

# Student Code of Conduct

Pennsylvania Highlands Community College is committed to the advancement of learning and to the development of responsible individuals. Each student is considered to be a responsible person and is expected to uphold appropriate standards of behavior. The College expects proper student conduct on-campus and at off-campus functions sponsored by the College. Students who demonstrate an inability to conform to acceptable conduct may lose the right to enjoy the educational, social and recreational opportunities of the College.

Criminal violations which occur on campus or at College-sponsored events may be reported to the appropriate law enforcement agency. A student may be subject to the sanctions of the Student Code of Conduct in addition to being subject to action in criminal and/or civil court.

A student engaging in misconduct may be subject to disciplinary sanctions. The types of behavior subject to disciplinary action includes, but is not limited to:

1. Violation of published College policies, rules, or regulations.
2. Violation of federal, state, or local law on College premises or at College-sponsored or supervised activities.
3. Disruption or obstruction of teaching, administration, disciplinary proceedings, or other College activities, including its public service functions on or off campus.
4. Abuse or other conduct which threatens or endangers the safety of any person: (1) physical abuse, (2) verbal abuse, (3) threats, intimidation, and coercion
5. Harassment, sexual harassment, and/or stalking which threatens or endangers the safety of any person.
6. Attempted or actual theft of and/or damage to property of the College or property of a member of the College community.
7. Hazing defined as an act that injures, frightens, endangers or degrades an individual.
8. Conduct which is disorderly, lewd, or indecent; excessive amorous behavior, breach of peace; or aiding or abetting, or procuring another person to breach the peace on College premises or at functions sponsored by or participated in by the College.
9. Failure to comply with the directions of College officials or law enforcement officers acting in the performance of their duties and/or failure to identify oneself to those persons when requested to do so.
10. Unauthorized entry to or use of College premises or property and/or unauthorized possession, duplication, or use of keys to any College premises or property.
11. Use, possession, or distribution of narcotic or other controlled substances except an expressly permitted by law.
12. Use, possession, or distribution of alcoholic beverages.
13. Use, possession or concealment of any firearms, explosives, other weapons, or dangerous chemicals.
14. Gambling in any form. Subject to local statutes, activities such as raffles or drawings that benefit recognized campus organizations may be permitted with proper approval.
15. Intentionally supplying false information to the College and/or alteration of unauthorized use of College documents or instruments of identification.

Students are protected against discrimination by Title VI of the Civil Rights Act of 1964 and against sexual discrimination, including sexual harassment by Title IX of the Education Amendments of 1972.

Students who are sexually harassed are encouraged to discuss the matter with the Title IX Coordinator, the Safety and Security Office, or the Deputy Coordinators at the other education centers and should refer to the College's Title IX Policy located on the College's website.

**Pennsylvania Highlands provides the following guidelines and definitions for students, faculty, and staff to better understand consent. This information can be found on our website in our Pennsylvania Highlands Community College Sexual Assault Awareness and Preventive Measures Resource Tool.**

Consent is knowing, voluntary and clear permission by word or action, to engage in mutually agreed upon sexual activity. 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.

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 been given consent. 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 they lack the capacity to give knowing consent (e.g., to understand the “Who, what, when, where, why, or how” of their sexual interaction). This includes 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. 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.