidentially reported to the appropriate college official(s).

Violations of these policies will be dealt with in the same manner as violations of other HutchCC policies and may result in disciplinary review or termination of employment.

**Appendixes:**

A. Electronic Communication Policy

B. Software Acquisition/Standardization Procedure

C. Social Networking Policy

# Electronic Communication Policy

Official communications from Hutchinson Community College include both electronic and paper communications. HutchCC encourages employees to communicate electronically whenever possible. Electronic communications may replace paper communication unless prohibited by federal or state law, including regulatory guidance as appropriate.

HutchCC provides a variety of electronic communication tools including, but not limited to, email, messaging systems, and social media for use by students and employees. HutchCC encourages the appropriate use of these forms of communication, as defined in this and other HutchCC policies, to further its mission and vision.

Examples of official communications that HutchCC may communicate electronically include, but are not limited to, enrollment information, academic progress notifications, financial statements and other financial information, library overdue notices, policy announcements, and notification of official disciplinary hearings. Official communications must originate from a HutchCC managed system or account. Any communication originating from source other than HutchCC will not be considered official communication. HutchCC employees and students are expected to check their electronic communications on a frequent and consistent basis in order to stay current with HutchCC and/or faculty-student related communications. HutchCC employees and students will not be held responsible for an interruption in their ability to access electronic messages due to a HutchCC system-related problem that prevents the timely delivery or access to the electronic message (power outages, system viruses, etc.).

Faculty may determine how electronic communication will be used in their classes, but must specify their requirements in the Instructor Sheet.

Student and campus organizations recognized by Student Services may use electronic communication to notify students and employees of meetings, events, and fund-raising activities.

HutchCC electronic communication may not be used for commercial purposes, for personal financial gain, to distribute chain mail, for personal advertisements, to support partisan political candidates, political party fundraising, or political causes, or to support outside organizations. Individuals who wish to use HutchCC electronic communication in support of external organizations (e.g., charities) must secure written or email approval of the President.

The Federal Health Insurance Portability and Accountability Act (HIPAA) prohibits the dissemination of personal health information without the written consent of the person.

HutchCC student email addresses are not to be shared with other students without the student's permission.

HutchCC restricts the use of broadcast electronic communications, which are defined as electronic communications broadcast to large segments of the HutchCC community, such as but not limited to all employees, a particular group of employees (e.g., all faculty, all staff), all students, or all HutchCC email account holders. Subjects that are not appropriate for broadcast electronic communications include but are not limited to:

- Personal notices, e.g., items for sale, lost or found;
- Messages of a commercial, political, or lobbying nature; or
- Messages that solicit support (financial or otherwise) for charity, personal gain, or special causes not connected with an official HutchCC effort.

Broadcast electronic communications containing attachments are discouraged because of the burden on HutchCC's system resources.

Students are not authorized to send broadcast electronic communications.

HutchCC employees may send broadcast electronic communications only with (1) advance approval from the President's Office, the Vice Presidents' Offices, the Chief Information Officer, the Director of Human Resources, the Coordinator of Equity and Compliance, or the Director of Marketing and Public Relations, and (2) for mission-related matters pertinent to the functioning of HutchCC or emergency messages. If the broadcast electronic communication is directed to students, the employee must obtain the prior written or email approval of the President or one of the Vice Presidents. HutchCC employees should use the e-bulletin board available on HCCWeb Services site to post items not related to the mission of HutchCC.

HutchCC recognizes that its employees occasionally may need to make personal use of HutchCC electronic resources and does not wish to prohibit such use altogether. The overriding principle that should govern personal use of these resources is that reasonable and incidental unofficial use of HutchCC electronic resources is authorized only so long as:

- Such use is not malicious, threatening, or intimidating toward other persons;
- Such use does not interfere with HutchCC operations, official business, or organizational performance;
- Such use does not adversely affect the job performance of the user or any employee;
- Such use does not adversely affect the learning experience for a student;
- Such use must be of limited duration and frequency;
- Such use does not support external organizations, partisan political candidates, party fundraising or causes;
- Such use does not generate incremental identifiable costs to HutchCC. If HutchCC incurs additional costs, HutchCC reserves the right to seek appropriate reimbursement; and
- Such use does not violate this or other HutchCC policies.

HutchCC electronic communication resources may not be used for activities that are clearly prohibited.

HutchCC supports a climate of trust and respect and does not ordinarily read, monitor, or screen electronic communications. However, complete confidentiality or privacy of electronic communications cannot be guaranteed. Confidentiality cannot be guaranteed because of the nature of the medium, the need for authorized staff to maintain electronic systems, and HutchCC's accountability as a public institution. The President or his designee may authorize HutchCC's ITS system administrators to access employee or student electronic communications in a number of circumstances including, but not limited to, situations involving the health or safety of people or property; possible violations of HutchCC's codes of conduct, regulations, or policies; possible violations of state or federal laws; subpoenas and court orders; other legal responsibilities or obligations of HutchCC; or the need to locate information required for HutchCC's business.

*HutchCC electronic communications remain the property of Hutchinson Community College. Electronic communication use that violates the law, rights of others, or HutchCC codes of conduct, regulations, or policies is a serious abuse. Such actions may subject an individual to termination of account privileges and/or appropriate disciplinary and/or legal action.*

# Social Networking Policy

## Purpose

*This addendum to the Information Technology Acceptable Use Policy (ITAUP) is to promote responsible engagement and dialogue between HutchCC employees and students, prospective students and/or constituents. Whether or not HutchCC faculty and staff choose to create or participate in a blog, wiki, online social network or discussion is his or her decision. However, emerging online collaboration platforms are fundamentally changing the way faculty and staff work and how they engage with each other, students and the public. To promote learning and collaboration, HutchCC believes in the importance of open exchange between HutchCC and our students or prospective students. The rapidly-growing phenomenon of user-generated web content such as blogging, social web-applications and social networking are emerging important arenas for learning and collaboration.*

## Policy Detail

- 1. Hutchinson Community College does not monitor staff or student social networking content published independently of their work at HutchCC. The views and information on such postings do not constitute official college information.*
- 2. Personnel will identify themselves by name and, when relevant, their role at HutchCC when discussing HutchCC-related matters.*
- 3. When possible (without limiting effectiveness) and as information technology at HutchCC progresses, HutchCC related content will be published on HutchCC owned systems (blogs, wiki's, etc...), and outside sites referred to those URLs.*
- 4. Content published to blogs (and other narrative based discussions) outside of HutchCC that has something to do with the College require a disclaimer such as, "The postings on this site are my own and don't necessarily represent Hutchinson Community College's positions, strategies or opinions."*
- 5. When participating in any social networking online community, content should be treated in such a manner that once posted online it is available to anyone in the world. Any text or photo placed online typically becomes the property of the social networking site(s) and can not be controlled the moment it is placed online.*
- 6. All laws and regulations relating to copyright and fair use shall be followed without exception.*
- 7. Web content is by definition public information and as such no HutchCC proprietary information, student information, confidential information or personally-identifying information will be published at any time.*
- 8. Clients, partners, or suppliers will not be cited without their approval. When possible, references will be linked back to the source.*
- 9. It is recommended that HutchCC students, faculty, and staff adhere to the terms and conditions of social networking sites.*
- 10. For those social networking sites that require identification of HutchCC official representatives, those representatives shall be determined by the HutchCC President's Council. HutchCC faculty, staff, or students shall not electronically agree to manage social networking sites on behalf of HutchCC without President's Council approval.*
- 11. Any HutchCC faculty, staff or student should follow all state and federal laws regarding comments that discriminate against any person on the basis of race, color, gender, national origin, disability, religion, sexual orientation, veteran status, or age.*
- 12. Be aware of your association with HutchCC in online social networks. If you identify yourself as an HutchCC faculty, staff, or student, ensure your profile and related content is consistent with how you wish to present yourself with colleagues, students and the public.*
- 13. Social networking activities should not interfere with work commitments.*
- 14. Company logos and trademarks may not be used on social networking sites without written consent of the HutchCC Marketing Department.*
- 15. Use of social networking sites are subject to all aspects of the Information Technology Acceptable Use Policy, the disciplinary policy, and other HutchCC policies.*

# Copyright Policy

## **PURPOSE**

The Higher Education Opportunity Act (HEOA) requires Hutchinson Community College to have processes in place to effectively combat the unauthorized distribution of copyrighted material and, to the extent practicable, offer alternatives to illegal downloading or peer-to-peer distribution of intellectual property.

Copyright infringement constitutes a violation of Institutional policy and may create potential liability for both civil and criminal actions. Action on the part of the Institution as a matter of policy does not remedy a user against possible legal actions from the content owner or possible criminal actions on the part of law enforcement.

## **HUTCHINSON COMMUNITY COLLEGE COMPLIES WITH HEOA REQUIREMENTS AS FOLLOWS:**

- Publishes warnings online, in print, and in presentations that students who violate copyright laws may be subject to disciplinary action by the College as well as prosecution under State and Federal guidelines.
- The Vice President of Student Services annually discloses this information to students through electronic means that defines copyright law, details College rules for file sharing, and lists legal alternatives for acquiring copyrighted materials.
- Information Technology monitors network activity and utilizes network appliances specifically for stopping illegal file sharing and copyright use.
- The college residence hall student network computing system is maintained by an external contracted vendor. Residents are required to maintain compliance with any additional vendor policies beyond HutchCC's policies.

## **POSSIBLE RESOURCES ARE:**

- Legal Music Downloading (link to <http://www.campusdownloading.com/legal.htm>)
- Legal Movies and TV Shows (link to [http://www.mpaa.org/piracy\\_ligalopt.asp](http://www.mpaa.org/piracy_ligalopt.asp))
- Information Technology Acceptable Use Policy (link to policy)
- HutchCC Student Handbook (Link to Official Disciplinary Proceedings section of handbook)
- Technical Support Phone: (620) 665-3524
- Tech Support E-Mail: [techsupport@hutchcc.edu](mailto:techsupport@hutchcc.edu)
- JFK Library Phone: (620) 665-3547 or 665-3338
- JFK Library E-Mail: [jfk@hutchcc.edu](mailto:jfk@hutchcc.edu)

## **COPYRIGHT NOTICE -- WARNING CONCERNING COPYRIGHT RESTRICTIONS**

The copyright law of the United States (title 17, United States code) governs the making of photocopies or other reproduction of copyrighted material.

Under certain conditions specified in the law, libraries and archives are authorized to furnish a photocopy or other reproduction. One of these specified conditions is that the photocopy or reproduction is not to be "used for any purpose other than private study, scholarship, or research." Additionally, the work cannot be digital material such as "a musical work, a pictorial, graphic or sculptural work, or a motion picture or other audiovisual work other than an audiovisual work dealing with news." Materials may be used for limited educational purposes (in class). If a user makes a request for, or uses, a photocopy or reproduction for purposes in excess of "fair use," that user may be liable for copyright infringement.

# Campus Security Information

## **CAMPUS SECURITY:**

**Available 24 hours a day during the school year by calling (620) 665-3379 or 3379 from a HutchCC telephone.**

### **Introduction**

The Hutchinson Community College Security Office provides basic information about how the college and its employees can work together for a safer and more secure educational environment.

Questions about campus security and/or campus safety should be addressed to the Office of Facilities and Campus Security at 665-3590, in the Office Technologies Building. Office hours are 8 a.m.-4:30 p.m., Monday through Friday. Offices are closed during college-recognized holidays.

HutchCC Security Officers work with HutchCC students and employees to make sure the campus is as safe a place as possible for students, faculty and staff.

### **Reporting Crimes and Other Emergencies**

#### **Crimes:**

If a crime is committed on campus (such as murder, sexual offense, robbery, aggravated assault, burglary or motor vehicle theft), a victim and/or witness should report the occurrence to the proper authorities by calling 911.

Such crimes when committed on campus should subsequently be reported to the HutchCC Security Office (665-3379). The Security Office will consult with police agencies investigating cases and assist as needed.

#### **Emergencies:**

Hutchinson Community College's policy is that all emergencies threatening immediate danger to life or property should be reported to 911.

Subsequently, such emergencies should be reported to the HutchCC Security Office.

### **Current Policies for Securing and Restricting Access**

Access is restricted in both of Hutchinson Community College's residence halls. Visitors are logged in and out when the hall desk is open. More information about the hall desk and residence hall policies is available in the Resident Hall Handbook.

Visitors and residents usually have access to campus buildings between 7 a.m. and 10 p.m. If the hours of a facility differ from these normal operating hours, a sign posted at the main entrance indicates the hours of access. HutchCC Security Officers patrol the campus on a regular basis.

Parking lots, which are restricted to vehicles with valid parking permits, are patrolled on a regular basis by HutchCC Security Officers.

Intercollegiate athletic facilities and events are restricted to paying customers, students with current student IDs and faculty and staff with All Sports Tickets. Access during athletic events is controlled and security is provided as needed and required.

Any unauthorized person or persons found using HutchCC property and/or equipment or behaving in a manner that is not conducive to the maintenance of a proper educational environment will be asked to leave the campus at once. If there is a repeat offense or if such person or persons refuse the request, local law enforcement officers may be called to campus to issue a trespassing citation.

### **Current Policies for Publicizing Security Efforts**

The Director of Facilities and Campus Security offers information on campus safety and campus crime prevention. A standing subcommittee — the HutchCC Safety and Security Subcommittee — makes recommendations for improving campus safety and preventing campus crime. This committee (consisting of faculty, staff and students) seeks college-wide involvement in its activities. The Director of Facilities and Campus Security is responsible for overseeing and coordinating the HutchCC security efforts. This person reports to and receives directions from the Director of Facilities, who in turn receives recommendations from the HutchCC Safety and Security Subcommittee.

### **Enforcement Authority of Hutchinson Community College Security Personnel**

The Hutchinson Community College security philosophy is to provide assistance, observation and support. The HutchCC Security Officers DO NOT carry firearms. The HutchCC Security Office has a close working relationship with local law enforcement agencies.

### **Policies to Encourage Prompt and Accurate Reporting of All Crimes**

College personnel encourage the prompt reporting of all crimes and suspicious activities. The prompt reporting of crimes is encouraged through various printed materials given to students, faculty and staff personnel.

### **Programs to Inform Employees and Students About Campus Security**

Campus security procedures are provided to students as part of the HutchCC Student Handbook.

Orientation programs for new staff and faculty also include information about security procedures.

### **Monitoring and Recording of Criminal Activities at Hutchinson Community College's Off-Campus Sites**

The HutchCC Security Office confers with local law enforcement agencies on statistics concerning crimes committed at off-campus sites. These statistics, combined with those kept by the college, will be disseminated to the college community.

### [The HutchCC Drug and Alcohol Policy](#)

#### **Protecting Yourself From Campus Crime**

The following list presents ideas and instructions that can aid in preventing possible criminal activity and assault:

Walk on designated paths and stay away from areas that are not well illuminated.

Walk with other persons whenever possible.

When you park your car, roll up your windows and lock all the doors.

Tell a friend where you are going and when you expect to return.

Carry sufficient money at all times to make a telephone call or call a cab.

Be aware of what is going on around you at all times.

#### **Statistics for Crimes on Campus**

Statistics for reportable crimes will be made available to students and their families, faculty, staff and the general public in accordance with the following timetable:

A. Reports required on September 1 of each year since 1992 have included statistics concerning the occurrence of offenses on campus. The 1994 report covers the time period from August 1, 1991, through December 31, 1993.

B. A report required on Sept. 1, 1995, and each succeeding year, will include statistics concerning the occurrence on campus of offenses during three (3) calendar years preceding the year in which the report is made.

The reportable offenses are as follows: (A) Murder/Non-negligent manslaughter, negligent manslaughter, (B) Sexual Offense, forcible, non-forcible (includes only incest and statutory rape, (C) Robbery, (D) Aggravated Assault, (E) Burglary and (F) Motor theft (G) Arson.

Also reportable are the following crimes on campus that lead to an arrest: (A) Liquor law violations, (B) Drug abuse violations and (C) Weapons possession.

The HutchCC Security Office (665-3590) compiles crime statistics for any of these listed incidents: (1) one that occurs at any building or property owned or controlled by the college within the same reasonable continuous geographic area and used by the college in direct support of or related to its educational purposes; or (2) one that occurs in any building or property owned or controlled by student organizations recognized by the college.

These crime statistics are listed below and can also be found at the Department of Education's Office of Post-secondary Education's Campus Security Statistics website <http://ope.ed.gov/security/>

### [Campus Security Statistics](#)

# Traffic Regulations

These regulations are intended to provide guidelines to the behavior expected of all members of HutchCC in their capacities as motor vehicle owners and operators.

## I. Registration of Motor Vehicles

A. All motor vehicles of any type, which will be driven to school by students, faculty or staff, must be registered during student registration or at the Information Center in the Parker Student Union. Students may enter required data on-line by accessing their DragonZone account and completing the form.

a. The vehicle license plate number is required at registration.

b. Such registration does not, by itself, authorize motor vehicles to be parked on campus except as provided in Item II, C., 6 below.

## II. Parking Regulations

### A. Registration

a. Students, faculty, and staff desiring to park a motor vehicle on campus must first register the vehicle in accordance with Item 1, above. The college campus includes:

a. North lot

b. Northeast lot (reserved for Dorm South Residence Hall students)

c. South lot

d. 12th Street lot

e. Arena lot

f. Residence Hall lots

g. South Campus area

h. Davis Hall

i. Davis Hall East

j. Building 12

k. 15th Street lot

l. RCIC

m. Fine Arts

n. Office Technologies

b. Permits may be obtained from the Information Center in the Parker Student Union during the regular office hours. The vehicle license plate number and description of each vehicle is required for a parking permit.

c. The parking permit must be displayed in the lower outside section of the rear window on the driver's side, in such a manner as to be clearly visible to campus security officers. **DO NOT PUT PERMIT ON BUMPER!**

d. The year and number of the permit must be visible and legible. If the permit has been damaged so that the year or number may not be clearly read, the holder of the permit must return it to the Information Center to obtain a new permit.

e. If a vehicle which has been registered for parking is disposed of, or replaced, the Information Center should be advised as soon as possible.

### B. Fees for Vehicle Permits

a. No separate fee is charged

### C. Areas Authorized for parking

a. Student, Faculty and Staff motor vehicles, other than two-wheeled, may be parked: in all stall unless otherwise designated by curb or sign markings.

b. Residence hall students may not park on the main campus before 1:00 p.m. on weekdays except for residents with a Dorm South permit and the ONLY in the northeast lot. Violations are subject to ticketing. Students who reside in residence hall are to use residence hall parking lots only. Students assigned parking in the DS lot may not park in the Kent or Elland Hall lots

c. Two-wheeled motor vehicles operated by students, faculty, and staff must be parked in the areas specified for motorcycles.

d. Sports Arena parking is restricted to parking stalls only. Vehicles parked in yellow curbed area are subject to ticketing.

e. Students, faculty, or staff members can not park in stalls marked for visitors, and are subject to ticketing

f. Properly registered vehicles, (displaying parking permits), may be allowed to park for loading and unloading of school related materials. Campus security personnel should be consulted for authorization in order to avoid being fined for improper parking.

D. Proper placement of vehicles parked in stalls

a. All vehicles must be parked forward in stalls so the entire vehicle is within the painted lines.

III. Traffic Regulations

A. All state and local traffic regulations will be enforced on campus. City police, at the college's request, may impound vehicles for excessive violations.

B. Directional and one-way sign compliance will be enforced.

C. The campus speed limit is 10 mph.

D. Due regard must be given to conditions of weather, visibility, crowds, etc., when determining the maximum safe speed.

E. Yellow curbed or lined out areas are restricted "No Parking." Red-lined areas are for visitors.

F. Parking for the handicapped will be designated. Federal regulations call for 24-hour control and are subject to ticketing by HutchCC Security and local law enforcement.

G. The 10-minute loading & unloading zones will be enforced for all college personnel.

H. Fire lanes must be open at all times.

Adhere to College Parking Zones in and around campus, including city streets.

IV. Enforcement of Regulations and Fines for Violations

A. Tickets may be issued for violations from 7 a.m. to 10 p.m. on school days. Tickets may be issued on a 24-hour basis for parking violations in a designated handicapped area or fire lane. During the summer sessions, vehicles are not required to have permits.

B. It is the duty of campus security personnel to determine when a violation has occurred and whether such violation warrants a ticket. In the event that the recipient of a ticket feels it may not have been justified, the campus security officer may be consulted.

C. The Student Government Association holds traffic court in order to hear appeals from students who challenge their parking tickets. Any ticket issued by campus security personnel may be appealed by filling out an appeal form available at the Information Center and then making a personal appearance before the student traffic court. Any fines must be paid prior to filing an appeal.

D. Tickets will be issued and fines assessed for violation of college parking zones on campus and surrounding streets.

E. If the driver of a vehicle is not the holder of the parking permit displayed on the vehicle, both the driver and the holder of the permit may be liable for any fines incurred by traffic or parking violations.

F. Temporary permits may be obtained at the Information Center.

G. Fines

a. Fines are to be paid within three school days of issuance of the ticket.

b. \$10.00 per violation

c. Unpaid fines will be treated, as any other debt owed to the college and will be subject to appropriate methods of collection.

d. Parking in a handicapped stall \$50.00.

# ***Behavioral Intervention Team Policy***

*The Behavioral Intervention Team (BIT) at Hutchinson Community College (HutchCC) exists to provide a structured, positive method for addressing student behaviors that impact the HutchCC community and may involve health and/or safety issues. The BIT strives to eliminate "fragmented care," to manage each case individually, and to initiate appropriate intervention without resorting to punitive measures.*

## *BIT Members*

*BIT membership consists of the Coordinator of Advising, Career Development, and Counseling Services who will serve as the BIT Chair. In the Coordinator's absence, the Vice President of Student Services will serve as Chair. Other members of the BIT include the Vice President of Student Services, the Residence Halls Director, the Registrar, and the Coordinator of Equity and Compliance.*

## *Emergency Protocol*

*In the event of an emergency, BIT members will be contacted by calling their office phone numbers and/or via text message through HutchCC's Emergency Alert System. This system can only be activated by the President of HutchCC or the President's designee.*

*If the emergency is more appropriate for the Crisis Team, the Chair of the BIT will notify the Chair of the Crisis Team. At this point, the BIT will default to the Crisis Team to handle the emergency.*

*If an emergency warrants immediate notification of the HutchCC Campus, the Chair of the BIT will, with the President of HutchCC's approval, contact ITS to activate the Emergency Alert System.*

## *Discipline*

*After reviewing reports to the BIT, the team may take any of the following actions:*

- Continue to observe student behavior*
- Report concerns to appropriate parties (e.g. instructors)*
- Mandate counseling referral*
- Mandate agency referral*
- Coordinate with other agencies*
- Notify emergency contact (e.g. next of kin, parent, etc.)*
- Alert appropriate authorities (911)*
- Enact college emergency plan*
- Suspension*

*If the BIT reasonably determines that a student's continued presence on campus poses a significant danger to either the student or to others or if there is reasonable cause to believe that an interim suspension is required to protect lives or property and to ensure the maintenance of order, the BIT may recommend to the President of HutchCC the student be temporarily suspended.*

# ***Anti-Tobacco/Smoking Policy***

*HutchCC strongly discourages smoking and the use of tobacco products.*

*No smoking (including vaping) nor use of tobacco (including smokeless) is permitted in/on HutchCC owned or leased buildings and property, except in designated areas. This mandate includes all employees, students, vendors and guests.*

*Please refer to the anti-tobacco/smoking procedure for designated tobacco areas on HutchCC sites.*

*Disciplinary action may ensue for anyone who violates this policy.*

# Alcohol & Drug Policy and Prevention Program

## Standards of Conduct

In compliance with the Federal Drug Free Workplace Act of 1988 (Public Law 100-690) and the Drug Free Schools and Communities Act of 1989 (Public Law 101-226), Hutchinson Community College ("HutchCC" or "the College") prohibits the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance or abuse of alcohol (as defined in these Acts) by a student or employee on college property or at any college event or activity.

Student or employee violations of federal, state, and/or local drug and alcohol laws, including underage drinking laws, or HutchCC policies will be handled in accordance with applicable law enforcement and/or HutchCC disciplinary procedures. In Kansas, the legal drinking age is 21; however, no alcohol is allowed on HutchCC property or property controlled by HutchCC without prior written approval of the HutchCC Board of Trustees.

Residence halls, student clubs and organizations, and athletic teams, may impose additional restrictions.

## Student Sanctions

Students who violate this policy are subject to the [HutchCC Disciplinary Policy \(Policy 1047\)](#) and the sanctions included in that policy. Violations of this policy by students will be reported to the Vice President of Student Services and, when appropriate, to law enforcement officials.

## Employee Sanctions

As a condition of employment, employees of HutchCC who violate this policy will be reported to the Director of Human Resources and, when appropriate, to law enforcement officials. Employees of HutchCC who violate this policy will be subject to one or more of the following disciplinary actions:

- Placement on probationary status.
- Short-term suspension with pay.
- Short-term suspension without pay.
- Long-term suspension without pay.
- Required participation in a drug and alcohol education treatment, counseling, or rehabilitation program.
- Termination of employment.
- Or other actions determined appropriate by the Director of Human Resources.

Employees who violate this policy will be afforded a hearing in accordance with current policies relating to employee discipline. Nothing in this policy is intended to diminish the right of the college to take any other disciplinary action permitted or authorized by HutchCC policies or the negotiated agreement.

If it is determined that an employee should complete a drug or alcohol education or rehabilitation program as a condition of continued employment, payment of the costs of any such program will be the employee's responsibility. Employees convicted of a violation of a criminal drug statute occurring in the workplace are required to notify HutchCC of the conviction no later than five calendar days of the conviction. After receiving the notification from the employee, HutchCC must provide notice of the conviction, including position title and affected grants, to the U.S. Department of Education's Director of Grants and Contracts Service.

## Distribution

This policy will be distributed annually to all employees and all students.

The policy and related procedures will be reviewed and updated biennially by the Regulatory Compliance and Due Process Committee. The Director of Financial Aid may make minor modifications to policy if Federal Regulations warrant such revisions.

## Consequences of the Use, Misuse, and Abuse of Drugs and Alcohol

### Health Consequences

Students and employees of HutchCC should be aware that the following health risks have been associated with the use, misuse and abuse of drugs and alcohol:

- Alcohol: Birth defects, ulcers and gastritis, liver damage, heart disease, cancer, and brain damage.
- Anabolic Steroids: Acne, cancer, heart disease, liver disease, sterility, jaundice, and kidney stones.
- Cocaine/Stimulants: Increased blood pressure, blurred vision, sleeplessness, anxiety, irregular heartbeat, and death.
- Hallucinogens: Increased body temperature, increased heart rate, blood pressure, sleeplessness and tremors.
- Marijuana: Irritation of the lungs, emphysema, increased heart rate, reduced short term memory, and cancer.
- Opiates/Narcotics: Decreased heart rate, nausea, cold, moist skin, bluish in color, and slowed breathing.
- Sedatives: Slowed body function, drowsiness, convulsions, and coma.

Prescription and Over-the-Counter Medications: Risks associated with the nonmedical use, abuse or misuse of prescription and over-the-counter medications are dependent upon the particular medication and may include any of the risks described above.

Students and employees should note that the above listing is not intended as all inclusive.

### Workplace Consequences

The negative impact of substance abuse by employees in the workplace can be; increased risk of accidents, lower productivity, increased insurance costs, increased institutional costs, increased absenteeism. Loss of jobs and loss of life may result from substance abuse on the job.

## **Legal Consequences**

Local, state, and federal laws provide for a variety of legal sanctions and penalties for the possession, distribution, misuse and abuse of controlled substances, pharmaceutical products, prescriptions, over-the counter medications, and alcohol.

The Federal Controlled Substances Act provides penalties of up to 15 years imprisonment and fines up to \$25,000 for unlawful distribution or possession with intent to distribute narcotics. For unlawful possession of a controlled substance, a person is subject to up to one year of imprisonment and fines up to \$5,000. Any person who unlawfully distributes a controlled substance to a person under twenty-one years of age may be punished by up to twice the term of imprisonment and fine otherwise authorized by law.

Kansas law provides that any person who violates the criminal statutes on controlled substances by possessing, offering for sale, distributing, or manufacturing opiates and narcotics, such as cocaine and heroin, shall be guilty of a Class C felony. For a conviction of a Class C felony, the court may sentence a person to a term of imprisonment of a minimum of three to five years, a maximum of 10 to 20 years, and a fine of up to \$15,000. Unlawful possession of a depressant, stimulant or hallucinogenic drug is punishable as a Class A misdemeanor, with a penalty of up to a year in jail and a fine of \$2,500.

Under Kansas law, persons under 21 years of age may be subject to minimum fines of \$200 for possessing, consuming, obtaining, purchasing or attempting to obtain or purchase alcoholic liquor or cereal malt beverages. Persons convicted of driving under the influence of alcohol or drugs are subject to severe fines, imprisonment, and other penalties.

The most recent & complete [Federal Trafficking Penalties](#) are available online.

## **Counseling, Treatment, and Rehabilitation**

Drug and alcohol counseling and treatment programs are available to students and employees on a national, state, and local basis. The Federal Substance Abuse and Mental Health Services Administration (SAMHSA) website maintains a [substance abuse treatment locator](#).

Alcohol assessments and personal counseling are available to currently enrolled students and employees through the HutchCC Student Success Center (620) 665-3377. [Additional counseling information and resources](#) are available online. The Student Success Center maintains a list of local treatment facilities and this is available for students and employees to pick upon request.

## **Drug and Alcohol Abuse and Prevention Information**

The following web sites provide additional drug and alcohol abuse and prevention information:

- [Above the Influence](#)

Above the Influence was originally created as part of the National Youth Anti-Drug Media Campaign, a program of the Office of National Drug Control Policy (ONDCP). Above the Influence has since transitioned away from federal oversight and is now a program of the non-profit [Partnership for Drug-Free Kids](#).

- [National Council on Alcoholism and Drug Dependence \(NCADD\)](#)

The National Council on Alcoholism and Drug Dependence, Inc. (NCADD) has been a valuable resource for millions of people struggling with alcoholism and addiction.

- [It Matters](#)

The **It Matters** website and related educational campaigns are sponsored by the Behavioral Health Services Commission at the Kansas Department for Aging and Disability Services (KDADS).

- [National Institute on Drug Abuse \(NIDA\)](#)

The mission of the National Institute on Drug Abuse is to advance science on the causes and consequences of drug use and addiction and to apply that knowledge to improve individual and public health.

- [National Institute on Alcohol Abuse and Alcoholism \(NIAAA\)](#)

The National Institute on Alcohol Abuse and Alcoholism (NIAAA) is one of the 27 institutes and centers that comprise the National Institutes of Health (NIH). NIAAA supports and conducts research on the impact of alcohol use on human health and well-being.

# **Weather Emergencies**

*In the event of a weather-related emergency, college personnel will implement an approved plan for moving college students and staff to shelter locations. Shelter locations for a tornado alert include the following:*

*Child Care Center, Basement*

*Davis Hall, Basement*

*Fine Arts Building, Basement or interior hallways*

*JFK Library, Basement of Rimmer Learning Resource Center*

*Lockman Hall, Basement hallways*

*Office Technologies, Basement of Lockman via east, basement stairs*

*Science Hall, Rimmer Learning Resource Center Basement*

*South Campus Seek depression in terrain or interior of building*

*Pioneer Building, Basement*

*Residence Halls, Basement*

*Shears Technology Center, Basement of Lockman Hall*

*Sports Arena, Use ramps beyond corner restrooms*

*Parker Student Union, Nunemaker Room*

# ***Cancellations and Closings***

*In the event the college is closed and all classes or other activities are cancelled due to weather or campus emergency, students will be notified via the following sources:*

*A message will be sent via the college's emergency alert system to those students who have enabled their alert in their profile section of DragonZone. These messages will specify which college locations are involved and the dates and times of cancellations.*

*An e-mail will be sent to all campus e-mail addresses notifying students of the cancellation.*

*The college will announce the cancellation to media including radio stations KWBW 1450AM, KHUT 102.9FM and Radio Kansas 90.1FM (the official Hutchinson Community College radio station), and television stations KWCH, KAKE, and KSN.*

*An announcement will be posted on the college's telephone answering system to alert callers to closings.*

# ***Emergency Procedures***

*Procedures for students to follow in case of campus emergency are available on the college website. These procedures outline the recommended student response to emergencies involving fire, tornado, tornado damage, illness or injury on campus, death on campus, bomb threat, armed intruder, armed intruder near campus, hazardous materials released in a building, hazardous materials released outside, and testing center intruder /hazardous materials.*

*Questions about emergency procedures should be directed to the Campus Security office at 665-3590.*

# **Student Responsibilities**

*Students at Hutchinson Community College are expected to conduct themselves as self-respecting, educated men and women in accordance with the laws of the nation, state and community, as well as the academic community. Hutchinson Community College affirms the principle of intellectual freedom in scholarly activity, the right of each member of the community to be treated with respect and dignity and the right to learn. This affirmation imposes a duty not to infringe upon the rights of others. Within its sphere of responsibilities, the college will afford students proper procedural safeguards to resolve matters in dispute. Those students who willfully violate college standards must expect to face disciplinary action on the part of the institution.*

*Students at Hutchinson Community College have the following responsibilities:*

- 1. Provide the necessary documents for admission to the college.*
- 2. Observe all regulations of the college.*
- 3. Consult their advisors on academic careers, curriculum planning and changes in their programs.*
- 4. Attend all meetings of each class in which they are enrolled from the first class meeting and be aware of and comply with the instructor's attendance policy as outlined in the instructor sheet.*
- 5. Prepare for each class meeting as instructed and be an active participant in the class.*
- 6. Answer promptly all written notices from advisors, faculty, vice presidents and other college officials.*
- 7. Upon completion of requirements, file an application for graduation with the Records Office.*
- 8. Enroll in only those courses for which the stated prerequisite(s) -- if there are any -- have been satisfactorily met. Failure to comply with prerequisites may result in administrative withdrawal.*
- 9. Be aware of and comply with the policy and procedures for college or course withdrawal.*
- 10. Be aware of and comply with the academic honesty policy.*
- 11. Use the appropriate channels in appealing any academic actions which the students believe are unfair.*

# Disciplinary Proceedings

## A. Standards of Conduct for Students

### Acquaintance with Policies, Rules, and Regulations

Each student is expected to be fully acquainted with all published policies, rules, and regulations of the College, copies of which shall be available online on the Hutchinson Community College website. The College holds each student responsible for compliance with these policies, rules, and regulations.

The student is responsible for obtaining and understanding published materials to update the items in this code. Students are also expected to comply with all federal, state, and local laws. This principle regarding compliance extends to conduct off-campus, as the College reserves the right to act on incidents occurring on-campus or off-campus when the off-campus conduct could have an on-campus impact or could impact the educational mission of the College.

### Student Code of Conduct

Hutchinson Community College strives to provide an opportunity for education to all its students. In order to achieve this objective, it is important to define a standard or a code of conduct for behavior that will enable students to work together and with the faculty, staff, and administration in a positive manner. The following regulations have been approved by the governing board of Hutchinson Community College and will apply on College property, any College sponsored or sanctioned activities, and any off-campus behavior which reflects on the mission of the College.

Enrollment at Hutchinson Community College is not compulsory. The voluntary entrance of a student into the College means that the student also voluntarily assumes obligations of performance and behavior reasonably imposed by the College. The discipline of students at Hutchinson Community College is, in all but the case of expulsion, a part of the educational process.

Hutchinson Community College is an institution of higher learning. The rules and regulations are designed to ensure optimal conditions for learning for all students. The standard or code of conduct for students is seen as a foundation of behavior rather than arbitrary limits on behavior.

For a student who is found to have committed an offense and who previously has been found in violation of the Hutchinson Community College Code of Conduct, the previous offense will be considered during the disciplinary process.

More than one sanction may be imposed for a single violation. A single act may constitute a violation of more than one regulation. Being under the influence of drugs or alcohol will neither diminish nor excuse a violation of the Student Conduct Regulations. The standard of evidence used to determine responsibility is a "preponderance" of evidence (i.e. is it more likely than not a violation has occurred). This determination is based on the greater weight of the evidence and does not require a standard beyond a reasonable doubt.

The conduct of Hutchinson Community College students, both on and off-campus, is expected to be that of any responsible adult in a public place. Students should consider at all times the effect of their actions on the reputation of the College. It is recognized that each student has the inherent right of free speech and free thought. However, it is also recognized that these rights must be extended to all other individuals.

### Statement Regarding Sexual Discrimination, Harassment, and Sexual Misconduct

Hutchinson Community College neither tolerates nor condones any form of sexual discrimination—including but not limited to rape, 'date or acquaintance' rape, sexual assault, sexual misconduct, or sexual harassment. In accordance with federal and state regulations regarding sexual discrimination, the College has established an official policy and procedure which is both independent from the Student Code of Conduct and applicable to students, faculty, and staff alike to investigate, remedy, and adjudicate such prohibited behavior. This Equal Opportunity, Harassment and Nondiscrimination Policy and Procedure (Policy Number 1089) is available in the College's online catalog and in the Student Handbook.

### Behavioral Misconduct

#### Misconduct or prohibited behavior includes, but is not limited to:

##### 1. Alcoholic Beverages

- a. Use, possession, sale, delivery, manufacture, or distribution of alcoholic beverages.
- b. Being under the influence of alcohol and/or intoxication as defined by federal, state, and/or local law.
- c. Inability to exercise care for one's own safety, or the safety of others, due in whole or in part to alcohol consumption. Examples include use resulting in a need for medical attention, inability to function without assistance, unconsciousness, incoherent or disoriented behavior, and/or loss of control of bodily functions.
- d. Violating any other policy while under the influence of alcohol.
- e. Storage of alcohol in any amount or use of alcohol containers for decoration.

##### 2. Narcotics or Drugs

- a. Use, possession, sale, delivery, manufacture, and/or cultivation or distribution whether usable or not of any narcotic, drug, illicit drug, medicine prescribed to someone else, chemical compound, synthetic drug, or other controlled substance.
- b. Possession of drug-related paraphernalia.
- c. Being under the influence of narcotics, drugs, illicit drug(s) and/or medication(s) prescribed to someone else, chemical compounds, and/or other controlled substances on college property including residential facilities, or as part of any of its college events.
- d. Violation of any other policy while under the influence of a controlled substance.
- e. The inability to exercise care for one's own safety, or the safety of others, due in whole or in part to being under the influence of a controlled substance.

f. Having knowledge of, or being in the presence of the manufacture, use, possession or sale of an illegal substance. Having knowledge of such behavior or being present when a violation occurs constitutes equal responsibility and involvement in the incident

g. Any item that may not in itself be an illegal drug but presented to be a drug and passed off as a drug.

h. Improper use of products for purposes of altering mood or state of being. This includes the misuse of legal products as inhalants.

### 3. Flammable Materials/Arson

a. Use or possession of flammable materials, including incendiary devices, and/or other dangerous materials or substances used to ignite, spread, or intensify flames for fire. Attempting to ignite and/or the action of igniting College facilities, and/or personal property either by intent or through reckless behavior which results in damage to College and/or student property.

### 4. Firearms, Weapons and Explosives

a. Use or possession, exhibition or display of ammunition or any item(s) considered a legal weapon, including, but not limited to, handguns, firearms, ammunition, fireworks, pellet guns, paintball guns, B.B. guns, blow guns, daggers, nunchucks, swords, knives, explosive and/or noxious materials deemed potentially harmful to another on College premises are forbidden.

### 5. Theft, Damage, or Unauthorized Use

a. Attempted or actual theft of property or services of the College, other College students, other members of the College community, or campus visitors.

b. Possession of property known to be stolen or belonging to another person without the owner's permission.

c. Unauthorized use of facility, equipment, lab or resource, including unauthorized use of telephones or telephone systems.

d. Attempted or actual damage to property owned or leased by the College, by College students, members of the College community, or campus visitors.

e. Attempted or actual unauthorized use of a credit card, debit card, student identification card, cell phone, personal identification number, test number, account information, and/or personal check.

f. Alteration, forgery, or misrepresentation of any form of identification.

g. Possession or use of any form of false identification or providing false documentation for College information.

h. Misuse or attempted or actual damage to or defacing property owned or leased by the College, by College students, members of the College community, or campus visitors.

i. Failure to provide requested information, or misuse of a College document, form, record, or identification card, or providing false information on a college document. (ex. Failure to claim a felony on admissions or housing application if requested)

j. Tampering with security camera systems

k. Tampering with automated door systems

### 6. Actions against Members of the College Community (Certain actions will result in Title IX investigations)

a. Conduct which threatens or endangers the health or safety of self or others, including, but not limited to, acts such as physical abuse, verbal abuse, threats, intimidation, harassment, stalking, sexual harassment, sexual assault, rape and coercion.

b. Intentional or reckless conduct which endangers the health or safety of self or others.

c. Behavior that disrupts the normal operation of the College, including its students, faculty and or staff.

d. Hate Crime - is a usually violent, [prejudice](#) motivated crime that occurs when a perpetrator targets a victim because of his or her perceived membership in a certain [social group](#). Examples of such groups include but are not limited to: [ethnicity](#), [gender identity](#), [disability](#), [language](#), [nationality](#), [physical appearance](#), [religion](#), or [sexual orientation](#)

e. Sexual misconduct that involves:

i. Deliberate touching of another's sexual parts without consent, fondling.

ii. Deliberate sexual invasion of another without consent.

iii. Deliberate constraint or incapacitation of another, without that person's knowledge or consent, so as to put another at substantially increased risk of sexual injury.

iv. Unwelcomed sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature that expressly or implicitly imposes conditions upon, threatens, interferes with, or creates an intimidating, hostile, or demeaning environment for an individual's academic pursuits, College employment, participation in activities sponsored by the College, organizations or groups related to the College, or opportunities to benefit from other aspects of College life.

f. Excessive pressure, threats or any form of conduct, coercive tactics or unwanted mental coercion techniques used to retain or recruit a student for membership in an organization.

g. Passive or covert behavior may also be regarded as quite disruptive. Examples of passive yet disruptive behaviors are those students whose poor personal hygiene so seriously offends the sensibilities of roommates/classmates and instructors that the classroom becomes an academic/residential environment that is no longer tenable.

h. Engaging in any conduct defined as racial harassment in the college policy and procedure prohibiting racial harassment.

### 7. Failure to register as a sex offender with the Registrar in accordance with college policy.

8. Gambling, wagering, gaming, or bookmaking as defined by federal, state, and/or local laws is prohibited on College premises or while using College equipment or other services.

9. Hazing is any intentional, knowing or reckless act directed against a student by one person acting alone or by more than one person, occurring on or off the premises, that endangers the mental and/or physical health or safety of a student for the purpose of pledging or

associating with, being initiated into, affiliating with, holding office in, seeking and/or maintaining membership in any organization whose membership consists of students.

*NOTE: Consent and/or acquiescence by a student(s) subjected to hazing is not considered a reasonable defense in a disciplinary proceeding.*

Hazing includes but is not limited to:

- a. Any type of physical brutality, such as whipping, beating, using a harmful substance on the body, or similar activity.
- b. Any type of physical activity, such as sleep deprivation, exposure to the elements, and confinement in a small space, or calisthenics that subjects the student to an unreasonable risk of harm or that adversely affects the mental and/or physical health or safety of a student.
- c. Any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance which subjects a student to an unreasonable risk of harm or which adversely affects the mental or physical health or safety of a student.
- d. Any activity that intimidates or threatens a student with ostracism, that subjects a student to extreme mental stress, shame, or humiliation or that adversely affects the mental health or dignity of a student or that discourages a student from entering or remaining registered at this educational institution or that may reasonably be expected to cause a student to leave the organization or the institution rather than submit to acts described above.
- e. Any activity in which a person engages in hazing; solicits, encourages, directs, aids, or attempts to aid another in engaging in hazing; intentionally, knowingly, or recklessly permits hazing to occur; has firsthand knowledge of the planning of a specific hazing incident which has occurred and knowingly fails to report the incident in writing to Student Services.
- f. Any activity in which hazing is either condoned or encouraged or any action by an officer or combination of members, pledges, associates, or alumni of the organization of committing or assisting in the commission of hazing.
- g. Under both state and federal law, it is a crime to publish, sell, distribute, display, or, in some cases, merely to possess obscene materials or child pornography.

#### 10. Fire Safety, False Alarms, or Terroristic Threats

- a. Intentional sounding of a false fire alarm, falsely reporting an emergency or terroristic threat in any form, issuing a bomb threat, constructing mock explosive devices, destruction or activation of fire sprinklers, filing false police reports, improperly possessing, tampering with, or destroying fire equipment or emergency signs on College premises.
- b. Failure to evacuate the building immediately upon the sound of an alarm or to follow specific evacuation and safety procedures. Exceeding designated fire code capacity of a room/facility.
- c. Misusing or tampering with fire safety equipment. \*Examples include removal of doors, door closures, exit signs, emergency exits, alarm pull stations, smoke detectors, or fire extinguishers.
- d. Initiating, communicating, or circulating a false report of a present, past, or future bombing, fire, offense, or other emergency that would cause action by an agency organized to deal with emergencies; placing a person in fear of imminent serious bodily injury; or preventing or interrupting the occupation of a building, room, vehicle, or other mode of conveyance.
- e. Posting any statement on social media that could be considered a threat against the college community or individual.

#### 11. Financial Irresponsibility

- a. Failure to meet financial obligations owed to the College, or components owned or operated by the College, including, but not limited to, the writing of checks from accounts with insufficient funds.

#### 12. Financial Transactions with the College

- a. A student who owes a debt or has an outstanding financial obligation to the College may be denied admission or readmission to the College, and have his/her official transcript, grades, diplomas, and degrees to which he/ she otherwise would be entitled, withheld until the debt or obligation is paid or met.
- b. A student with a past due unpaid balance is considered to have a delinquent status. Delinquent accounts may be turned over to a collection agency, potentially affecting students' personal credit ratings. Students with delinquent accounts are responsible for any charges associated with the collection of such delinquent accounts.
- c. A student who writes a non-payable check to the College for tuition and/or fees will have his/her registration canceled
- d. A non-payable check written to the College for other purposes will subject the student to legal and/or disciplinary action.

#### 13. Unauthorized Entry, Possession, or Use

- a. Unauthorized entry into or use of College premises or equipment.
- b. Unauthorized possession, use, duplication, production, or manufacture of any key or unlocking device, College Identification Card, or access code for use in College premises or equipment.
- c. Unauthorized use of the College name, logos, registered marks, and/or symbols of the College.
- d. Unauthorized use of the College's name to advertise or promote events or activities in a manner that suggests sponsorship and/or recognition by the College.
- e. Accessing campus roofs or window ledges.
- f. Removing or damaging window screens in the Residence Halls.

#### 14. College Parking Services

- a. Violation of College traffic and parking regulations.
- b. Obstruction of the free flow of vehicular and/or pedestrian traffic on College premises or at College sponsored or supervised functions.

15. Failure to Comply

- a. Failure to comply with the reasonable directives or requests of a College official acting in the performance of his/her duties.
- b. Failure to present student identification on request or identify oneself to any College official acting in the performance of his/her duties.
- c. Failure to comply with the reasonable directives of an institutional official (including resident assistants) acting in the performance of his/her duties; includes loitering upon College property after being warned to leave by a person in charge.
- d. Violation of College regulations and policies, including residential life policies, housing contracts, or motor vehicle regulations.
- e. Obstruction of an investigation being conducted by the College administration/security/police and/or other law enforcement officers while conducting official business on Campus by a student/visitor will be subject to disciplinary sanction by the College and possible arrest.

16. Violation of campus policies regarding the use of tobacco.

- a. Smoking or vaping in any building or area that smoking is not allowed.

17. Abuse, Misuse, or Theft of College Computer Data, Programs, Time, Computer, or Network Equipment

- a. Any violation of the IT Acceptable Use Policy (1045), Copyright Policy (1041) or Social Networking Policy (1057).

18. Providing False Information or Misuse of Records

- a. Knowingly furnishing false information to the College, or to a College official in the performance of his/her duties, either verbally or through forgery, alteration, or misuse of any document, record, or instrument of identification.
- b. Failure to report felonies on the application for admission or housing application.

19. Skateboards, Rollerblades, Scooters, Bicycles, or Similar Devices

- a. Ball playing, the use of skateboards, rollerblades, hover boards, scooters, bicycles, or other similar devices in College buildings or on College premises in such a manner as to constitute a safety hazard or cause damage to College or personal property.

20. Violation of Federal, State, and/or Local Law

- a. Misconduct which constitutes a violation of any provisions of federal, state, and/or local laws.

21. Violation of Published College Policies, Rules, or Regulations

- a. Violation of any published College policies, rules, or regulations that govern student or student organization behavior, including, but not limited to, violations of College Operating Policies and Procedures and Title IX.
- b. Violating a published College policy governing residence life or breaching a Housing and Residential Life contract.
- c. Violation of the College smoking/vaping policy.

22. Abuse of the Discipline System

- a. Failure of a student to respond to a notification to appear before the Judicial Officer or Equity Grievance Panel Member during any stage of an investigation or disciplinary proceeding.
- b. Failure to comply with or respond to a notice issued as part of a disciplinary procedure and/or failure to appear will not prevent the Judicial Officer or Equity Grievance Panel Member from proceeding with an investigation of disciplinary action.
- c. Falsification, distortion, or misrepresentation of information in disciplinary proceedings.
- d. Disruption or interference with the orderly conduct of a disciplinary proceeding.
- e. Filing an allegation known to be without merit or cause.
- f. Discouraging or attempting to discourage an individual's proper participation in or use of the disciplinary system.
- g. Influencing or attempting to influence the impartiality of a member of a disciplinary body prior to and/or during the disciplinary proceeding.
- h. Harm, threat of harm, or intimidation, either verbally, physically, or written, of a member of a disciplinary body prior to, during, and/or after disciplinary proceedings.
- i. Abuse of the campus judicial system, including but not limited to; failure to obey the summons of a campus official pertaining to a judicial case.
- j. Influencing or attempting to influence another person to commit an abuse of the discipline system.
- k. Aiding, abetting, conspiring, or being an accessory to any act prohibited by this code is to be considered the same as completed violations.
- l. Retaliation against any person or group who files grievances or provides evidence, testimony, or allegations in accordance with the Student Handbook.
- m. Failure to heed an official summons to the office of an administrative officer within the designated time, or failure to heed an official summons issued by a College disciplinary or appeals proceeding (includes failure to identify oneself to an institutional representative in response to a request), or when acting in the performance of their duty.
- n. Failure to comply with the sanctions, conditions, and/or restrictions imposed under the Code of Student Conduct or the Student Handbook by the Judicial Officer, Equity Grievance Panel/Coordinator of Equity and Compliance /College Security/ Police.
- o. Failure to maintain a current official mailing address in the Student Records Office, or giving a false or fictitious address to an institutional representative.

23. Guests

- a. Failure to take immediate and appropriate action to prevent or to stop a violation by a guest.

b. Persons who have been evicted/trespassed from the residences/campus for any reason returning as guests following eviction/trespassing.

c. The presence of a guest, minors or adults, after visitation hours in the residential facility are not permitted.

24. Noise

a. Unreasonable noise in and around residential facilities that disrupts or potentially disrupts residents or neighboring community members.

i. During Quiet Hours (11PM-7AM), unreasonable noise is noise that can be heard outside of a room/common area, or noise that could travel into another room/common area.

ii. During Non-Quiet Hours(7AM-11PM), unreasonable noise is noise that interferes with, or has the potential for interfering with, the ability of others to sleep or study or noise that can be heard 3 feet outside of the room.

b. Use of amplified sound, subwoofers, or musical instruments that violate Quiet or Courtesy Hours.

c. Noise from a vehicle that disrupts residents, classrooms, College functions, or neighboring community members.

25. Possession of a Pet on campus

a. Other than a service/emotional support animal, pets are not allowed in campus housing.

b. Other than service animals, pets are not allowed in campus buildings.

26. Trespassing

a. Entering any private room, locked building, or common area without following security procedures or obtaining appropriate permission.

b. Entering the College campus, residential facilities, parking lots, sporting fields, gymnasium, etc. after being trespassed from the specific area.

27. Complicity

a. Attempting, aiding, abetting, conspiring, hiring, or being an accessory to any act prohibited by the Student Handbook shall be considered to the same extent as completed violations.

28. Disorderly Conduct/Breach of Peace

a. Engaging in conduct on College premises or at College sanctioned events, which a reasonable person would believe to be violent, abusive, indecent, obscene, profane, unreasonably loud, or disorderly, and which has a tendency to disturb the peace; or

b. Engaging in conduct on College premises or at College sanctioned events which a reasonable person would believe to be maliciously disturbing, threatening, or insolent, and which has the tendency to cause a disturbance of the peace; or

c. Engaging in conduct that aids and abets another in a disturbance of the peace to the College or to a College sanctioned event.

d. Conduct that has the "tendency to disturb the peace" is defined as conduct that is likely to cause violence, or community consternation and alarm. Such conduct is inconsistent with the College's dedication to providing a community that fosters and supports personal and social growth for all members of the College community.

29. Ethical or Professional code violation

a. Violation of licensure board rules and regulations, state and federal laws, and/or other applicable regulatory or privileges issues: as defined by the student's program or professional association or licensure board, as may be applicable to the student(s), or applicable laws and regulations.

30. Photographing, Videotaping, filming or recording

a. Secretly viewing, with or without a device, another person without that person's consent in any location where the person has a reasonable expectation of privacy, or in a manner that violates a reasonable expectation of privacy. This does not apply to lawful security or surveillance filming or recording that is authorized by law enforcement or the college.

31. Res Hall Academic Status Policy

a. To be eligible to reside in the residence halls, you must be a **full-time** student enrolled in and attending at least 12 credit hours of class. Residents who drop below full-time status may not be eligible for continued occupancy in the residence halls.

b. Of the minimum 12-hours students are required to be enrolled in and attending; at least 9 of those hours must be on-campus classes. Late starting classes will not count towards the 12-hour minimum until their starting date or after. Residence Halls reserved the rights to determine if a student is attending his/her classes regularly.

32. Res Hall Visitation Policy: Guests and Overnight Visitors

**11:00 am to 12:00 Midnight Monday, Tuesday, Wednesday and Thursday**

**11:00 am Friday through 12:00 Midnight Sunday**

a. The residence halls are open to visitors of the opposite gender at the following times:

b. Guests of the same gender may visit the residence halls at any time; however, guests are asked to limit their stay to no more than two (2) consecutive nights.

c. Guests who are not immediate family members must be at least 18 years of age in order to be admitted to the residence halls. **High school students who are not immediate family members are not permitted to enter the residence halls unless accompanied by a HutchCC staff member.**

d. Guests should park on the streets surrounding the residence halls, not in the residence hall lots.

### 33. Unmanned Aircraft Systems (UAS)

a. Hutchinson Community College values the safety and privacy of our campus community, therefore the use of any unmanned aerial vehicle (i.e. drones) is prohibited on campus. Students seeking exemptions for the use of such devices in teaching or research may apply to the Vice President of Student Services. Any individual found in violation may be subject to disciplinary actions in addition to other sanctions deemed appropriate by proper authorities (law enforcement). Any operator of a UAS will be held responsible for any injuries or damages caused by the UAS.

### B. Campus Disorder or Unrest

The following policies will be followed in case of campus disorders or student unrest or in the event any building or portion thereof is seized or occupied unlawfully.

The College President (or in the President's absence, the administrator in charge) will be notified immediately of any such activity. No other action shall be taken on behalf of the College until such notification has been made. Only the President (or in the President's absence, the administrator in charge) is authorized to call for assistance from law enforcement officials.

No conference will be held between any College official and the parties involved in such activities so long as any violence is taking place on the campus or while any building or portion thereof is being occupied by such parties, or while such parties bar other persons from such building, or portion thereof, thereby preventing the orderly conduct of school activities.

The College reserves the right to pursue civil, criminal, and college disciplinary remedies against any person involved in such activity.

### C. Emergency Suspension (Danger to Self or Others)

The College President or the President's designee may immediately suspend a student in the event that it is reasonably determined that a student's continued presence on campus poses a significant danger to either the student or to others or if there is reasonable cause to believe that such an interim suspension is required to protect lives or property and to ensure the maintenance of order.

### D. Initial Disciplinary Procedure

The College President will designate disciplinary officers for purposes of dealing with issues of non-academic misconduct and for acting as hearing officers upon appeal. These officers include, but are not limited to, the Director of Residence Life and the Vice President of Student Services. For violations of the student code of conduct (other than those that result in an immediate suspension as described above) that occur in a course or college program, the faculty member or department chairperson will inform the student of the alleged offense, and after an investigation and a conference with the student, will take one of the following actions:

- a. Dismiss the allegation as unfounded.
- b. Upon admission of guilt by the student, impose a level one sanction.
- c. Upon admission of guilt by the student, recommend to a disciplinary officer the imposition of a level two sanction.
- d. Determine guilt based upon reasonable evidence and impose a level one sanction.
- e. Determine guilt based upon reasonable evidence and recommend to a disciplinary officer the imposition of a level two sanction.

Upon completion of the investigation, a written statement will be provided to the student and to the Vice President of Student Services detailing the allegation, the finding, and the sanction imposed or recommended. If a level two sanction is recommended, the author of the report will specify the following: (1) whether the behavior of the student is reasonably expected to cause continued material disorder, disruption, or interference with the school's operation and (2) whether the sanction should stand pending the outcome of any appeal.

For incidents that occur in areas other than those reasonably construed as academic, the College disciplinary officers or their designees will inform the student of the alleged offense, and after an investigation and a conference with the student, will take one of the following actions:

- a. Dismiss the allegation as unfounded.
- b. Upon admission of guilt by the student, impose a level one sanction.
- c. Upon admission of guilt by the student, recommend the imposition of a level two sanction; or as a discipline officer, impose a level two sanction.
- d. Determine guilt based upon reasonable evidence and impose a level one sanction.
- e. Determine guilt based upon reasonable evidence and recommend to a disciplinary officer the imposition of a level two sanction; or as a disciplinary officer impose a level two sanction.

Upon completion of the investigation, a written statement will be provided to the student and to the Vice President of Student Services detailing the allegation, the finding, and the sanction imposed or recommended. If a level two sanction is imposed or recommended, the author of the report will specify whether the behavior of the student is reasonably anticipated to cause continued material disorder, disruption, or interference with the school's operation, and that the sanction should stand pending the outcome of any appeal.

The office of the Vice President of Student Services will maintain disciplinary files on each case that involves non-academic discipline. The office of the Director of Residence Life will maintain disciplinary files on each case that involves residence-hall discipline.

### Level One Sanctions

Imposed for less serious violations of the code of conduct, level one sanctions include those sanctions not ordinarily imposed for conduct described under Level Two Sanctions. Level One Sanctions include but are not limited to the following:

- a. Dismissal from a class period by the instructor.

- b. Dismissal from a section of a class by the instructor and department chair.
- c. Probationary periods in a class, activity, residence hall, food service area, recreation area, or some other environment where a violation has taken place.
- d. The imposition of college service work or community service work.
- e. Restriction of privileges including, but not limited to, access to services, visitation in residence halls, recreational services, parking, and entrance into college events.
- f. Required professional consultation (counseling, medical, psychological, drug and alcohol, etc.) to correct behavioral problems.
- g. If a student is disruptive in a classroom, lab, or other structured learning activity, they may be immediately dismissed for the remainder of the period without an investigation or conference.

## **Level Two Sanctions**

Level two sanctions are imposed for repeated or serious offenses that, in the judgment of the disciplinary officer, merit the imposition of Level Two Sanctions that require the imposition of college wide sanctions such as the following:

- a. Admonition/warning - oral or written reprimand from the disciplinary officer to the student on whom it is imposed.
- b. Educational sanctions - A specific number of hours of community service, completion of a reflection or research paper, attending a class, attending a program, attending a lecture, attending counseling or other actions.
- c. Disciplinary probation - indicates that the student has engaged in unacceptable behavior and that further violation may result in more severe disciplinary action, including suspension. The disciplinary officer may impose conditions related to the offense, such as counseling, educational seminars, special classes, or unpaid work assignments, etc. Failure to meet the conditions will be considered an additional violation.
- d. Withholding of grades, official transcript, or degree - the disciplinary officer may withhold the issuance of an official transcript, degree, grade, or certificate of completion from a student alleged to have violated a rule or regulation of HutchCC that reasonably would allow the imposition of the penalty of such withholding. The disciplinary officer may take such action pending an investigation, disciplinary hearing, appeals hearing, and/or exhaustion of appeal rights.
- e. Suspension of rights and privileges - including participation in intramural, extracurricular activities, election to student office, housing or visitation privileges, and other student activities. Suspension will be for a specified period of time and may impose limitations to fit the particular case, including removal from office or activities. Suspension may include prohibition from representing the College in any special honor activities. This penalty does not supersede or negate the rights or responsibility of any director of such activities to take interim action as necessary.
- f. Bar against readmission - for a specified period of time, and/or drop from current enrollment, or drop from enrollment in one or more courses. This sanction will become a part of the student's permanent record and may be removed upon completion of the sanction period at the student's request.
- g. Restitution - reimbursement for damages to or misappropriation of College, student, or employee property. Restitution may be monetary or by specific duties.
- h. Denial of Degree - a student found guilty of scholastic dishonesty may be denied his/her degree. This sanction will become a part of the student's permanent record.
- i. Failing grade, or other academic penalty - other academic penalties could include reduction of grade in a test, course, or other academic work, and/or performance of additional academic work not required of other students in the course.
- j. Suspension from the College for a specified period of time - during such a suspension, a student will not attend class or participate in College campus activities (prohibits the student from entering the College campus without prior written approval of the Vice President of Student Services). Suspension from the College and/ or suspension of rights and privileges are the minimum penalty that will be assessed for conviction of illegal use, possession, and/or sale of a drug, narcotic, controlled substance, or alcohol on College property. This sanction will become a part of the student's permanent record and may be removed upon completion of the sanction period at the student's request.
- k. Expulsion from the College - expulsion may be permanent or for a specific period of time not less than one year. Permanent dismissal from the College prohibits the student from entering the College campus without prior approval of the Vice President of Student Services. This sanction will become a part of the student's permanent record. Expulsion may include receiving F's for all grades for classes currently enrolled.
- l. Revocation of a degree, grade, or certification may be imposed when the violation involves scholastic dishonesty. This sanction will become a part of the student's permanent record.
- m. Blocking a student from enrollment until the student performs a specified act.
- n. Bar from Campus after suspension or dismissal - a student who has been suspended or dismissed from a state-supported institution of higher education after a hearing, in accordance with procedures established by the institution, for disrupting the orderly operation of the Campus or facility of the institution, as a condition of the suspension or dismissal, may be denied access to the Campus or facility, or both, of the institution for a period of suspension and, in the case of dismissal, for a period not to exceed one year.
- o. Eviction or barred from campus housing.
- p. Administrative withdrawal from a class or classes.

## **E. Appeal of Level One Sanction**

Within three business days (a business day is defined as a day that the College is open for business) after the date a sanction is imposed against a student by a disciplinary officer, the student or a representative of the College may appeal the disciplinary officer's decision by communicating in writing a request for appeal. Requests for appeal should be returned to the Vice President of Student Services' office, either in person or by mail. If an appeal is not received by the College or the student within the time period stated above, the student or the College will be deemed to have waived the right of appeal and the disciplinary officer's decision will be deemed final. In the event of an appeal to the Vice President of Student Services, the Vice President of Student Services will interview the student and the disciplinary officer and either affirm, modify, or reverse the disciplinary officer's decision. The decision of the Vice President of Student Services shall be final and not subject to further appeal.

## **F. Appeal of Level Two Sanction**

Within three business days (a business day is defined as a day that the College is open for business) after the date the electronic notification of the imposition of a sanction against a student by a disciplinary officer, the student or may appeal the disciplinary officer's decision by communicating in writing a request for appeal. Requests for appeal should be returned to the Vice President of Student Services' office, in writing. If an appeal is not received by the College or the student within the time period stated above, the student will be deemed to have waived the right of appeal and the disciplinary officer's decision will be deemed final.

The request for appeal should contain a description of the disciplinary officer's decision being appealed, the date the offense took place, and the requested outcome.

## **G. The Discipline Committee**

Upon receipt of the appeal, a hearing officer will be appointed to chair a hearing before the College's Discipline Committee. The hearing officer will be a person other than the disciplinary officer whose decision is being appealed. The discipline committee shall be chaired by a hearing officer appointed by the College's President or designee and is composed of representatives from administration, faculty, and the student body. To hear an appeal, the Committee will consist of a minimum of two members and a designated hearing officer and will include at least one administrator, one faculty member, and one student.

The student will be notified by e-mail at least three business days prior to the hearing. The notice will state the time, date, and place of the hearing. The hearing will be held within 10 business days of receipt of the request for appeal. If a student appeals and fails to appear in person for the scheduled appeal hearing, the Committee will dismiss the appeal and the earlier decision will be deemed final.

At any hearing before the Discipline Committee the following will occur:

- a. The student will have a right to hear charges of conduct violations read.
- b. Each party will have the right to have an adviser present (including an attorney) at the party's own expense. Although each party has the right to have an adviser present, the adviser may not speak for the College or the student or cross examine witnesses.
- c. Each party will have the right to hear the testimony and see the evidence presented at the hearing.
- d. Each party will have the right to present witnesses to be heard by the Committee.
- e. Each party will have the right to provide a statement and give reasons supporting its position.
- f. Proceedings will be recorded, except for Committee deliberations.
- g. A written report will be prepared by the Committee affirming, modifying, or reversing the decision appealed. The Committee may modify the sanctions by either decreasing the severity of the sanctions or increasing the severity of the sanctions. Copies of the written report will be e-mailed to the student at the student's college e-mail address and delivered to the Vice President of Student Services and to the College President.

## **H. Appeal to the President**

If either party is dissatisfied with the decision of the Disciplinary Committee, the Committee's decision may be appealed to the College President by submitting a written request for appeal to the President's office within five business days after the date of the Committee's written report of its decision. In order to be complete, the letter of appeal should follow the format outlined in the appeal of level two sanctions section. If neither of the parties appeals during the time specified, the Committee's decision will be deemed final.

If, in the opinion of the President, the behavior of the student is reasonably expected to cause continued material disorder, disruption, or interference with the school's operation, the President may find that the sanction will stand pending the outcome of the appeal.

Upon receipt of a complete request for appeal, the President will review the recording and any written materials submitted at the Disciplinary Committee hearing. At the President's sole discretion, the parties may be asked to appear or the parties may be asked to present additional evidence. If additional evidence is requested, it will be presented in a manner granting each party the same due process rights as those outlined above. Within 10 days of delivery of the request for appeal or within 10 days after the date upon which the parties appear or additional evidence is presented to the President, the President will affirm, modify, or reverse the decision of the Disciplinary Committee. The President's decision is final and will be set forth in a written report and the report will be e-mailed to the student.

## **J. Disciplinary Sanctions**

Sanctions are divided into two categories as described below. When sanctions are imposed, it is the responsibility of the student to abide by sanctions applied and to follow established procedure in connection with any appeal from decisions imposing such sanctions.

In the event that a sanction is imposed that has a time limit and the time remaining in the semester or school year is less than the sanction imposed, the sanction will carry forward to the next semester or college year that the student attends HutchCC.

## **K. Failure to Respond / Default**

If the charged student does not schedule or attend a mandatory meeting by the date specified in the notice, or fails to follow instruction or submit requested documentation or information within a reasonable specified amount of time, the college may proceed with adjudication of the case in the student's absence. In such cases, the student, by failing to respond or participate, shall be in default and will have waived any right to further due process.

## **L. Additional Procedures for Campus Disciplinary Action**

If a crime is committed on campus (including but not limited to murder, robbery, aggravated assault, burglary, or motor vehicle theft), the occurrence shall be reported to the proper authorities by calling 911 and should also be reported to the HutchCC Security Office (665-3590). The Security Office staff will consult with police agencies and any other applicable College official investigating the case, when appropriate, and will provide assistance to

*the victim as necessary in accordance with College policy and federal and state laws and regulations.*

**M. Disclosure of Disciplinary Information**

- a. Upon written request, the College will disclose to the alleged victim of a violent act or a sexual assault, the result of any disciplinary hearing conducted by the College. In the event that the alleged victim is deceased, the College will disclose the results of any hearing conducted to the student's next of kin upon written request.*
- b. In the event that a disciplinary investigation or action yields information upon which the College reasonably concludes that a crime may be committed or that an individual represents a danger to the individual or to others, the College may disclose information to appropriate parties without the student's consent.*
- c. The College will disclose information regarding disciplinary actions imposed on a student to the student's parents or guardians upon written request.*

# **Complaint Policy**

*Hutchinson Community College strives to provide the highest quality service to all stakeholders; concerns may periodically occur that lead to a complaint about a college policy, procedure, or employee's action.*

*If an individual believes he/she has been treated unfairly with regard to a college policy, procedure, or by an employee's action, the college recommends that the individual first attempt to informally resolve the concern by direct communication with the college personnel involved. If resolution is not reached, the individual may choose to file a formal complaint with the college. The process for filing a complaint with the college follows.*

## *Complaint Definition:*

*Hutchinson Community College defines a complaint as a written notice of dissatisfaction with the application of a college policy or procedure, or with the actions of a college employee.*

# Complaint Process

## Process for Filing a Formal Complaint

Complaints will be considered if filed within thirty days of the conclusion of the semester in which the event occurred.

An individual who wishes to complain about a college policy, procedure, or employee's action may complete a complaint form or may submit a letter or e-mail containing the pertinent information:

1. Name of the complainant
2. Contact information including the complainant's address, phone number, and e-mail address
3. The date of the event leading to the complaint
4. The location of the event leading to the complaint
5. The title of the policy or process, or employee named in the complaint.
6. A description of the complaint
7. A description of what steps the complainant has taken to resolve the complaint.
8. The proposed resolution for the complaint

Completed forms may be returned to [complaint@hutchcc.edu](mailto:complaint@hutchcc.edu), or to the office of the president or any vice president. Once received, the complaint will be directed to the appropriate administrator for review and response. In the event that an appeal procedure exists for an area of complaint, the complaint received will be forwarded as an appeal to the appropriate area, and the complainant will be informed of this action. For example, if a complaint is received about a course grade, the complaint will be forwarded as an appeal under the Appeal Course Grades Policy.

If resolution is not reached, individuals may address their concerns with the Board of Trustees within 1 year of last date of attendance at Hutchinson Community College:

To file a complaint, send a written complaint to:

Hutchinson Community College Board of Trustees  
C/O Julie Blanton-Secretary of the Board  
1300 N Plum  
Hutchinson, KS 67501  
[blantonj@hutchcc.edu](mailto:blantonj@hutchcc.edu)

The written complaint should include the following information:

1. Name, current physical mailing address, phone number of complainant
2. Email address
3. Dates of individual's enrollment
4. Details of individual's complaint
5. Expected outcome

A representative of the Board will reply to the individual within 10 business days to acknowledge the complaint was received, and whether it requires any additional information. The Board representative will identify a tentative plan for investigating and resolving the complaint, and will update the individual if it takes longer than originally planned. The Board representative will send a written response to the individual, usually within 45 days of receipt of the complaint, explaining the investigation and the resolution.

Other Complaint Processes:

If individuals have consumer protection and/or fraud complaints, they may be filed with the Kansas Attorney General's Office:

Consumer Protection Hotline: 1-800-432-2310 (785) 296-3751  
Fax: (785) 291-3699

<http://ag.ks.gov/about-the-office/contact-us/file-a-complaint>

Discrimination complaints may be filed with the Kansas Human Rights Commission:

<http://www.khrc.net/complaint.html>

Complaints regarding State Authorization Reciprocity Agreement (SARA) course delivered by SARA member community colleges may be filed by students enrolled in these courses with the Kansas Board of Regents office.

[https://www.kansasregents.org/resources/PDF/Academic\\_Affairs/3257-ComplaintForm\\_SARAINstitutions.pdf](https://www.kansasregents.org/resources/PDF/Academic_Affairs/3257-ComplaintForm_SARAINstitutions.pdf)

Kansas community colleges are regionally accredited by the Higher Learning Commission (HLC). Complaints regarding an institution's ongoing ability to meet the Criteria of Accreditation may be filed by following the guidelines at <https://www.hlccommission.org/HLC-Institutions/complaints.html>.

# **Academic Honesty Policy**

*Students who engage in academic dishonesty bring discredit upon Hutchinson Community College as well as themselves. HutchCC students are thus required to maintain honesty in their academic pursuits. The administrators and faculty at Hutchinson Community College require students to do the following:*

- 1. Submit examinations, themes, reports, drawings, laboratory notes and other work that represent the students' best efforts without cheating, plagiarizing, or misrepresenting.*
- 2. Provide all academic records such as transcripts and test scores that are free of falsification, forgery or alteration.*
- 3. Refrain from participating in the academic dishonesty of any person.*

**Sanctions for Violation:** *Students suspected of engaging in academic dishonesty may be charged in writing by the instructor and be subject to failure of the work in question and/or failure and dismissal from the course in which the dishonesty occurs. Students failed and/or dismissed by an instructor from a course as a result of academic dishonesty will not be allowed to take a "W" for the course. Instructors may also recommend to the Vice President of Academic Affairs that such students be dismissed from the program and/or the institution.*

*Students charged with academic dishonesty have the right of appeal and are assured of due process by the institution through the Academic Appeal process.*

# Academic Appeal

## PURPOSE

The academic appeal procedure is designed to offer a means to resolve disagreements related to the interpretation of academic and/or selective admissions program policies. A student may request in writing a hearing before the Academic Appeal Committee.

**NOTE:** Academic dismissal from the institution, based on grade point average (GPA) per the Academic Standing, Probation, Dismissal and Reinstatement Policy (#1003), may not be appealed.

If a department or program has recommended course or program dismissal, the student may continue in coursework (providing there are no threatening or security behavioral issues) until appeal processes are concluded. However, if an issue has been documented at a partnership location (e.g., clinical sites, secondary institutions, correctional or military facilities), then the student is no longer eligible to continue participation in internships, apprenticeships, and or clinical-based practice. For clinical sites, this sanction is immediate.

The College President or the President's designee may immediately suspend a student in the event that it is reasonably determined that a student's continued presence on campus poses a significant danger to either the student or to others or if there is reasonable cause to believe that such an interim suspension is required to protect lives or property and to ensure the maintenance of order. (Section C. Emergency Suspension, Standards of Conduct for Students Policy)

## LEVEL 1 –ACADEMIC APPEAL COMMITTEE

The appeal must be received by the Vice President of Academic Affairs' office within 10 business days after the event. The student will be notified by email at least three business days prior to the hearing with the Academic Appeal Committee. The notice will state the time, date, and place of the hearing. The hearing will be held within 10 business days of receipt of the request for appeal. If the student appeals and fails to present during a live appearance (in person or through an electronic medium) for the scheduled appeal hearing, the committee will dismiss the appeal. There will be no further opportunity for appeal. The Academic Appeal Committee is appointed by the president and consists of administrators, faculty and students. Five members of the committee, selected from these three groups, with at least one member from each group, will hear the student appeal. An audio recording of the proceedings will be made.

## TIMELINE

The hearing will occur within 10 business days of the appeal being received by the college. A business day is defined as a day the college is open for business. The student will be requested to appear at the hearing, each party/group shall have the right to have an advisor present (including an attorney) at the party's own expense. Although each party has the right to have an advisor present, the advisor may not speak for the student or the college.

## DOCUMENTATION OF ISSUE

Documented evidence of said policy violation must be provided by the student in regard to the academic issue (this includes correspondence, course notes, grading/testing, procedural variances, etc.).

## OUTCOME

The outcome or decision will be communicated to the student, college faculty/administrators and the Vice President of Academic Affairs within 5 business days of the hearing. Levels 2 and 3 Appeal Reviews are not intended to be full re-hearings of the original appeal. A summary of NEW EVIDENCE that was unknown or unavailable during the original hearing which could substantially impact the original finding or sanction must be included in order to request an additional hearing.

## LEVEL 2—VICE PRESIDENT OF ACADEMIC AFFAIRS REVIEW

If the decision of the Academic Appeal Committee requires further clarification by the student, the follow-up appeal (including new/unpresented evidence) must be received by the Vice President of Academic Affairs' office within 10 business days. The student will be notified by email at least three business days prior to the hearing with the Vice President of Academic Affairs. The notice will state the time, date, and place of the hearing. The hearing will be held within 10 business days of receipt of the request for appeal. If the student appeals and fails to present during a live appearance (in person or through an electronic medium) for the scheduled appeal hearing, the appeal will be dismissed. A business day is defined as a day the college is open for business.. Each party shall have the right to have an advisor present (including an attorney) at the party's own expense. Although each party has the right to have an advisor present, the advisor may not speak for the student or the college. An audio recording of the proceedings will be made.

## DOCUMENTATION OF ISSUE

Documented evidence of said policy violation must be provided by the student in regard to the academic issue (this includes correspondence, course notes, grading/testing, procedural variances, etc.).

## OUTCOME

The outcome or decision will be communicated to the student and college faculty/administrators within 5- business days of the hearing.

## LEVEL 3 – PRESIDENTIAL REVIEW

If the academic disagreement requires additional examination (with additional evidence/documentation prepared), a student may appeal the decision of the Academic Appeal Committee and/or the Vice President of Academic Affairs by filing a written appeal (including new evidence) with the President of the College within 10-business days of receiving the decision of the Vice President of Academic Affairs. **Upon receipt of a complete documentation file (including a new letter of appeal explaining why the previous two levels of response were not satisfactory),** the president will review the recording of the previous proceeding(s) and additional written materials submitted during the two previous hearings. The President and/or his/her designee may request a meeting with the appealing individual at his/her discretion.

## TIMELINE

*Within 10 business days of the receipt of the Level 3 Appeal, the president or his/her designee will affirm, modify or reverse the decisions of the Academic Appeal Committee and/or the Vice President of Academic Affairs. The president's decision will be mailed to the student at the address listed in the student's letter of appeal.*

*OUTCOME -- FINAL DECISION*

*The outcome or decision will also be communicated to the faculty/administrators and the Vice President of Academic Affairs. The President's decision is final.*

# **Placement Testing English and Math**

*Hutchinson Community College has established mandatory course placement standards for students seeking a degree or wishing to take a college level English or Math course. Course placement will be determined by one of the following assessments:*

- ACT
- ACCUPLACER

*The ACCUPLACER assessment is given by HutchCC during most scheduled enrollment times. Students should contact one of the following offices for information on available test dates and times and for scheduling an appointment:*

*Student Success Center - Hutchinson Campus: (620) 665-3359*

*McPherson Center: (620) 245-0202*

*Newton Center: (316) 283-7000*

*Fort Riley Center: (785) 239-2551*

# **Academic Support Services**

*Academic support staff is located on the first floor of the Rimmer Learning Resource Center. These services include free, drop-in tutoring services, the coordination of campus-wide learning communities and a retention technician who works with students needing additional resources or assistance when they have missed class or are having academic difficulty.*

# **Accessibility Services**

*The Accessibility Services Office, located in the Parker Student Union, provides and coordinates services to students with disabilities, promotes equal educational opportunities, and provides equal access to all institutional programs and services. Accommodations are provided on an individualized, as-needed basis. Students requesting accommodations must provide current documentation regarding the nature of his or her disability and the need for accommodation. Examples of accommodations include exam accommodations, note-taking, sign language interpreting, and the use of special equipment.*

*Hutchinson Community College encourages students to be as independent as possible on campus and to use those services which help maximize learning. So that services are in place on the first class day, early contact with the Accessibility Services Office for students with disabilities is encouraged.*

# **Health Insurance**

*All students are strongly urged to participate in a health insurance plan. Students are encouraged to check their eligibility to be included in their family plan or if their age exceeds limits for being included in their family coverage.*

# **Health Services**

*The Hutchinson Area Student Health Services (HASHS) provides primary care for illnesses, minor injuries, family planning and health-related social issues for HutchCC students with a current HutchCC student ID. At the student's request, the HASHS staff will consult with the student's hometown physician. The medical staff consists of physician assistants and nurse practitioners who are under the supervision of a local physician.*

*HASHS suggests that students establish themselves with a local physician for the management of chronic medical problems. HASHS will assist with referrals if desired.*

*HASHS prefers to see patients by appointment only, but every effort is made to offer same-day appointments. It is important that students call or stop by to make an appointment no later than 8:30 or 9:00 a.m. because the medical staff leaves for the day after the last appointment. Students need to present their HutchCC student ID at the time of the appointment. Walk in appointments will be seen only if staff schedules allow.*

*HutchCC student enrollment fees cover only the cost of office visits. Medications, labs, x-rays, etc. are not included. Hospitalization and emergency room visits also are not included. HutchCC Students are encouraged to carry private medical insurance to cover these expenses. Information about insurance plans for students is available in the Student Success Center, Parker Student Union.*

## **Hours Available By Appointment Only**

*Open Monday - Thursday 8:30 am to 12:00 pm, with appointments starting at 9:00 am.*

*Wednesday afternoons 1:00 pm to 3:30 pm.*

*Phone 662-7416*

*They are located just north of the HutchCC campus at 516 E. 14th Street.*

# **JFK Library Services**

*Located in the lower level of Rimmer Learning Resources Center, John F. Kennedy Library provides research assistance and instructional services to students, faculty, and staff. Services are supported by approximately 40,000 volumes of books and videos; 120 periodical subscriptions; numerous article databases; and over 11,000 e-books. Students can access the e-books, databases, and their library account through DragonZone. Seating is available for 60 in addition to a 15-seat computer lab. The library is supported by 3 full-time and 2 part-time staff and a few student employees.*

[Go directly to John F. Kennedy Library website](#)

# **Records Office**

*The records office seeks to:*

- 1. Create, maintain, and provide accurate student academic records in compliance with applicable policies, laws and regulations.*
- 2. Ensure continuously satisfactory service through good management practices and responsible utilization of resources.*
- 3. Establish daily business practices which reflect the most advanced technological methods available to improve service.*
- 4. Interpret Hutchinson Community College, Kansas Board of Regents, and governmental policies to faculty, staff, students, parents and the general public.*

*Additional information: [Records@hutchcc.edu](mailto:Records@hutchcc.edu)*

# **Student Success Center Services**

## ***Career Counseling and Testing***

*HutchCC counselors assist current and prospective students through the process of exploring career options, gathering personal and occupational information, and making sound career decisions. Counselors assist students in the career decision-making process using a variety of assessments including interest and personality inventories and work values questionnaires. Interactive computer systems are also available, allowing students to work independently exploring their interests, values, and abilities relative to the career choice process.*

*Interested persons should schedule an appointment with a college counselor to determine which assessments would be most appropriate. There is a charge for career assessment testing for individuals who are not currently enrolled at the college. There are no testing charges for currently registered HutchCC students.*

## ***Personal Counseling***

*Professional counselors provide a confidential and empathetic environment in which students may seek assistance with the many varied and complicated issues facing them. Personal counseling services are designed to assist students with emotional and behavioral problems that may interfere with the successful attainment of college goals. Typical counseling needs among college students include stress and anxiety issues, alcohol and drug abuse, loneliness, eating and sleeping disorders, and relationship problems. Students in need of long-term or clinical psychological treatment are referred to outside agencies and services.*

*The Student Success Center – Hutchinson Campus*

*Counselors are available from 8:00 a.m. to 5:00 p.m., Monday-Friday and evenings by appointment.*

*To schedule an appointment call (620) 665-3377.*

*McPherson Center: (620) 245-0202*

*Newton Center: (316) 283-7000*

# **Student Financial Assistance**

## **Federal Student Financial Aid**

*Hutchinson Community College is committed to providing clear and understandable information regarding the student financial aid process as well as timely and accurate financial assistance to all eligible students.*

*Visit the Hutchinson Community College Web site for detailed information about the following:*

- 1. How to apply for financial aid*
- 2. Who qualifies for aid*
- 3. What types of aid are available*
- 4. Who to talk to about financial aid*

## **Institutional Scholarships**

*Hutchinson Community College offers a variety of scholarships that are as diverse as our student body. Whether you are a full time or part time student, seeking vocational training or looking to transfer to a university, we have a scholarship that you may qualify for. Scholarships are designed to recognize and reward students for academic performance, participation in activities and leadership abilities.*

*The application dateline is February 15th and can be found on the Hutchinson Community College website along with a list of scholarships offered.*

## **Employment**

*Hutchinson Community College provides services for students seeking part-time employment to help offset educational, living, and social expenses. HutchCC has two categories of jobs: college work-study program jobs and campus payroll jobs. Contact the Financial Aid Department, located in the Parker Student Union, for college work-study eligibility. More information can be found through the HutchCC website.*

## **Service for Veterans**

*The veteran's representative, whose office is located in the Parker Student Union in the Financial Aid Office, serves as liaison with the Veterans Administration and provides services for veterans who are attending or wish to attend Hutchinson Community College. Students receiving VA benefits are responsible for payment of their tuition and fees.*

*The Kansas State Approving Agency recognizes Hutchinson Community College as qualified to provide college level education under all laws providing veterans' benefits. Veterans enrolling in the college are subject to the same regulations and policies as non-veteran students.*

*Hutchinson Community College complies with the Veterans Benefits and Transition Act of 2018, and will not impose any penalty upon eligible students if they are unable to meet their financial obligations due to delayed payment of benefits from the Department of Veteran Affairs.*

*Credits from special schools of the military services and courses completed through study of the U.S. Armed Forces Institute and/or a transcript of in-service training are considered for possible conversion to college credits using the American Council on Education evaluation guides. A currently enrolled student may apply for military service credit through the Records Office by presenting an official copy of their military transcript.*

# **Academic Advising**

*Academic advising services are provided to current and prospective students who are undecided or interested in General Studies curriculum, and to students who have declared a college major. Professional academic advisors are available to assist undeclared students in setting practical and realistic academic goals. Academic advisors help students interpret academic assessment results, enrollment restrictions, course selection, degree options, transfer information, and related academic guidance information. Students who have declared a college major are advised by advisors from their academic departments.*

*Students may contact one of the following offices to speak to a General Studies Advisor:*

*The Student Success Center – Hutchinson Campus: (620) 665-3377*

*McPherson Center: (620) 245-0202*

*Newton Center: (316) 283-7000*

*Students with a declared major may contact the department chair of their academic department to speak to a departmental advisor.*

# Crime Statistics

## CRIME STATISTICS

### ARRESTS - ON CAMPUS

2015

2016

2017

*Illegal weapons possession*

0

0

0

*Drug law violations*

3

8

7

*Liquor law violations*

8

12

18

- Hutchinson Police issued a summons or arrested a student for violations of laws pertaining to possession of marijuana in these instances.

### ARRESTS - ON CAMPUS RESIDENCE HALLS

2015

2016

2017

*Illegal weapons possession*

0

0

0

*Drug law violations*

2

8

6

*Liquor law violations*

8

12

17

### CRIMINAL OFFENSES - ON CAMPUS

2015

2016

2017

*Murder/Non-negligent manslaughter*

0

0

0

*Negligent manslaughter*

0

0

0

*Sex offenses - Forcible*

0

1

0

*Sex offenses - Non-forcible (incest & statutory rape only)*

0

0

0

*Robbery*

1

0

0

*Aggravated assault*

0

0

3

*Burglary*

1

5

2

*Motor vehicle theft*

0

1

0

*Arson*

0

0

0

**CRIMINAL OFFENSES - ON CAMPUS RESIDENCE HALLS**

**2015**

**2016**

**2017**

*Murder/Non-negligent manslaughter*

0

0

0

*Negligent manslaughter*

0

0

0

*Sex offenses - Forcible*

0

1

0

*Sex offenses - Non-forcible (incest & statutory rape only)*

0

0

0

*Robbery*

0

0

0

*Aggravated assault*

0

0

2

*Burglary*

0

4

1

*Motor vehicle theft*

0

0

0

*Arson*

0

0

0

- *Residence halls are a subset of On Campus statistics*
- *The crime data reported by the institutions have not been subjected to independent verification by the US Department of Education. Therefore, the Department cannot vouch for the accuracy of the data reported here.*
- *These data do not include incidents that: (a) took place off campus on public property immediately adjacent to and accessible from the Campus; (b) took place on a non-campus building or property owned or controlled by a student organization that is officially recognized by the institution; or (c) incidents at buildings/property owned or controlled by an institution but is not contiguous to the institution. For further information, see <http://ope.ed.gov/security>.*

# **Student ID**

*All registered students are required to carry a student identification card. Proof of enrollment is required to have an I.D. printed.*

*This card admits students to College sponsored activities and should be carried at all times.*

*An I.D. card is also needed for usage and checking out books and materials from the library. Please go to the I.D. office for your card. If an I.D. is lost, it may be replaced through the I.D. office.*

# **Missing Student Policy**

*If a student of the College community has reason to believe that a student who resides in on campus housing is missing, he or she should **immediately** notify the HutchCC Security Department. HutchCC Security will generate a missing person report and initiate an investigation along with the Hutchinson Police Department. After investigating the missing person report, should the HutchCC Security Department determine that the student is missing and has been missing for more than 24 hours, HutchCC Security will notify the student's emergency contact, or confidentially identified individual, no later than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and is not an emancipated individual, HutchCC Security or designee will notify the student's parent or legal guardian immediately after HutchCC Security has determined that the student has been missing for more than 24 hours.*

*In addition to registering an emergency contact, students residing in on-campus housing have the option to identify, confidentially, an individual to be contacted by HutchCC in the event the student is determined to be missing for more than 24 hours.*

