

Fox Valley Technical College

Student Code of Conduct - General

The *Student Code of Conduct - General* (“Code”) outlines the expected behavior standards for all Fox Valley Technical College (“FVTC” or the “College”) students. This procedure aims to provide support, guidelines, and regulations to create a safe learning environment that aligns with the College’s values. The College is committed to all students' educational and personal development and requires their behavior to align with its scholarship and conduct standards.

FVTC encourages the open exchange of ideas and opinions and expects that this will be done with respect for the human dignity and freedom of others. The College expects the highest standards of conduct from its students, which may be more stringent than the expectations of the law.

The following guidelines apply to general conduct violations defined in Section 3. *Behavior Expectations*. Sexual and academic misconduct are not covered by these procedures and are addressed separately in the [Sexual Misconduct Policy](#) and the [Code of Conduct - Academic](#).¹

At FVTC, students are expected to adhere to high standards of conduct to ensure a positive educational experience. This includes complying with all civil and criminal laws, college policies, and regulations on campus and at College-sponsored events. Students should not disrupt the educational process and must behave in a way that does not pose a threat to the safety or well-being of others.

The student conduct process at FVTC is different from criminal and civil court proceedings. Students are guaranteed written notice and a hearing before an objective decision-maker. No student will be found in violation of FVTC policy without evidence showing that it is more likely than not that a policy violation occurred. Any sanctions imposed will be proportionate to the severity of the violation and the student's conduct history and issued on a case-by-case basis.

The student conduct process may occur before, during, or after any criminal, employment, or another proceeding (if applicable). A student alleged to have violated the *Code* may not avoid the conduct process by withdrawing from the College. Student conduct proceedings will continue without the student’s participation, and a student may not be permitted to acquire records or make registration changes until the matter is resolved. In addition, a student may be sanctioned regardless of enrollment status. FVTC will notify the student through their FVTC email or personal email on record or certified letter. Student accounts should include a functional email address. All communication regarding conduct will use email as the preferred means of communication.

The *Student Code of Conduct - General* outlines procedures for addressing behaviors that violate the Code, including sanctions designed to educate and protect College community members. If

¹ References to other College policies shall be meant to incorporate the entire policy by reference.

you have questions about this Code, please contact the Student Conduct Manager at 920-735-2570.

Fox Valley Technical College students are provided with an annual link to the *Code* on the college's website. Hard copies can be obtained by contacting the Office of Student Conduct in the Advising, Counseling & Career Services office in room E121 on the Appleton Main Campus. It is the student's responsibility to read and adhere to the provisions of the *Code*.

SECTION 1: JURISDICTION

The *Student Code of Conduct - General* and the student conduct process apply to individual students and all Fox Valley Technical College-affiliated student organizations. The College considers an individual a student upon admission into a program, enrollment in a course, or participation in any learning activities at or from the College, regardless of the program and course delivery mode. These expectations and rules apply to all students, whether in an Associate Degree program, Technical Diploma program, Certificate program, English Language Learning, Adult Basic Education, Alternative High School, taking one class, or participating in a workshop or other educational activities.

Fox Valley Technical College maintains jurisdiction over any alleged violation of this Code that occurred prior to a student's leave of absence, withdrawal, or graduation for any misconduct before their leave, withdrawal, or graduation. Student conduct proceedings may proceed with or without the student's voluntary participation. If sanctioned, the student may have a hold placed on their ability to re-enroll, obtain official transcripts, and graduate status, and all sanctions must be fulfilled before re-enrollment eligibility.

The *Student Code of Conduct - General* applies to behaviors on any campus or FVTC location, online, at Fox Valley Technical College-sponsored events, and in Fox Valley Technical College-affiliated housing. It may also apply off-campus when the Vice President of Student Success or designee determines that the off-campus conduct affects a substantial Fox Valley Technical College interest.

A substantial interest in Fox Valley Technical College includes the following situations:

- Any circumstance where a student's behavior may pose a danger to members of the FVTC community.
- Any situation that is detrimental or disruptive to the educational mission and interests of Fox Valley Technical College as outlined in the *Code*.
- Any conduct that contradicts College policies or regulations.

FVTC encourages individuals to promptly report alleged violations of this policy. There is no time limit for reporting violations of the *Code*. However, the longer someone waits to report an offense, the more difficult it becomes for Fox Valley Technical College officials to obtain information and witness statements and to make determinations regarding alleged violations.

Anonymous reports are permitted, but doing so may limit Fox Valley Technical College's ability to investigate and respond to reports. Those aware of misconduct are encouraged to report it as

quickly as possible to the Office of Student Conduct and/or Safety and Security. **Instances of alleged sex-based harassment or sex-based discrimination are covered in the [Sexual Misconduct Policy](#).** Students and employees should refer to the Sex-Based Harassment and Nondiscrimination policy for more information.

SECTION 2: VIOLATIONS OF THE LAW AND PENDING CRIMINAL PROCEEDINGS

Alleged federal, state, and local law violations may be investigated and addressed under the *Code* when an offense occurs within FVTC's jurisdiction. The FVTC conduct process will proceed even if a criminal report arises from the same incident.

FVTC may impose an interim suspension if a student is under criminal investigation or facing an alleged conduct violation. Interim suspensions are in place until a hearing, typically within two weeks, can be held.

- The student involved must cooperate with all campus investigations without jeopardizing their defense in the criminal trial.
- The student must also adhere to any interim actions or restrictions during the interim suspension.
- Lastly, to be reinstated to active student status, the student must agree to fully participate in the campus conduct process and comply with any sanctions imposed.

SECTION 3: EXPECTATIONS²

Behavioral and Conduct Expectations

Fox Valley Technical College considers the behaviors and conduct described in the following sub-sections inappropriate for the Fox Valley Technical College learning community and in opposition to the College's mission, vision, and values. These expectations extend to online behavior as the College aims to create a positive and respectful virtual learning environment and encourage responsible digital citizenship among students. Fox Valley Technical College encourages community members to report all incidents involving the following actions to the College officials identified in Section 5. Any student found to have committed or attempted to commit the following misconduct is subject to sanctions or disciplinary actions as outlined in FVTC's *Student Code of Conduct - General Section 6: Remedies and Sanctions*.

- 1) **Falsification.** Knowingly furnishing or possessing false, falsified, or forged materials, documents, accounts, records, identification, or financial instruments;
- 2) **Unauthorized Access/Use/Trespass.** Unauthorized access to any Fox Valley Technical College building (i.e., keys, cards, etc.) or unauthorized possession, duplication, or use of means of access to any Fox Valley Technical College building or failing to timely report

² Alleged conduct that is covered by Title IX and its implementing regulations is covered by FVTC's Sex-Based Harassment and Nondiscrimination policy and procedures.

a lost Fox Valley Technical College identification card or key; trespass on College property; unauthorized use of Fox Valley Technical College property or facilities;

- 3) **Collusion.** Action or inaction with another or others to violate the *Student Code of Conduct - General* or encouraging such violation;
- 4) **Trust.** Violations of positions of trust within the FVTC community;
- 5) **Election Tampering.** Tampering with the election of any Fox Valley Technical College-recognized student organization;
- 6) **Taking of Property.** Taking or attempted taking of Fox Valley Technical College property or the personal property of another, including goods, services, and other valuables;
- 7) **Stolen Property.** Knowingly taking or maintaining possession of the stolen property;
- 8) **Disruptive Behavior.** Substantial disruption of Fox Valley Technical College operations, including obstruction of teaching, administration, other Fox Valley Technical College activities, and other authorized non-Fox Valley Technical College activities that occur on campus or within established jurisdiction, including disrespectful and disruptive online behavior;
- 9) **Rioting.** Causing, inciting, or participating in any disturbance that presents a clear and present danger to self or others, causes physical harm to others, or damages and destruction of property;
- 10) **Unauthorized Entry.** Misuse of access privileges to Fox Valley Technical College premises or unauthorized entry to or use of buildings, including trespassing, propping, or unauthorized use of alarmed doors for entry into or exit from a Fox Valley Technical College building;
- 11) **Trademark.** Unauthorized use (including misuse) of Fox Valley Technical College or organizational names and images;
- 12) **Damage and Destruction.** Intentional, reckless, and unauthorized damage to or destruction of Fox Valley Technical College property or the personal property of another;
- 13) **IT and Acceptable Use.** Violating the Fox Valley Technical College [Acceptable Use of Computers and Electronic Devices Policy](#);
- 14) **Gambling.** Gambling as prohibited by the laws of the State of Wisconsin (Gambling may include raffles, lotteries, sports pools and online betting activities);
- 15) **Weapons.** The use, placement, concealment, creation, manufacture, transportation, or possession of weapons and potentially dangerous devices in FVTC buildings (owned or

leased), FVTC-owned vehicles, or at an FVTC-sponsored event as defined in Sec. 943.13(1.e.)(h.), Wis. Stats. held on public or private property off campus which is posted is strictly prohibited, except as expressly permitted hereafter or allowed by law or College policy. [Weapons Policy](#);

16) Tobacco. All Fox Valley Technical College campuses and leased facilities, including the grounds, are tobacco-free to create a safer and healthier environment for students, faculty, staff, and visitors. A tobacco-free campus will prohibit the use of tobacco products, including, but not limited to, cigarettes, electronic cigarettes, cigars, pipes, and chewing tobacco, in all buildings and vehicles owned and leased by FVTC. Individuals may use tobacco inside their cars; however, disposal of cigarette butts, smoking materials, or any garbage on College grounds is strictly prohibited. [Smoke and Tobacco Free Campus Policy](#);

17) Fire Safety. Violation of local, state, federal, or campus fire policies including, but not limited to:

- a) Intentionally or recklessly causing a fire that damages Fox Valley Technical College or personal property or causes injury.
- b) Failure to evacuate a Fox Valley Technical College-controlled building during a fire alarm;
- c) Improper use of Fox Valley Technical College fire safety equipment; or
- d) Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on Fox Valley Technical College property. Such action may result in a local fine in addition to Fox Valley Technical College sanctions;

18) Animals. Animals, except for service animals (e.g., seeing-eye dogs) and pets as outlined in the [Service Animals Policy](#), are not permitted on campus except as allowed by law;

19) Wheeled Devices. Skateboards, rollerblades, roller skates, bicycles, and similar wheeled devices are prohibited inside Fox Valley Technical College buildings or residence halls. In addition, skateboards and other wheeled items should not be ridden on railings, curbs, benches, or any fixtures that these activities could damage. Individuals may be held responsible for any damage caused to Fox Valley Technical College property as a result of these activities;

20) Discrimination. Any action or lack of action that is based on a person's or group's actual or perceived protected characteristics (such as sex, gender identity, race, color, age, creed, national or ethnic origin, physical or mental disability, veteran status, pregnancy status, religion, or sexual orientation, or other protected status) and is severe enough to limit or deny their ability to participate in or benefit from the educational programs or activities at Fox Valley Technical College. Please refer to the [Sexual Misconduct Policy](#) for information on sex-based discrimination and the [Equal Opportunity Policy](#) for other types of discrimination;

21) Harassment. Any unwelcome behavior based on actual or perceived status, including sex, gender identity, race, color, age, creed, national or ethnic origin, physical or mental disability, veteran status, pregnancy status, religion, sexual orientation, or other protected

status should be reported to campus officials. They will take action to address and resolve reported incidents on behalf of the victim and the community.

- a) **Hostile Environment:** Sanctions may be imposed for creating a hostile environment when unwelcome harassment is severe, pervasive, persistent, and offensive. This type of harassment unreasonably interferes with, limits, or denies the ability to participate in or benefit from the educational or employment programs or activities at Fox Valley Technical College. Please refer to the [Sexual Misconduct Policy](#) for information on sex-based harassment and the [Equal Opportunity Policy](#) for other types of harassment;

22) Online Misconduct. Online content such as blogs, web postings, chats, and social media posts are public, not private. Students may face misconduct allegations if evidence of policy violations is found online. While Fox Valley Technical College doesn't routinely search for this information, the College may take action if it's brought to its attention that a Code violation may have occurred. However, students' online speech outside the College's networks or technology or speech that is otherwise protected, may be considered free expression and not governed by this Code. While the College respects these rights, there are some exceptions. These exceptions include, but are not limited to:

- **Threats:** A "true threat" is defined as a threat that a reasonable person would interpret as a profound expression of intent to inflict bodily harm upon specific individuals.
- **Disruptive Speech:** Speech posted online about Fox Valley Technical College or its community members that causes a significant on-campus disruption or violates college policy or procedure is prohibited.
- **Hate Speech:** FVTC prohibits the use of hate speech, discriminatory remarks, or any form of communication that targets individuals or groups based on attributes such as race, ethnicity, religion, or sexual orientation.

Students can refer to FVTC's [Free Speech Policy](#) for more information

23) Retaliatory Discrimination or Harassment. Any intentional, adverse action taken by a responding individual or allied third party, without legitimate nondiscriminatory purposes, against a participant or supporter of this participant in a civil rights grievance proceeding or other protected activity under this Code;

24) Dating Violence. Violence by a person who is or has been in a romantic or intimate relationship with the victim is referred to as domestic violence. The existence of a romantic relationship will be determined based on its duration, nature, and frequency of interaction between the person accused of violence and the victim. See the [Sexual Misconduct Policy](#) for further information;

25) Domestic Violence. Crimes of violence, both misdemeanors and felonies, are committed against a victim by the respondent who is the spouse, former spouse, cohabitant, or intimate partner of the victim or has a child in common with the victim. See the [Sexual Misconduct Policy](#) for further information;

- 26) Stalking.** Stalking is defined as a series of actions, including harassment, intimidation, or surveillance, aimed at a particular person, which would cause a reasonable person to fear for their safety or to experience significant emotional distress, serious physical injury, or death. See the [Sexual Misconduct Policy](#) for further information;
- 27) Sexual Misconduct.** Includes, but is not limited to, sexual harassment, non-consensual sexual contact, non-consensual sexual intercourse, and sexual exploitation. See the [Sexual Misconduct Policy](#) for further information;
- 28) Bystanding.**
- a) Complicity with or failure of any student to appropriately address known or apparent violations of the *Code* or law;
 - b) Complicity with or failure of any organized group to appropriately address known or apparent violations of the *Code* or law by its members.
- 29) Abuse of Conduct Process.** Abuse or interference with, or failure to comply with, Fox Valley Technical College processes, including, but not limited to:
- a) Falsification, distortion, or misrepresentation of information;
 - b) Failure to provide, destroy, or conceal information during an investigation of an alleged policy violation;
 - c) Attempting to discourage an individual's proper participation in or use of, the campus conduct system;
 - d) Harassment (verbal or physical) and intimidation of a member of a campus conduct body before, during, and following a campus conduct proceeding;
 - e) Failure to comply with the sanction(s) imposed by the campus conduct system;
 - f) Influencing, or attempting to influence, another person to commit an abuse of the campus conduct system;
- 30) Harm to Persons.** Intentionally or recklessly causing physical harm or endangering the health or safety of any person;
- 31) Threatening Behaviors:**
- a) **Threat.** Written or verbal conduct that causes a reasonable expectation of injury to the health or safety of any person or damage to any property.
 - b) **Intimidation.** Intimidation is defined as implied threats or acts that cause a reasonable fear of harm in another;
- 32) Bullying and Cyberbullying.** Bullying and cyberbullying are repeated and severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally and are not protected by freedom of expression;
- 33) Hazing.** It is defined as an act that endangers a student's mental or physical health or safety, or that destroys or removes public or private property for initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. Participation or cooperation by the person(s) being hazed does not excuse

the violation. Failing to intervene to prevent, discourage, or report those acts may also violate this policy;

- 34) Public Exposure.** Includes deliberately and publicly exposing one's intimate body parts, public urination, defecation, and public sex acts;
- 35) Alcohol.** Use, possession, or distribution of alcoholic beverages or paraphernalia except as expressly permitted by law and the Fox Valley Technical College's [*Drug and Alcohol-Free Campus and Workplace Policy*](#);
- 36) Drugs.** Use, possession, or distribution of illegal drugs and other controlled substances or drug paraphernalia except as expressly permitted by law and the Fox Valley Technical College's [*Drug and Alcohol-Free Campus and Workplace Policy*](#);
- 37) Failure to Comply.** Failure to comply with the reasonable directives of Fox Valley Technical College officials during the performance of their duties and failure to identify oneself to these persons when requested to do so, including failure of current students to produce a current student photo ID card upon request;
- 38) Financial Responsibilities.** Failure to promptly meet financial responsibilities to the institution, including, but not limited to, knowingly passing a worthless check or money order in payment to the institution or an official of the institution acting in an official capacity. See the [*Student Finance Policy*](#) for more information;
- 39) Sex Offender Registry.** Failure to promptly report status as a registrant on the sex offender registry of the Office of the Security Services. Students are required to promptly report their status as a registrant on the sex offender registry to the Office of Security Services. If a student is convicted of a crime that requires a sex offender registry while enrolled, they must contact the Office of Security Services within seventy-two (72) hours of the sentence;
- 40) Other Policies.** Violating other published Fox Valley Technical College policies or rules, including, but not limited to, those specific to a particular College program or activity and all policies enforced by buildings designed for and used primarily by Fox Valley Technical College Students (e.g., Tech Village Student Living, etc.);
- 41) Health and Safety.** Creation of health and safety hazards (dangerous pranks, hanging out of or climbing from/on/in windows, balconies, roofs, etc.)
- 42) Violations of Law.** Evidence of local, state, or federal law violations when substantiated through the Fox Valley Technical College's conduct process.

SECTION 4: OVERVIEW OF THE CONDUCT PROCESS

This Code outlines the procedures for conducting proceedings of alleged violations of the *Student Code of Conduct - General* at Fox Valley Technical College. However, it is essential to note that not all situations have the same severity or complexity. Therefore, these procedures are flexible and may vary depending on the situation. The campus conduct process and all applicable timelines begin when an administrator is notified of a potential violation of this Code.

All days mentioned in this policy are regular business days when the College is open. Holidays and days when the campus is closed for business are excluded.

During the investigation, the Student Conduct Manager or designee may attempt to resolve the reported violation through communication with all parties involved. Any agreement reached due to this process will be documented in writing and signed by all parties involved.

SECTION 5: PROCEDURES UNDER THIS CODE

1. Filing an Incident Report

A report about a student for violations of this Code may be made in writing or verbally by anyone who believes this Code has been violated. **The preferred method for making a code violation report is via the *General Incident Reporting Form* available online at <https://www.fvtc.edu/about-us/campus-safety>.** A report should be made as soon as possible following the incident.

Reports should include as much detail of the alleged violation as possible. Please note that if any information is left blank on the incident reporting form (e.g., reporting student's name and contact information), the College may be unable to investigate the report thoroughly. However, the College may initiate a student conduct investigation based on available information, even without a formal report.

If a report does not use the General Incident Reporting Form, the incident report should include the minimum following information:

- Reporter's name, address, and telephone number.
- The name of the person who is accused (respondent) of a violation of this Code.
- The date(s) on which the alleged incident(s) occurred.
- The place(s) where the alleged incident(s) occurred.
- A statement describing, in detail, the alleged incident(s).
- The name, address, and telephone number of any witnesses.

Reports may also be submitted in writing or verbally to:

Student Conduct Manager:

Student Conduct Manager

Conduct@fvtc.edu or 920-735-2545

Security Services Manager:

Security@fvtc.edu or 920-735-5621

Once an incident is reported, a College representative will contact the involved parties to begin the investigation. Reports made verbally will be documented in writing at that time.

In exceptional circumstances, provisions may be made to protect the identity of reporters and witnesses upon request. FVTC has discretion to determine whether identities will be kept confidential.

If the report involves sex-based harassment or sex-based discrimination allegations, the matter will be handled under Administrative Policy: [*Sexual Misconduct Policy*](#).

2. Initial Investigation and Informal Resolution

Upon receiving the incident report, the Student Conduct Manager or designee will conduct inquiries to determine if it is more likely than not that a violation of this Code occurred. This may involve scheduling conferences with the individuals involved and obtaining written statements or other documentation from the reporter, alleged student, witnesses, or others involved in the incident. The alleged student will be provided with written notice of the alleged violations and an opportunity to respond to those allegations. The initial investigation may result in determinations such as whether a violation has occurred and, if so, what disciplinary actions are appropriate. Determinations that may result from the initial investigation include:

- A decision not to pursue the allegation based on a lack of or insufficient evidence. The matter will be closed, and the records will so indicate.
- A decision on the allegation(s), also known as an "informal" or "administrative" resolution to an uncontested allegation.
- A decision to proceed with additional investigation and/or referral for a "formal" resolution.

The process will end if the decision on the allegation is that the responding student is not responsible for violating the Code.

If Fox Valley Technical College finds that the alleged student is in violation, and the alleged student accepts this finding within three days, Fox Valley Technical College considers this an "uncontested allegation." The Student Conduct Manager or designee will then determine the sanction(s) for the misconduct, which this student may accept or reject. If accepted, the process ends.

If the Student Conduct Manager or designee conducting the initial investigation determines that it is more likely than not that the alleged student is in violation, and the alleged student rejects that finding in whole or part, it is considered a contested allegation, and the process moves to Step 3.

3. Formal Investigation

If, during the initial investigation, it is determined that there was likely a violation of the code and no resolution is reached, a formal investigation may be conducted to gather additional

information. The alleged student and involved parties will be notified about the formal investigation in writing. The notification will include the following:

- The sections of the Code at issue and the potential sanctions.
- A copy of the Code and procedures relevant to the report.
- The alleged student will be asked to provide a written explanation of the incident or, if a prior statement was obtained, to provide additional information.
- Any instructions relevant to the report that involve other involved parties will also be included.

When a formal investigation is initiated, the Student Conduct Manager or designee will meet with the person filing the report and the alleged student to review the written report, collect or request all relevant evidence and documents, and review any interim measures that have been put in place.

Witnesses may be interviewed, relevant documentation will be gathered and reviewed, and follow-up meetings with the person filing the report and the alleged student may occur. The investigator may seek a voluntary resolution of the report at any time, and the results of such resolution will be documented.

The investigator will retain all records and notes within the incident reporting system and prepare a written report, including a summary of findings, timelines, outcomes, and any sanctions or remedial actions. The investigator may use College resources, including peers or colleagues, to assist in preparing the written report.

The College will make every effort to conduct thorough investigations. The College may extend time periods to ensure that the Code is followed and that reported incidents are resolved fairly. If the person filing the report or the alleged student notices any procedural errors or deficiencies, they should report them to the Student Conduct Manager or designee; otherwise, they will be waived. A procedural error or deficiency does not automatically result in a favorable outcome for the person the error may have disadvantaged.

4. Student Conduct Conference

The Student Conduct Conference will be held following the formal investigation and facilitated by the Student Conduct Manager or designee, and the purpose will be as follows:

- Inform the alleged student of the information provided to the Student Conduct Manager or designee to date.
- The alleged student will be allowed to raise questions and discuss the information.
- The alleged student will be allowed to admit the allegations and accept responsibility for the violation(s).
- The alleged student will be allowed to deny the allegations and to offer additional information.
- The alleged student will be informed of the remaining process and possible remedies and sanctions that may result.

As a result of the Student Conduct Conference, the Student Conduct Manager or designee may:

- Dismiss the code violation report.
- Refer parties involved, if appropriate, to other services at the College.
- Refer parties to other appropriate follow-ups, including mediation with the reporter.
- Resolve the report informally.
- Determine the alleged student is responsible for the violation(s) and impose a remedy and/or sanctions appropriate to the violation.

The Student Conduct manager or their designee will issue a written decision letter to the alleged student.

If the alleged student disagrees with the outcome of the Student Conduct Conference, the student can appeal the decision within three (3) business days of receiving the decision letter. The appeal process will be provided in writing along with the decision letter.

SECTION 6: REMEDIES AND SANCTIONS

Conduct Sanctions

Any student who violates the *Student Code of Conduct - General* may receive one or more of the following sanctions. These sanctions will apply to all FVTC campuses, sites, or functions under FVTC supervision. Groups or organizations that violate the Code of Conduct may also face sanctions.

1. **Warning:** An official written or verbal notice that the student has violated FVTC policies and/or rules and that more severe conduct action will result should the student be involved in other violations while the student is enrolled at FVTC.
2. **Community/FVTC Service Requirements:** A student or organization must complete a specific supervised FVTC service.
3. **Restitution:** Compensation for damage caused to FVTC or any person's property. This could also include failure to return a reserved space to the proper condition – labor costs and expenses. This is not a fine but a repayment for labor costs and/or the value of property destroyed, damaged, consumed, or stolen.
4. **Loss of Privileges:** The student will be denied specified privileges for a designated period. This may include facility suspension. The student no longer has the privilege of entering and/or residing in a particular facility or building for a specified period or until a specific condition is met.
5. **Confiscation of Prohibited Property:** Items whose presence violates FVTC policy will be confiscated and become the property of FVTC. At the discretion of the Student Conduct Manager and/or Security Services, prohibited items may be returned to the owner.
6. **Behavioral Requirement:** This includes required activities including, but not limited to, AODA assessment, writing a letter of apology, etc.
7. **Educational Program:** Requirement to attend, present, and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible. The audience may be restricted.

8. **Disciplinary Probation:** The student is “not in good standing” for a designated period and is sent a letter of warning that further acts of misconduct will be subject to additional conduct action and may result in suspension or expulsion from FVTC, mainly if the incident occurs during the probationary period.
9. **Eligibility Restriction:** The student is deemed “not in good standing” by FVTC for a specified period. Specific limitations or exceptions will be determined by the Manager-Student Development and Engagement and Student Conduct Manager, and terms of this conduct sanction may include, but are not limited to, the following:
 - a. Ineligibility to hold any office in any student organization recognized by FVTC or hold an elected or appointed office at FVTC.
 - b. Ineligibility to represent FVTC to anyone outside the FVTC community, including participating in a study abroad program, attending meetings, or representing FVTC at an official function, event, etc.
 - c. Removal from class—A student may be barred from attending a particular class or may be reassigned to a different section of the same class. Specifics will be coordinated between the Student Conduct Manager or designee and the appropriate academic administrator.
10. **FVTC Suspension:** Separation from FVTC for a specified minimum period, after which the student is eligible for possible re-enrollment. Eligibility to return may be contingent upon satisfaction of specific conditions noted at the time of suspension. During suspension, the student is banned from FVTC property, functions, events, and activities without prior written approval from the Manager-Student Development and Engagement and Student Conduct Manager. This sanction may be enforced with a trespass action, as necessary. A student returning from a disciplinary suspension must develop a student success plan in coordination with the Student Conduct Manager or designee.
11. **FVTC Expulsion:** Permanent separation from FVTC. The student is banned from FVTC property and prohibited from participating in any FVTC-sponsored activity or event. If necessary, this ban may be enforced with a trespass action.
 - a. If a student is suspended, expelled, or removed as a part of a withdrawal agreement, they will be subject to the same refund policy as if they had voluntarily withdrawn from the College. Please contact Enrollment Services for more information and the current refund timeline.
12. **No-Contact Order:** A campus-wide No-Contact Order restricts individuals from contacting or interacting with each other. This order may be used as a sanction and/or as an interim measure while an investigation is ongoing. The order is put in place to prevent further conflicts or ensure the safety and well-being of the individuals involved. It includes specific instructions outlining clear boundaries between parties with a history of conflict, harassment, or other issues.
 - a. The expected behavior includes refraining from face-to-face contact, correspondence, email, contacting via any electronic means, or telephone. Friends and relatives are also prohibited from contacting either party on their behalf.
 - b. The Student Conduct Manager or designee is responsible for implementing and enforcing a no-contact order in coordination with other

areas of the institution, such as Security Services and Title IX Coordinators.

- c. Report violations of the no-contact order to the Student Conduct Manager at Student Conduct Manager Conduct@fvtc.edu or 920-735-2545.
 - d. . The Student Conduct Manager is the designated official to address conflicts, harassment, or other misconduct between students and may issue a no-contact order to protect the safety and well-being of those involved. Moreover, Security Services may issue a no-contact order.
13. **Other Sanctions:** With the Student Conduct Manager's or designee's approval, additional or alternate sanctions may be created and designed as appropriate to the offense. Examples include restorative justice assignments such as services, essays, administrative referrals, or other discretionary assignments.
14. Referral to civil or criminal authorities (if this has not occurred).

Failure to Complete Conduct Sanctions

As members of the Fox Valley Technical College community, all students must adhere to conduct sanctions within the specified timeframe, where applicable, set by the Student Conduct Manager or designee. Failure to comply with these sanctions by the specified date, whether due to refusal, neglect, or any other reason, may lead to additional sanctions and/or suspension or expulsion from the college. A suspension will only be lifted when compliance with conduct sanctions is satisfactorily achieved, a determination that the Student Conduct Manager or designee will make.

SECTION 7: APPEAL PROCEDURES

Procedures to Appeal the Decision

A. If the student is found responsible for a violation of this Code, the student can appeal in writing to the Manager - Student Development and Engagement or their designee within three (3) business days of receiving the sanctions. The student will have the right to request a final review based on any of the following grounds:

1. A sanction substantially disproportionate to the severity of the violation.
2. A material deviation from written procedures jeopardized the process's fairness.
3. A demonstrable bias by the Student Conduct Manager or designee.
4. New information unavailable during the proceeding that could be outcome determinative.

B. If a student is suspended or expelled and they appeal the decision, they will not be allowed on campus or to attend classes until the appeal process is completed unless the Manager-Student Development and Engagement or their designee delays the implementation of the sanction due to extraordinary circumstances.

C. An appeal must be timely, in writing, and contain the following information:

1. The name, address, e-mail address, and phone number of the party appealing
2. The reason for the appeal request with a clear explanation of the facts and circumstances underlying the appeal with specifics relating to A. 1 through A. 4 above.

Standard of Review for Appeals

1. The Manager - Student Development and Engagement or designee, will review the written appeal within ten (10) business days of receiving it to determine if sufficient grounds exist to grant the appeal. If granted, they will proceed to hear the appeal or return the case to the original person that issued the sanction for reconsideration based on the appeal. The Manager -Student Development and Engagement or designee may choose to hold sanctions in abeyance, either in whole or in part, pending the decision on the appeal.
2. If the Manager - Student Development and Engagement or designee determines that there is not a sufficient basis to change the decision of the proceeding or the sanction(s), the student will be notified in writing and the original decision will stand.
3. Appeals defer to the decision of the original decision maker and are not meant to start a new process. If the Manager - Student Development and Engagement or designee handles the appeal and finds the appeal meritorious, they can change the original decision or sanction. They may reverse, uphold, modify, or change the sanction. Appeals usually involve a review of the original record and the appeal request. The Manager - Student Development and Engagement or designee has discretion to interview parties and witnesses or review written documentation to ensure fairness.
4. The decision of the Manager - Student Development and Engagement or designee is final.

SECTION 8: NOTIFICATION

Parental Notification

Students who are under the legal drinking age and are found in violation of the College's [Drug And Alcohol-Free Campus And Workplace](#) policy may also be subject to the College's parental notification policy as outlined in the [FERPA Policy](#).

Notification of Outcomes

The outcome of a campus proceeding and/or other process is considered part of the alleged student's education record and is protected from release under the Federal Education Rights and Privacy Act (FERPA), except under certain conditions. Under FERPA, if a student is accused of a policy violation that would constitute a "crime of violence" or a forcible or non-forcible sex offense, Fox Valley Technical College will inform the alleged victim/party filing the report in writing about the results of the proceedings, regardless of whether the college concludes that a violation was committed. This release of information may include only the alleged student's/responding student's name, the violation committed, and any sanctions assigned (if applicable).

In instances where Fox Valley Technical College finds, through the student conduct process, that a student has violated a policy constituting a "crime of violence" or a non-forcible sex offense, the college may release this information publicly or to a third party. According to [FERPA Policy](#), "crimes of violence" include:

- 1) Arson

- 2) Assault offenses
- 3) Burglary
- 4) Criminal Homicide—manslaughter by negligence
- 5) Criminal Homicide—murder and non-negligent manslaughter
- 6) Destruction/damage/vandalism of property
- 7) Kidnapping/abduction
- 8) Robbery
- 9) Forcible sex offenses

Date

This *Student Code of Conduct - General* was finalized and implemented on August 1, 2016.

Reviewed, July 2018

Reviewed, October 2023

Revised, August 2024.

The Fox Valley Technical College *Student Code of Conduct - General* is adapted from The NCHERM Group Model Developmental Code of Student Conduct and is used here with permission.