

STUDENT CODE OF CONDUCT



For clarification or any type of assistance regarding this Code, please call the Judicial Affairs Officer at 414-297-8177 or Academic Integrity Officer at 414-297-7508.

MATC is accredited by the Higher Learning Commission, Commission on Institutions of Higher Education, the national standard in accrediting colleges and schools for distinction in academics and student services. MATC is an Affirmative Action/Equal Opportunity institution and complies with all requirements of the Americans with Disabilities Act.

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FOREWORD

This booklet contains the Student Code of Conduct, the basic rules and regulations which establish the official parameters for student life at Milwaukee Area Technical College. These standards have been formulated as appropriate by the Judicial Affairs Officer, Academic Integrity Officer, and the respective administrative officers of the College. They are approved and authorized by the Milwaukee Area Technical College District Board. It is the responsibility of all students to be aware of these expectations and conduct themselves accordingly as members of the community.

Milwaukee Area Technical college does not discriminate against qualified individuals in employment or access to courses, programs, services, or extracurricular activities on the basis of race, color, national origin, ancestry, religion, creed, sex, sexual orientation, age, disability, pregnancy, marital status, parental status, or other protected class status.

Student policies and procedures are subject to change pending the approval of the Milwaukee Area Technical College District Board. If you have any questions or suggestions regarding this policy, please contact the Judicial Affairs Officer, Academic Integrity Officer, Office of Student Life or MATC District Student Association.

Effective Date: January 1, 2025

(This document supersedes all previous Student Code of Conduct).

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MISSION, VISION & VALUES STATEMENT

MATC Mission: Education that transforms lives, industry, and community

MATC Vision: The best choice in education, where everyone can succeed.

Value Statement

Empowerment: We support our students and employees with the skills, tools, and autonomy to succeed

Inclusion: We provide a fair and welcoming environment where all voices are heard and where all students and employees feel a sense of belonging

Innovation: We are agile and responsive to changing conditions, while anticipating future needs to best serve our students and communities

Integrity: We demonstrate honesty, professionalism, and accountability in all interactions with our students, each other, and our community partners.

Respect: We approach all interactions with openness and empathy, value different perspectives, and treat each other with civility and kindness

EDUCATIONAL/TRAINING INITIATIVES IN SUPPORT OF THE MATC MISSION

As outlined in the Wisconsin Statutes, Section 38.001, the board endorses the following educational and training initiatives in support of this mission as determined by community needs and financial capabilities:

- a. Occupational programs and courses to prepare students for entry or reentry into the job market or to pursue further education.
- b. Education, training, and retraining, which are necessary to maintain employability in a technically changing workplace.
- c. Liberal Arts and Sciences courses to complement occupationally specific instruction and to provide a transfer option for those who choose to pursue further education at an upper-division college or university.
- d. Developmental education in basic skills where necessary for effective participation in occupational training, in employment, and in further higher education.
- e. Coordination, cooperation, and contracting with business; industry; labor; elementary, secondary, and higher education; and governmental agencies to provide educational opportunities to residents of the district.
- f. Educational programs and technical assistance to support the economic development efforts within the district.

- g. Opportunities for personal, civic, and multicultural enrichment through courses and activities to improve the quality of life for residents of the district.
- h. Flexible instructional delivery systems designed to meet the unique and changing needs of the learner.
- i. Programs focused on creating an understanding of the global economy and enhancing the international competitiveness of the district's business and industry.

MATC is committed to providing the highest quality educational opportunities for all of the citizens of the district. Further, it is dedicated to providing a diverse and well-trained workforce for the community. Through close collaboration with other educational institutions, the public and private sectors, labor, and community organizations, MATC will provide leadership in efforts to educate all of its citizens. MATC is committed to licensing for Milwaukee PBS, as a nonprofit educational and public television station serving the people of southeastern Wisconsin.

MATC will maintain an institutional environment which champions diversity; which promotes student well-being; which facilitates and encourages learning and multicultural understanding; where students and staff value quality education; which mirrors the ethnic and gender composition of the community; and which creates public understanding of and commitment to MATC and its value to the community

EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION COMMITMENT

MATC's commitment to equal opportunity in admissions, educational programs, and employment policies assures that all individuals are included in the diversity that makes the college an exciting institution. MATC does not discriminate against qualified individuals in employment or access to courses, programs, or extracurricular activities on the basis of race, color, national origin, ancestry, religion, creed, sex, sexual orientation, age, disability, pregnancy, marital status, parental status, or other protected class status. The lack of English skills shall not be a barrier to admission or participation in any MATC program or service.

MATC will comply fully with state and federal Equal Opportunity and Affirmative Action laws, executive orders, and regulations. Direct questions concerning application of this policy to Human Resources, 700 West State Street, Milwaukee, Wisconsin 53233-1443. Telephone 414-297-8960.

It is the policy of Milwaukee Area Technical College to provide reasonable accommodations for students or applicants for admission with disabilities (see Discrimination against Individuals with Disabilities Policy C0203). The exceptions to providing accommodations are if doing so would (1) cause undue hardship, or (2) pose a direct threat to the health and safety of others at MATC. MATC will adhere to all applicable federal and state laws, regulations, and guidelines with respect to providing reasonable accommodations as required to afford equal opportunity and access to programs and services for students with disabilities. Reasonable accommodations will be provided in a timely and cost-effective manner. Access shall not be denied because of the need to make reasonable accommodations to an individual's disability.

INTRODUCTION

Milwaukee Area Technical College (MATC) strives to maintain a community which values academic excellence, institutional integrity, justice, equity, and diversity.

Such an environment is essential in fostering the intellectual growth and personal development of all students. Each member of the College shares responsibility in maintaining conditions which support the College's mission. In the interest of guaranteeing the broadest range of freedom to each member of the College community, MATC has established a Student Code of Conduct. This Code is designed to provide basic guidelines to advance the educational mission of the College.

All students at Milwaukee Area Technical College have access to the Student Code of Conduct. Copies are available through the Judicial Affairs Officer, Academic Integrity Officer, and Office of Student Life at all campuses. The Student Code of Conduct is also distributed at all new student orientations and available online at matc.edu.

STUDENTS' RIGHTS AND RESPONSIBILITIES

Exercising your rights and acting in a responsible manner go together. Some of the College's rules and regulations are simply restatements of existing laws, such as laws against possession, use, or sale of controlled substances (illegal drugs). It is the responsibility of all MATC students to comply with the policies as stated in the Student Code of Conduct and obey all public laws. This compliance assures all students the opportunity of having the best possible educational experience.

MATC students have the right to be informed by the College through individual departments and/or divisions of policies and procedures concerning student conduct (Student Code of Conduct), course requirements (class syllabus), and ethics and professional conduct (as outlined in the division/department handbook and/or class syllabus). This information is published and/or electronically posted. MATC students have the right to be evaluated fairly on the basis of their performance as required by the instructor as part of the course.

These policies may also include published or posted standards of conduct for recreational, lab, and learning areas, including clinical facilities. It is the student's responsibility to be aware of such published policies and procedures and to seek clarification, if needed, from the Judicial Affairs Officer, Academic Integrity Officer, Office of Student Life and/or the appropriate academic departments.

POLICY STATEMENT

Milwaukee Area Technical College is a public, tax-supported institution which provides education opportunities for a large student body and serves numerous community groups and visitors. In order to accommodate the variety of interests and activities that comprise the MATC community, a reasonable set of rules has been established to successfully fulfill the College's educational mission.

The principal rules of Milwaukee Area Technical College expect students to: (1) comply with all federal, state, county, and municipal statutes and ordinances while participating in MATC activities or while located on MATC property, loaned or leased, or property used by MATC;

and (2) to conduct themselves in such a manner that will not interfere with or disrupt the educational process administered by MATC agents.

In order to maintain a College environment of integrity and justice, the MATC Student Code of Conduct shall apply to conduct which occurs on College property, including facilities with which MATC rents, leases, or otherwise occupied, and to conduct which occurs elsewhere during the course of a related function. Conduct off of College property may also be subject to disciplinary action provided that the conduct adversely affects the College and/or the pursuit of its objectives.

By the authority of the Milwaukee Area Technical College District Board (the "Board"), the President of MATC retains the ultimate responsibility for the administration of the Student Code of Conduct. The Vice President of Enrollment and Retention expressly determines final authority over the Student Code of Conduct for non-academic misconduct. The Judicial Affairs Officer coordinates the administration and enforcement of the Student Code of Conduct for non-academic misconducts. Alternatively, the Vice Provost expressly determines final authority over the Student Code of Conduct for academic misconduct. The Academic Integrity Officer coordinates the administration and enforcement of the Student Code of Conduct for academic misconduct.

NON-ACADEMIC MISCONDUCT

A. DESCRIPTIONS OF NON-ACADEMIC MISCONDUCT

The following actions and behaviors shall constitute violations of the Student Code of Conduct and will subject any student or student organization committing such a violation to disciplinary sanction. The violations defined below include, but are not limited to

1. Violating duly established and published or posted College or Board policies, rules and/or regulations including, but not limited to, alcohol, illegal drug use, discrimination, harassment, sexual harassment, sexual assault, and weapons on MATC property or at MATC sponsored or supervised student functions.
2. Violating federal, state, or local laws on College premises or while in attendance at College sponsored or supervised events or committing off- campus violations of federal, state, or local law that adversely affect the College and/or the pursuit of its objectives.
3. Engaging in conduct which constitutes a danger to the person or safety of other members of the MATC community.
4. Committing acts of harassment or physical abuse, or engaging in actions which intimidate, harass, threaten, coerce, or otherwise endanger the health or safety of any person.
 - a. Verbal, written, or electronic communication threatening another of a crime or offense, risking injury to the person, property, MATC, or the reputation of another, or maliciously threatening to expose another to disgrace, with the intent to extort money or other advantages whatsoever, is prohibited.
 - b. Verbal, written or electronic communication (including but not limited to social media posts, online chat systems, etc.) that unlawfully exposes any individual or group to hatred, contempt or ridicule, thereby injuring the person, property, or reputation of another, is prohibited.

- c. Bullying is defined as a behavior that constitutes the systematic and chronic infliction of physical hurt or psychological distress by teasing, social exclusion, threat, intimidation, stalking, physical violence, theft, harassment, and destruction of property. These include cyberbullying, which constitutes electronic communication to bully a person, typically by sending messages of an intimidating or threatening nature.
- 5. Committing acts of sexual harassment. Sexual harassment includes, but is not limited to, unwelcome non-consensual verbal or physical conduct related to sex that is determined by a reasonable person to be so severe and pervasive and objectively offensive, that it effectively denies a person equal access to an education program or activity.
- 6. Committing an act of sexual assault which, for administrative purposes, is defined as unwanted, forcible, non-forcible, or coerced sexual intercourse or sexual contact. (Victims include persons who are unconscious, mentally ill, or deemed unable to give consent.)
- 7. Committing an act of retaliation (causing physical or psychological pain) toward an individual or group who initiated a complaint (including, but not limited to, any violation of the Student Code of Conduct) with the College.
- 8. Engaging in disorderly conduct or fighting. For purposes of this Student Code of Conduct, disorderly conduct is defined to include, but is not limited to:
 - a. Acts which breach the peace, are inappropriately loud, or are lewd, indecent, or obscene.
 - b. Acts not in compliance with posted signage requesting specific behavior in designated areas (e.g., the library, study center, learning center, laboratory areas, gymnasium, recreation areas, cafeteria, and computer areas).
 - c. Acts which interfere with, damage or destroy college property, or conduct which attempts to interfere with, damage or destroy college property.
 - d. Conduct which instigates fights, or participation in fights with an MATC student, staff, instructor, administrator, agent or visitor.
 - e. Brandishing or displaying of objects which could be construed as weapons including, but not limited to, toy guns, starting pistols, and knives of any size including blades under three inches.
- 9. Planning, directing or committing acts of hazing, defined as any activity which willfully or recklessly endangers the physical or mental health of an individual or group; or subjects an individual or group to ridicule or embarrassment; or unlawful activity for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization.
- 10. Interrupting, interfering with, or disturbing the day-to-day academic and operational functions of the College; or committing intentional acts that obstruct, disrupt, or physically interfere with the use of College premises, buildings, or passages.
- 11. Possessing, duplicating, or using keys to any College building, facility, area, or vehicle without authorization by appropriate College official; or committing an act of unauthorized entry into or use of College buildings, facilities, areas, or vehicles.
- 12. Engaging or participating in acts of unauthorized possession, use, removal, defacing, tampering, damage, or destruction of College owned or leased property,

equipment, programs, or materials; or of property, equipment, programs, or materials belonging to any College community member, guest, visitor, vendor, or contractor.

13. Posting, affixing, or otherwise attaching written or printed messages or materials, e.g. posters, signs, handbills, brochures, or pamphlets, on surfaces including, but not limited to, doors, windows, buildings, sidewalks, and lawn areas (used, owned or leased by MATC), with the exception of designated posting areas where approved posting is expressly permitted. (Refer to the Office of Student Life at each campus for approved locations.)
14. Possessing, or engaging or participating in the use of explosives, fireworks, and/or firearms or other dangerous weapons while on MATC property, loaned or leased, or at MATC sponsored events (as defined in Wisconsin State Statutes 939.22(10), 941.29, and 948.60(1)). Also prohibited are metallic knuckles or knuckles of any substance; a nunchaku or any similar weapon; a knife blade; baton of any type; explosive devices of any type; and “look-alike” instrument or weapon, (i.e. “b.b. gun,” pellet gun, or any instrument designed to look like a weapon); oleoresin capsicum spray (pepper spray) or any other device or instrumentality used in a threatening and/or unlawful manner. (Exemptions: Authorized law enforcement officers in uniform — plain clothes officers must keep any authorized weapons concealed at all times. Also, the transportation of firearms for authorized training classes must be in accordance as defined in Wisconsin Statutes 167.31 (1) (g) and 167.31 (1) (b); that is, unloaded and encased.)
15. Violating of behavior guidelines as determined and outlined by the academic program for clinical or practicum purposes, which includes, but not limited to, behavior that causes the students’ temporary suspension or removal from an external placement site, violation of “work rules”, etc.
16. Committing acts of arson, creating a fire hazard, or possession of or use of, without proper authorization, inflammable materials or hazardous substances on college property.
17. Committing acts which endanger the property of the College including but not limited to altering or misusing any firefighting equipment, safety equipment, or emergency device.
18. Making false reports of a fire, bomb threat, or other dangerous condition; failing to report a fire; or interfering with the response of the College or municipal officials to emergency calls.
19. Failing to comply with the directions of College officials acting in the performance of their duties and/or failing to positively identify one’s self to a College official when requested to do so. (The preferred form of identification shall be a current, valid MATC identification card.)
20. Furnishing false information and/or identification to any College official, faculty member, or office.
21. Forging, altering, falsifying, or misusing any College document, record, or instrument of identification. (This includes grade transcripts, student identification, computer records, certificates, and other official documents.) Using a forged or altered document is also prohibited, even if someone else made the changes.
22. Tampering with the election of any College-recognized student organization.

23. Attempting to represent the College, any recognized student organization, or any official College group or agent without the explicit prior written consent of the official(s) of that group or agent.
24. Gambling on College property, whether such property is used, owned, or leased by the College.
25. Engaging in activities, canvassing, or solicitation not authorized by the College.
26. Smoking indoors on MATC property, including entrances, or where prohibited on loaned or leased facilities used by MATC.
27. Leaving a child (children), for whom you are responsible, unattended/ unsupervised on MATC property.
28. Engaging in acts of theft on College property (used, owned or leased) of College property or from College personnel including students, visitors, instructors, and staff.
29. Engaging in acts of theft or abuse of computer time or information, including but not limited to:
 - a. Unauthorized entry into a file to use, read, or change its contents.
 - b. Unauthorized transfer of a file or files.
 - c. Unauthorized use of another person's identification and/or password.
 - d. Use of computing facilities to interfere with the work of another student, faculty, or College member.
 - e. Use of computing facilities to send obscene messages.
 - f. Use of computing facilities to interfere with the normal operation of the College computing system.
 - g. Releasing or exchanging of information and/or codes that are detrimental to the MATC environment, equipment, and or property.
 - h. Violation of technology usage policies/procedures (published and/or electronically posted).
30. Using, possessing, or distributing alcoholic beverages, except at approved College functions and as permitted by College policy and procedures (available from the Judicial Affairs Officer and subject to statutory age restrictions).
31. Using, possessing, or distributing cannabis (marijuana), cocaine or any state- or federally-controlled substances except as expressly permitted by law.
32. Using College facilities/property including, but not limited to, the student union, sports fields, gymnasium, classrooms, auditorium, meeting rooms, etc., without adhering to the use of MATC facilities procedures (available from the Judicial Affairs Officer)
33. Participating in discriminatory unlawful acts including, but not limited to, use of slurs, insults, use of aspersions, denial of legitimate use or admittance to College facilities or college sponsored events, or other verbal or physical conduct related to a person's race, color, national origin, ancestry, religion, creed, sex, sexual

orientation, age, disability, pregnancy, marital status, parental status, or other protected class status.

34. Engaging or participating in abuse of the appeal system, including but not limited to:
 - a. Falsifying or misrepresenting information before an appeal body.
 - b. Disrupting or interfering with the orderly conduct of an appeal proceeding.
 - c. Attempting to influence/harass the impartiality of a member of an appeal body prior to, during, and/or after an appeal proceeding.
 - d. Harassing (verbally or physically) and/or intimidating a member of an appeal body prior to, during, and/or after an appeal proceeding.
 - e. Harassing or intimidating complainants and/or witnesses involved with the appeal process system.
 - f. Failing to comply with the sanction(s) imposed under the Student Code of Conduct.
 - g. Influencing or attempting to influence another person to commit an abuse of the appeal process system.
35. Participating in conduct that obstructs or impairs or attempts to obstruct or impair MATC's authorized activities including activities either outdoors or inside a classroom, office, lecture hall, library, laboratory, auditorium, Student Center, or other locations where any MATC authorized activity is conducted. This includes, but is not limited to:
 - a. Preventing, blocking, or attempting to block or prevent student, visitor, or authorized personnel entry to, or exit from, an MATC building, corridor, or room.
 - b. Shouting, continually interrupting, whistling, derisive laughter, or other conduct which, by itself, or in conjunction with the conduct of others, prevents or interferes with the fair hearing of a speech, program, event, or classroom instruction.
 - c. Obstructing an MATC official or employee engaged in the lawful performance of his or her duties, including law enforcement personnel whose services have been retained or called upon for protection of MATC students, personnel, community, and property.

B. SANCTIONS FOR STUDENT CODE OF CONDUCT VIOLATIONS

The College seeks to ensure equal treatment of students and recognized student organizations who are subject to disciplinary sanction(s). Any sanction(s) imposed by the College shall be confirmed in writing. Sanctions for violations of the Student Code of Conduct include:

1. **Disciplinary Restriction.** Disciplinary Restriction means the student or recognized student organization has temporary loss of student or student organization status for a specified length of time, up to ten days, while an investigation is conducted. The student may not attend classes on campus and may not come on College property for the time specified by this sanction. In cases involving student organizations, all activities for the student group will cease during this restriction. This sanction is

reserved for cases when there is reasonable cause to believe the continued presence of the accused student (or continued activities of the student group) on campus may present an immediate and definite threat to the student or group or other members of the College community, or disrupts College operations or activities.

2. **Disciplinary Warning.** Disciplinary warning is an official notice to a student or recognized student organization that the conduct is in violation of the Student Code of Conduct and that the continuation of such conduct or action(s) may result in further disciplinary sanction.
3. **Disciplinary Probation.** Disciplinary probation is a period of observation and review of conduct during which the student or recognized student organization must demonstrate compliance with College standards. Terms of this probationary period will be determined at the time probation is imposed.
 - a. **General.** The student or recognized student organization is placed on General Disciplinary Probation for one or more semesters (usually for a period no longer than one year). This disciplinary action is a warning that any further misconduct will subject the student or recognized student organization to more severe disciplinary action which may include expulsion from the College or loss of College recognition.
 - b. **Specific.** The student or recognized student organization is placed on Specific Disciplinary Probation for a period of one or more semesters (usually for a period no longer than one year). This probation will include specific limitations including, but not limited to, restriction or loss of certain specified privileges which may include the use of specific areas and/or activities. It may also limit the amount of time the student is permitted on campus. Student organizations may have their activities curtailed or their participation may be limited according to the severity of the infraction.
4. **Disciplinary Suspension.** Disciplinary Suspension means the student or recognized student organization will lose status for a period of one semester or one year. The student may not attend classes and may not come on College property for the time specified by this sanction. In cases involving student organizations, all activities for the student group will cease during this suspension.
5. **Other Sanctions.** Other sanctions may be imposed instead of, or in addition to, specific sanctions listed in this section. These include but are not limited to: recommendations for counseling; establishment of mandatory behavior conditions/contract stating agreed-upon behavior expectations for continued enrollment or reenrollment; a specific project designed to assist the student in better understanding the overall impact of his or her behavioral infraction; and/or a contract of terms for restitution of damaged/stolen property before enrollment is continued and/or records are released.
6. **Loss of Recognition.** MATC-recognized student organizations may lose recognition, and, as such, will be deprived of the use of College resources, the use of the College's name, and the right to participate in campus-sponsored activities. This loss of recognition may be for a specific period of time or for an indefinite period of time until stated conditions are met.

7. **Withdrawal Agreement.** In certain cases where a student's behavior and continued enrollment may adversely affect his or her well-being, the Judicial Affairs Officer and the student may agree to discontinue the student's attendance at MATC for a specified amount of time and agree to conditions for readmittance to the College. In such instances, the Judicial Affairs Officer and the student will sign a written Withdrawal Agreement.
8. **Expulsion.** Expulsion is an act of permanently terminating a student's enrollment at MATC and, as such, it means the student may no longer participate in any MATC activity or be on MATC property.

C. COMPLAINT RESOLUTION AND JUDICIAL PROCEDURES

Any member of the College community may initiate a complaint about a student or student organization's non-academic misconduct. Judicial Affairs Officer (or a designee) may resolve the complaint during the initial interview or may refer the complaint (not related to student conduct) to a designated appropriate department or agent. All potential student conduct violations will be reviewed by the Judicial Affairs Officer (or a designee).

1. Investigation

The Judicial Affairs Officer (or a designee) will investigate the alleged violation of the Student Code of Conduct within five (5) business days of receiving the complaint. This investigation may necessitate the exchange of student information as deemed necessary by MATC agents, and will be kept confidential. The students or student organizations will be provided notice that an investigation will occur and they can choose one of two options to proceed.

2. One, Informal Resolution Agreement Procedure

The Informal Resolution Agreement provides students or student organizations with minor or major violations, as determined by the Code, with an option for resolving matters in an informal manner. After conducting an investigation of the facts of the conduct case, the Judicial Affairs Officer (or a designee) determines whether or not the violations committed may be resolved through the Informal Resolution Agreement. This procedure may be exercised in lieu of referring the case to the Formal Disciplinary Committee for a formal conduct hearing. The Informal Resolution Agreement may be conducted by the Judicial Affairs Officer (or a designee). The Informal Resolution Agreement procedure consists of four conditions and the student must agree to all four conditions if he or she wishes to resolve the case informally:

- a. The student must agree that he or she has violated the Student Code of Conduct.
- b. The student must agree with the sanction(s) proposed by the Judicial Affairs Officer (or a designee).
- c. The student must agree to waive his or her right to a formal disciplinary hearing.
- d. The student must agree to waive his or her right to an appeal.

3. Or Two, Formal Disciplinary Hearing Procedure

The college's Formal Disciplinary Hearing Committee provides students and student organizations alleged to have violated the Student Code of Conduct, the opportunity to communicate their positions on the allegations brought forward. If the students or student organizations declare an intent to skip the informal procedure for the formal process, they must do so within **ten (10) business days** of first notification of investigation.

- a. All participants will be notified in writing of the date, time, and place, and of all charges presented at least **three (3) business days** in advance.
- b. The student shall be allowed to bring no more than one (1) observer; which includes, but is not limited to: family members, faculty, staff, and or students. These individuals are not allowed to speak in the actual hearing.
- c. The student or student organization has the right to be assisted, at their own expense, by advisor/legal counsel. Only the student or student organization is allowed to present his/her or their own case and, therefore, the advisor/legal counsel is not permitted to speak for the student or student organization, or to participate directly in any way before the hearing committee.
- d. The Formal Disciplinary Hearing Committee shall consist of three or five members. At least three members will consist of college administration, faculty, and one MATC Student Association representative. To avoid a conflict of interest, members of the hearing committee may not have direct awareness or knowledge of the case. This committee hears all student non-academic conduct cases. It will be the student's prerogative to request student representation on this committee. The Judicial Affairs Officer will serve as the Hearing Officer. A Hearing Officer is defined as the moderator for hearing committees and is not a voting member of the committee.
- e. If a student fails to appear when the case is called for a hearing, the hearing may proceed in the student's absence.
- f. There shall be a single verbatim record, such as an audio tape, of all hearings before the hearing committee. The record shall be the property of Milwaukee Area Technical College and considered the only official record. Hearings normally shall be conducted in private.
- g. If hearings involving more than one accused student, it will be at the Hearing Officer's discretion to decide if the hearings concerning each student may be conducted separately.
- h. During the formal hearing committee meeting, the accused, the complainant, and members of the hearing committee shall engage in the questioning of the facts of the case. Pertinent records, exhibits, and written statements may be accepted as evidence for consideration by the hearing committee at the discretion of the Hearing Officer. All procedural questions are subject to the final decision of the Hearing Officer (not including choice of observer or legal counsel).

After the hearing, the committee shall determine (by majority vote) whether the student or student organization has violated one or more section(s) of the Student Code of Conduct. If the committee agrees that the Student Code of Conduct has been violated, the committee members will then determine appropriate sanction(s) for the violation(s).

Written certified notification will be provided to the student or student organization of the hearing committee's determination(s) within **five (5) business days** of the hearing date, unless unusual circumstances exist. In such cases, the Hearing Officer shall notify the student or student organization of such circumstances and will report the final determination at the earliest possible time.

It should be noted that this committee is charged with reviewing evidence, listening to all statements made pertinent to the complaint or appeal and, after reviewing all the information presented, recommending a final disposition of the case. In no instance is the committee charged with the authority to change a student's grade. In almost all instances, only the instructor has the right to change a grade. (See Academic Grade Appeal Procedure DD0705)

D. APPEAL OF DISCIPLINE

The Student found responsible for a violation may appeal **the disciplinary suspension, or expulsion** within **five (5) business days**. In that case, the student may appeal the decision in writing to the Vice President of Enrollment and Retention (or a designee).

1. Conditions of Appeal

Appeals are not re-hearings, are not granted based on disagreement with the original decision, and should be based upon one or more of the following criteria:

- a. There was a denial of a fair opportunity to provide information (informal) or through a formal hearing.
- b. There was insufficient evidence to establish responsibility.
- c. There was new information available that was not available at the informal or formal hearing time, which may have affected the disciplinary decision.
- d. The severity of the sanction exceeds the severity of the violation.
- e. The informal or formal hearing process involved a substantial deviation from policy and procedure to the disfavor of the student.

The student must include evidence in the written appeal request that demonstrates that one or more criteria was met.

2. Appeal Process and Outcome

The Vice President of Enrollment and Retention (or a designee) shall review all Appeals of Discipline for suspensions or expulsion and render a recommendation to uphold the Informal outcome from the Judicial Officer or Formal Disciplinary Hearing Committee's decision, limit its duration, reverse the decision, permit the student to enroll in another MATC Program, campus, or make such other disposition as deemed just and proper under the circumstances. The student shall have the right to be notified in writing of the Vice President of Enrollment and Retention's decision within **ten (10) business days** of receipt of the student's appeal. The decision shall be final and effective immediately upon issuance.

ACADEMIC MISCONDUCT

A. DESCRIPTION OF ACADEMIC MISCONDUCT

The following actions, while not an exhaustive list, constitute acts of academic misconduct and a violation of the Student Code of Conduct:

1. Use of unapproved support materials during tests and/or exams. This includes the unauthorized possession of tests and/or exams either before, during, or after the use of the test/exam.
2. The submission of the work of someone else as one's own individual work.
3. Copying, or allowing another student to copy, a computer file that contains another student's assignment, and submitting it, in part or in its entirety, as one's own.
4. Utilizing unauthorized digital tools to create content is an academic misconduct. This includes use of artificial intelligence (such as ChatGPT, Bard, Dall-E etc.) when it is not specifically authorized as part of a project.
5. Working together on an assignment, sharing the computer files and programs involved, and then submitting individual copies of the assignment as one's own individual work.
6. Taking for someone else, or permitting someone to take for you, a test, quiz, exam, or some similar evaluation ("ghosting").
7. Stealing, buying, or otherwise unauthorized obtaining of all or part of an exam, test, class assignment, and/or project.
8. Selling, exchanging of favor(s), or giving away all or part of an un-administered test, including answers to an un-administered test.
9. Completing online work, tests, quizzes, or other activities with unauthorized equipment or aids, or otherwise not following specific instructions as detailed in the syllabus or by the proctoring tool.
10. Course-specific academic dishonesty/ misconduct as described in the syllabus
11. Assisting another student in any act of Academic Misconduct shall be considered an equal act of Academic Misconduct for the purposes of this policy.

B. CONSEQUENCES AND SANCTIONS FOR ACADEMIC MISCONDUCT

The following consequences or sanctions may be imposed by the instructor, formal hearing committee or other academic officer for academic misconduct:

1. Dismissing the allegation
2. An oral reprimand
3. A written reprimand presented only to the student
4. An assignment to repeat the work to be graded on its merits

5. A lower grade on the particular assignment or test
6. A failing grade on the particular assignment or test
7. A letter of reprimand sent to the Pathway Dean and to the Academic Integrity Officer for inclusion in the student's MATC College file
8. A lower grade in the course
9. A failing grade in the course
10. Removal of the student from student help, lab, tutoring position, athletic team or other student-related activities
11. Removal of the student from the course in progress
12. Removal from program
13. Disciplinary Suspension
14. Expulsion (reserved for students with a severe case or multiple infractions)

C. ACADEMIC MISCONDUCT PROCEDURE

All members of the MATC community are expected to uphold the value of integrity, and report suspected academic misconduct to the appropriate College Officials.

- Instructor
- Lead Faculty
- Associate Dean
- Pathway Dean
- Academic Integrity Officer

Suspected academic misconduct may be identified by the instructor or by a third party. College officials who receive a report of suspected academic misconduct should forward the complaint to the instructor. The following are the procedures to address academic misconduct.

1. Initial Investigation and Response.

Upon receipt of a suspected academic misconduct, the instructor's first step is to engage with the student and communicate with the student that they are under investigation for an academic misconduct. The instructor will notify the Academic Integrity Officer for record-keeping. The instructor will investigate the allegations and come to a resolution. In cases where instructor involvement is not possible or when there is a conflict of interest, the Pathway Dean (or a designee) will be in charge of the investigation.

Students who report academic misconduct will be protected from retaliation in accordance with college policies.

Upon receiving a suspected academic misconduct, the instructor will notify the lead faculty as needed, and meet with the accused student(s) privately to discuss the allegations and review supporting evidence. The instructor shall inform the accused student(s) within **ten (10) business days** of the general facts or conduct

upon which the allegation is based, including (as appropriate) the date, time, and place when alleged conduct took place.

Upon determining an instance of academic misconduct and following a meeting with the student, the instructor will issue a written notification within **five (5) business days**. This notification will detail the resolution and/or disciplinary consequences. A duplicate of this written communication will be forwarded to the lead faculty and Pathway Dean for informational purposes, while a copy will be submitted to the Academic Integrity Officer for record-keeping. The documentation sent to the Academic Integrity Officer for record-keeping will include a comprehensive outline of the consequences, clearly specifying the student's right to appeal the decision.

2. Formal Hearing Process

Students have the right to initiate a formal hearing process if they disagree with the initial investigation decision related to academic misconduct. Formal hearing requests must be submitted in writing to the Academic Integrity Officer and will result in a formal hearing. Students should note that the Formal Hearing Process may impose a consequence, which will supersede the consequence suggested by the instructor.

A student found in violation of academic misconduct shall have the right to request a formal hearing within **ten (10) business days** in writing to the Academic Integrity Officer. Within **fifteen (15) business days** of a student's written request, the Academic Integrity Officer, in consultation with the appropriate Pathway Dean, shall convene an Academic Integrity Formal Hearing Committee. A formal hearing will not be granted if the request is not received within the 10-business day window.

The Academic Integrity Formal Hearing Committee will be appointed by the Academic Integrity Officer, and will include at least the following and no more than five members:

- A Pathway Dean from outside of the student's Pathway
- A faculty member from outside of the student's Pathway
- A professional staff member from outside of the student's Pathway

To avoid a conflict of interest, members of the Academic Integrity Formal Hearing Committee may not have direct awareness or knowledge of the case. The Academic Integrity Officer will serve as the Hearing Officer. A Hearing Officer is defined as the moderator for hearing committees and is not a voting member of the committee.

The Academic Integrity Formal Hearing Committee will review the alleged academic misconduct and evidence presented by the faculty and the student. The committee will determine if the student is in violation and if the evidence supports the charge(s). The committee will also review the sanctions for each violation and determine if they are appropriate. Written certified notification will be provided to the student, instructor and Pathway Dean within **five (5) business days** of the Academic Integrity Formal Hearing Committee meeting and reflect the final decision.

It should be noted that this committee is charged with reviewing evidence, listening to all statements made pertinent to the complaint or appeal and, after reviewing all the information presented, recommending a final disposition of the case. In no instance is the committee charged with the authority to change a student's grade. In almost all instances, only the instructor has the right to change a grade. (See Academic Grade Appeal Procedure DD0705)

D. APPEAL OF DISCIPLINE

The Student charged with a violation may appeal any disciplinary **suspension or expulsion** within **five (5) business days**. In that case, the student may appeal the decision in writing to the Vice Provost (or a designee).

1. Conditions of Appeal

The student shall have the right to appeal a disciplinary decision arising from an Academic Integrity Formal Hearing Committee meeting within **ten (10) business days** of the student's receipt of the Formal Hearing Committee's decision. Appeals are not re-hearings, are not granted based on disagreement with the original decision, and should be based upon one or more of the following criteria:

- a. There was a denial of a fair hearing.
- b. There was insufficient evidence to establish responsibility.
- c. There was new information available that was not available at the hearing time, which may have affected the disciplinary decision.
- d. The severity of the sanction exceeds the severity of the violation.
- e. The hearing process involved a substantial deviation from policy and procedure to the disfavor of the student.

The student must include evidence in the written appeal request that demonstrates that one or more criteria was met.

2. Appeal Process and Outcome:

The Vice Provost (or a designee) shall review all Appeals of Discipline for suspensions or expulsions and render a recommendation to uphold the Academic Integrity Formal Hearing Committee's decision, limit its duration, reverse the decision, permit the student to enroll in another MATC Program, campus, or make such other disposition as deemed just and proper under the circumstances. The student shall have the right to be notified in writing of the Vice Provost's decisions within **ten (10) business days** of receipt of the student's appeal. The decision shall be final and effective immediately upon issuance.

E. EXPECTATIONS AND RIGHTS

1. Cooperation with the academic misconduct investigation is required. Two or more missed meetings will result in disciplinary action or dismissal of appeal.
2. Unless deemed necessary by the Academic Integrity Officer, a student shall remain enrolled in their respective class and able to complete subsequent assignments/evaluations while an Academic Integrity Investigation is taking place.

READMISSION AFTER DISCIPLINARY SUSPENSION

All students who have been suspended from Milwaukee Area Technical College cannot automatically re-enter MATC. Also, individuals who are unavailable for investigation or who do not respond to written requests to contact the Judicial Affairs Officer or Academic Integrity Officer for possible violations of the Student Code of Conduct, may also be denied automatic admission and/or readmission. Readmission to MATC and/or entry onto MATC property in such instances will be at the discretion of the Judicial Affairs Officer or Academic Integrity Officer.

Students seeking readmission/admission to MATC (as described in the preceding paragraph) must apply in writing to the Judicial Affairs Officer or Academic Integrity Officer requesting admission. Admission may be granted, denied, or postponed subject to fulfillment of conditions prescribed by the College. The Judicial Affairs Officer or Academic Integrity Officer may also request a readmission interview before a final decision is rendered.

The Judicial Affairs Officer or Academic Integrity Officer, when considering admission/readmission, will consider:

1. The conduct which initiated the denial of automatic enrollment/ reenrollment;
2. The likelihood that such conduct (if applicable) will be repeated;
3. Actions the student has taken during his/her absence that may favorably influence the decision of the Judicial Affairs Officer or Academic Integrity Officer (e.g., the student obtained assistance for substance abuse, anger management, etc.); or,
4. If an appellate process was initiated, the recommendations of the hearing committee concerning reinstatement.

The Judicial Affairs Officer or Academic Integrity Officer will respond in writing to the student seeking admission/readmission within **fourteen (14) business days** of the final decision.

AUTHORITY

1. The Milwaukee Area Technical College District Board authorizes the president of the College (Policy F1100) to administer the Student Code of Conduct and to make changes as necessary to ensure orderliness of process and compliance with law.
2. The College has established these regulations regarding standards of conduct in order to protect its educational mission, provide for orderly conduct of its activities, and safeguard the interests of the College community.
3. The Judicial Affairs Officer or Academic Integrity Officer (or a designee) retains the responsibility for administering the enforcement of the Student Code of Conduct.
4. The Vice President of Enrollment and Retention or Vice Provost expressly retains final authority to determine the following:
 - a. Jurisdiction of any hearing committee in any given case where ambiguity exists.
 - b. Whether a violation of this Student Code of Conduct shall be adjudicated administratively or by a hearing committee.
 - c. Whether violation of a serious criminal act, occurring off campus, shall be adjudicated by the College's judicial system.
 - d. The selection, training, and eligibility standards for being a hearing officer, committee member, or advisor.

- e. The removal, for cause, of any hearing officer, committee member, or advisor.
- f. How violations of the Student Code of Conduct are to be adjudicated at the end of the academic year and during the summer session.

DISCIPLINARY FILES AND RECORDS

1. The Judicial Affairs Officer and Academic Integrity Officer shall maintain disciplinary records and a disciplinary tracking system, which shall include, but not be limited to, the respondent's name and related information, description of the incident, parties involved, Code violations, sanctions, and other data deemed relevant. Disciplinary records shall be made available to appropriate committees and College officials designated by the Vice President of Enrollment and Retention, Vice Provost, or a designee as deemed necessary on a case-by-case and need-to-know basis.
2. Release of disciplinary information is governed under the provisions of the Family Educational Rights and Privacy Act of 1974. This includes, but is not limited to, a written release from the student before access to College disciplinary files is granted, except pursuant to a lawfully-issued subpoena/warrant and as provided by the Campus Security Act as amended by the Higher Education Amendments of 1992 (Campus Security Act). This Act permits higher education institutions to disclose to alleged victims of any crime of violence (e.g., murder, robbery, aggravated assault, burglary, motor vehicle theft) the results of disciplinary proceedings conducted by the institution against the alleged perpetrator with respect to such crime. The Campus Security Act also requires that both the accused and the accuser be informed of the outcome of any campus disciplinary proceeding involving a sexual assault. (See "D. Definitions, No. 26 — Student's Right to Know" of this Code.)
3. Students may arrange to review their own disciplinary records by contacting the Judicial Affairs Officer or Academic Integrity Officer. Except as provided in the Student Code of Conduct, the College shall not communicate a student's disciplinary records and related information to any person or agency without the prior written consent of the student, or if the student is a minor, the student's parents or legal guardian may be notified. Disciplinary proceedings shall be deemed confidential.
4. Disciplinary records are kept separate from academic records, and transcripts of a student's academic records will contain no information concerning disciplinary actions.
5. Disciplinary records are reviewed periodically and inactive disciplinary records are destroyed by the Judicial Affairs Officer or Academic Integrity Officer, except in cases of expulsion.

ALLEGED VICTIMS' RIGHTS

1. An alleged victim (someone who reports to the Judicial Affairs Officer that they are an alleged victim and wishes to be included in this process) of any violation has the option to meet with the Judicial Affairs Officer and discuss the disciplinary process.

2. An alleged victim has the right to submit a written account of the alleged incident.
3. The alleged victim has the right to be advised of the date, time, and location of the disciplinary hearing, and to request rescheduling for good cause, where the alleged victim requests to be advised in advance.
4. An alleged victim may be accompanied by an advisor of the victim's choosing during the hearing process, although the advisor will not be permitted to speak for the victim during the hearing.
 - a. An alleged victim may testify as a witness during the hearing or decline to testify. Failure to testify may result in dismissal of the College's charges for lack of evidence.
 - b. An alleged victim may submit a written impact statement to the hearing committee for consideration.
 - c. An alleged victim has the right to know the status of the case at any point during the judicial process.
 - d. An alleged victim has the right to know the resulting action of his/her complaint.
 - e. An alleged victim has the right to an explanation of the available options of redress.

PERTINENT INFORMATION

1. In all Student Code of Conduct investigations and judicial proceedings, Milwaukee Area Technical College subscribes to the principles of due process, i.e., fundamental fairness. The College is not bound to conform its hearing procedures to those of a formal legal proceeding before a court of law. Formal rules of evidence shall not be adhered to; the burden of proof rests upon the party asserting a fact. Such proof does not extend beyond a reasonable doubt, but rather it is based on the weight of credible evidence.
2. All students, regardless of their status in the College community, shall be afforded the rights and privileges of due process when accused of violations of this Code.
3. The provisions of the Student Code of Conduct are not to be regarded as a contract between the student and the College. The College reserves the right to amend any provision herein at any time in accordance with established College procedures. Communication of any changes will be made to the College community in an appropriate and timely fashion. Reviews and revisions of the Student Code of Conduct are made periodically and are not to exceed more than three (3) years between such review/revision.

6. Students may be accountable to both civil authorities and to the College for acts which constitute violations of the law and the Student Code of Conduct.

Disciplinary action at the College will normally occur while criminal proceedings are pending, and will not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed or reduced, or are still pending.

7. Except as otherwise required under federal, state or local law, any behavior which may have been influenced by a student's mental state (regardless of the ultimate evaluation), or by the use of drugs or alcoholic beverages, shall not in any way limit the responsibility of the student for the consequences of his or her actions.

8. The College's refund policy involving a sanction of disciplinary suspension or expulsion is applied in the same manner as when a student voluntarily withdraws. (See Student Handbook for refund information.) The withdrawal date will be the termination date.
9. Students whose behavior indicates that they are under the influence of alcohol or other drugs upon their arrival at an MATC activity or class will be denied admission, will be referred to the Judicial Affairs Officer, and may be referred to local law enforcement agencies.
10. Students wishing to file formal discrimination or harassment/sexual harassment complaints will be referred to the Title IX Coordinator.
11. Student complaint appeals regarding accommodations for the disabled will be referred to the College ADA/504 Coordinator
12. Student complaints or questions regarding reported crime statistics as recorded in the "Student's Right to Know" publication should be directed to the College's Public Safety Department. Questions on Affirmative Action and harassment/sexual harassment or how to file related complaints should be directed to Human Resources (414) 297-8960 (Note: The "Student's Right to Know" is a publication containing information mandated by law and is available at all Student Life offices, is distributed at all new-student orientations, and is mailed to bona fide enrolled students once a year.)

DEFINITIONS

1. "Academic Dishonesty" includes but is not limited to, cheating, collaborating with another without instructor approval, plagiarizing, stealing the work of another, falsifying records, and knowingly assisting another student on any of the above conduct.
2. "Academic Integrity Officer" means any person authorized by the Vice Provost to investigate and/or adjudicate a violation of the Student Code of Conduct regarding academic misconduct.
3. "Board" means the Milwaukee Area Technical College District Board.
4. "Code" refers to the Student Code of Conduct.
5. "College" means Milwaukee Area Technical College, also referred to as "MATC."
6. "College community" includes any person who is a student, faculty member or College official, or any person employed by the institution, and all visitors and guests.
7. "College official or agent" includes any person employed or contracted by the College performing assigned administrative or professional responsibilities.
8. "College premises" includes all land, buildings, facilities, and other property in the possession of, or owned, used, leased, or controlled by the College.
9. "Executive Vice President" means an authorized person to serve in the capacity assigned by the President of the College or a designee.
10. "Designee" refers to a person authorized to serve in the capacity assigned by the President or another college official.

11. "Director of Student Life" means the person serving in the position of Director of Student Life at the College or a duly-authorized designee.
12. "Disciplinary Sanction" means any action affecting the status of a student, student organization, or person requesting enrollment taken by the appropriate body in response to a violation of the Student Code of Conduct. The term includes, but is not limited to, probation, suspension, and expulsion.
13. "Discriminatory acts (unlawful)" refers to conduct that creates an intimidating, hostile, or offensive academic environment, and/or unreasonably interferes with an individual's academic performance, or otherwise adversely affects an individual's academic progress based on a student's race, color, national origin, ancestry, religion, creed, sex, sexual orientation, age, disability, pregnancy, marital status, parental status, or other protected class status.
14. "Faculty member" or "instructor" means any person who is employed to teach at least one course at MATC for an academic period in which an alleged incident took place.
15. "Harassment" means conduct which:
 - a. has the purpose or effect of creating an intimidating hostile or offensive academic environment;
 - b. has the purpose or effect of unreasonably interfering with an individual's academic performance; or
 - c. otherwise adversely affects an individual's well-being.
16. "Hearing Committee" is defined as a committee duly authorized by the Vice President of Enrollment and Retention or Vice Provost to resolve student or certified student organization complaints and assist in the adjudication of violations of the Student Code of Conduct.
17. "Hearing Officer" is defined as the moderator for hearing committees duly authorized by the Vice President of Enrollment and Retention or Vice Provost to preside over hearing committees.
18. "Judicial Affairs Officer" is any person authorized by the Vice President of Enrollment and Retention to investigate and/or adjudicate a violation of the Student Code of Conduct regarding non-academic misconduct.
19. "May" is a term used in the permissive sense.
20. "Policy" is defined as the written regulation(s) of the College as found in, but not limited to, the Student Code of Conduct, Student Handbook, the College catalog, and department/division handbooks.
21. "Sexual harassment" is conduct that includes, but is not limited to, unwelcome conduct determined by a non-consensual verbal or physical conduct related to sex that is determined by a reasonable person to be so severe and pervasive and objectively offensive, that it effectively denies a person equal access to an education program or activity.
22. "Sexual assault" — is defined as any sexual act directed against another person without consent, as specifically defined in Wisconsin Statutes 940.225 — see "Student's Right to Know" and Administrative Regulation and Procedure (CC0200).
23. "Shall" is a term used in the imperative sense.

24. "Student" includes all persons taking courses at Milwaukee Area Technical College, both full and part time, or pursuing studies of any kind even if physical attendance on MATC property is unnecessary. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the College are considered "students." Also, persons who are actively in the process of enrollment are considered "students."
25. "Student organization" means any number of persons who have complied with the formal requirement for College recognition (as outlined in the Student Organization Manual available in the Office of Student Life).
26. "Student's Right to Know" refers to a publication containing information mandated by law concerning campus security and crime statistics, alcohol and other drug use, and sexual assault and sexual harassment. It includes information on where to inquire about reported statistics and available community assistance. (Note: This publication is available in Student Life offices, is distributed at all new-student orientations, and is mailed to each student once a year).
27. "Vice President of Enrollment and Retention" is the person serving in the position of Vice President of Enrollment and Retention or a designee.
28. "Vice Provost" is the person serving in the position of Vice Provost or a designee.
29. "Written notice" means written service in person or by regular mail and/or certified mail to an individual's last known address as conclusively as can be determined by College student records. Where service is by mail, the date of service shall be the second day after mailing.