

Student Code of Conduct

Ołta'í Bibeelaz'áanii

Diné College

Sa'ah Naaghái Bik'eh Hózhóón

Adopted: August 16, 2008

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Diné College | Tsaile, Arizona

Division of Student Affairs

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I. INTRODUCTION

Diné College is committed to providing a safe environment for all students, employees, and guests. The student's conduct and behavior must be held to the highest standard that reflects maturity, social responsibility, respect for others and property, and one's own well-being. Students are expected to become familiar with college policies.

A. Mission

Rooted in Diné language and culture, our mission is to advance quality post-secondary student learning and development to ensure the well-being of the Diné People.

Diné bina'nitin áyisíí ásiláago binahjí' ólta'í na'nitin náasjí' yee inááhwiidool álgíí yéegi bidziilgo ádiilníł, áko Diné nilínígíí t'áa altso yá'átéhgo bee bił nahaz'áa dooleeł niidzin.

B. Vision

Our Vision is to continuously improve our programs and services to make Diné College the exemplary higher education institution for the Diné People.

Nihi'ólta'gi, Diné Bidziilgo Ólta'gi na'nitin ał'aa ádaat'éii ólta'í bee nanitinígíí dóo t'áa ha'át'íí shíí bee biká'aná'álwo'igíí bidziilgo dóo bohónéedzáago ádiilníł niidzin. Díí binahjí' Diné bi'ólta'gi óhoo'aah ts'ídá bohónéedzáanii bee bił haz'á ílį dooleel.

C. Principles

Our education principles are based on Sa'ah Naaghái Bik'eh Hózhóón, the Diné traditional living system, which places human life in harmony with the natural world and universe. The system provides for protection from the imperfections in life and for the development of well-being.

Nihina'nitin, Sa'ah Naaghái Bik'eh Hózhóón bił hadít'éego, dóo índá Diné yee iiná íł'ínígíí át'éego nahasdzáán bikáa'gi dóo yádilhił biyaagi bohónéedzánígíí át'éego yee hiná. Díí binahjí' t'áa altsodéé' bik'ihwiinít'į'go bitah yá'áhoot'éehgo yee iiná ílį.

D. Values

Our employees and students will adhere to the following values to achieve the mission and purpose of the College.

T'áa hó ájit'éego. Excellence and self-initiative in problem-solving, compassion, setting clear goals, and establishing positive working relationships.

Ahíł na'anish. Cooperating and helping one another, keeping all employees well informed, using proper language for communication, respecting one another on equal terms, and honoring K'é.

H Ídlį. Respecting the cultural, racial, and gender diversity of the Diné People, maintain safe, courteous, respectful, and positive learning environments, and valuing inclusiveness.

H Ééhózin. Understanding, thoughtfulness, competence, confidence, conscientiousness, and reflectivity for serving the needs of the Diné People.

II. PURPOSE

The purpose of Diné College's Student Code of Conduct (hereinafter SCC) is to focus on student's conduct and behavior while enrolled in college. The SCC applies to all officially enrolled Diné College students and visiting students from other institutions who are conducting college business on or off campus.

All community campus enrolled students are advised to work directly with the center director/manager.

III. JURISDICTION AND AUTHORITY

Diné College, regardless of location of the community campus or centers, has jurisdiction to impose the SCC over all violations, consequences, and proceedings. If the student is an employee of the College, the student shall be treated first as a student for purpose of the SCC and thereafter is subjected to the Diné College Personnel Policies and Procedures as an employee.

Criminal offenses that violate tribal, state, or federal laws are deemed as major SCC violations; therefore, regardless of the outcomes of external judiciary systems, the SCC will be enforced. The College and the Board of Regents have full authority to amend or modify the SCC.

IV. APPLICABLE LAWS

In accordance with the Sa'ąh Naaghái Bik'eh Hózhóón paradigm, Diné College promotes a safe and conducive learning environment through awareness, prevention and intervention efforts. As part of the paradigm, Diné College students must abide by all tribal, state, and federal laws and all the college's policies and procedures.

A. Non-Discrimination Policy

Staff, faculty and students will not discriminate against anyone based on race, age, religion (creed), ethnic, or national origin, gender, gender expression, disability, veteran status, marital status, political or social affiliations, or sexual orientation as stated in the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Rehabilitation Act of 1973, Section 503 and 504, Vietnam Era Veterans Readjustment Act of 1975, Section 402, Age Discrimination in Employment Act of 1967 (as amended), Navajo Preference in Employment Act, Executive Order No. 04-2016 Sexual Harassment Policy of the Navajo Nation, and Violence Against Women Reauthorization Act of 2013.

B. Freedom of Speech, Expression, Press and Assemble Policy

Students can express themselves freely on any subject provided that they do so in a manner appropriate, nonviolent, does not put anyone in danger, does not block or hinder building entrances, does not interrupt college operations, and allows for differing viewpoints. The students can exercise freedom of the press, except where material – whether printed or electronic - in a student publication is false, inaccurate, or obscene. The students can peacefully assemble as long as it does not create a distraction from learning. The students have the responsibility to respect the rights of all members of the College when exercising these freedoms.

C. Search and Seizure Policy

Students are free from unwarranted search and seizure of their person/property to a reasonable degree of privacy and safety. Diné College reserves the right to enter students' dorm rooms for the purpose of inspecting the premises when the College believes that a person is physically harmed or endangered, school property is being damaged, illegal activity of alcohol and/or drugs are suspected, potential danger of health and safety, maintenance and/or necessary repair of facilities or other violations that are extraordinary circumstances.

D. Drug Free Compliance Policy-Zero Tolerance Policy

The Diné College adopted the Drug-Free Schools and Communities Act Amendment of 1989 (P.L. 101-226) and is committed to preventing the abuse of alcohol and the illegal use of drugs by students, employees, and visitors. There is a prohibition on the possession, use and/or distribution of illegal drugs and alcohol while on College property and/or while participating in a College-sponsored activity held either on or off College property. The Zero Tolerance will be enforced.

E. Confidentiality Policy

Students have the right to access and have control of their educational records in accordance to the Federal Family and Privacy Act of 1974 (20 U.S.C. § 1232g; 34 CFR Part 99), also known as FERPA or the Buckley Amendment, that protects the privacy of student education records.

F. The Jeanne Clery Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (The Clery Act) is a federal mandate requiring all Institutions of Higher Education (IHE) that participate in the federal student financial aid program to disclose information about crime on their campuses and in the surrounding communities and what efforts are being done to improve campus safety.

G. Sex Offenders

All sex offenders whether students or guests must provide notification to the campus security department pursuant to the U.S. Federal Law on Sex Offender Registration, Section 2250 of Title 18, United States Code and The Campus Sex Crimes

Prevention Act (section 1601) {(42 U.S.C., 14071j and 20 U.S.C., 1092 (f) (1) (1)}. Under the provisions of the Family Educational Rights and Privacy Act, as amended by the Campus Sex Crimes Prevention Act, Diné College will disclose information concerning registered sex offenders.

V. DINÉ COLLEGE GUIDELINES

Students are subject to the Diné College guidelines of conduct and behavior while on or off campus. Students must abide by the following general guidelines:

A. Academic Integrity

Students are responsible for the integrity of their own academic work. Unethical behaviors (such as cheating, misrepresentation, or plagiarism) are prohibited.

B. Student Identification Card

Students must obtain a current identification card from the Student Activities Office or the community campus administrator.

C. Classroom Management

Instructors must enforce their classroom management policies as stated in their course syllabi, which include attendance, tardiness, electronic devices, assignments, and expected classroom conduct and behavior.

D. Computer Use

Students must adhere to the “Acceptable Use Policy” that guides the use of computers and electronic equipment. Engaging in on-line harassing, threatening or obscene email, documents or pictures is prohibited. Refer to Appendix D.

E. Student Travel

Diné College seeks to promote safe travel to activities away from the College. Students on college-sponsored travel must conduct themselves in a manner that is supportive of the mission of Diné College. While on travel students must comply with the standards set forth in the SCC with the understanding that compliance is important for the success of the travel. Students must conform their conduct to standards surrounding the travel and assume responsibility for their own actions and its consequences. Violations may subject student and sponsoring organization to disciplinary action, pursuant to the SCC.

F. Vehicle Registration and Parking Permit

Students must register and obtain current parking permits from the Campus Security Office. Registration of your vehicle enhances safety on campus and allows Campus Security to contact students in emergency situations when necessary.

G. Guests

All guests are subject to the SCC while on campus. Overnight visits in the residential halls must have prior approval from the Residence Life Manager. The students are responsible for their guests' behavior and conduct.

H. Injuries and Critical Incidents

In the event of a critical incident or injury, the student must immediately report the incident or injury to Campus Security and the Student Affairs Office. A copy of the incident report is available in Appendix A.

I. Student Employment Guidelines

- Student employees must adhere to the Personnel, Policies and Procedures Manual governing Diné College. Supervisors of student employees must conduct employment orientation.
- Students must maintain Satisfactory Academic Progress outlined in the current Diné College catalog for the duration of their employment.
- Student employees shall not disclose privileged and confidential information obtained through the Student Employment Program or use any such information for personal gain.

J. Safe Environment Policy

It is a shared responsibility of the student employee and the College to ensure a safe learning and working environment. Student employees are expected to follow rules of conduct that will protect the interest and safety of all employees and the College (Refer to Personnel, Policies and Procedures Manual, page 101). It is the responsibility of all employees to identify and familiarize themselves with the Emergency Procedures for their departments. Any job-related injury or illness, regardless of severity, must be reported immediately to your supervisor. The supervisor will complete the safety incident report and forward it to the Human Resources Office.

VI. STUDENT EXPECTATIONS

- Complete all necessary assignments, labs, examinations in a timely manner.
- Meet with faculty and/or academic advisors on a regular basis.
- Preserve the principles of academic integrity.
- Comply with classroom management policies as stated in the Course Syllabus.
- Respect other people's right to reasonable degree of privacy and not to threaten nor contribute to the breakdown of a safe and secure environment.
- Safeguard own property
- Pay all debts owed to the College as specified in all written agreements.
- Students with dependents shall promote and make as a priority the safety, security and welfare needs of their children.

- Respect the diversity of the College community.
- Report any and all illegal activities and violations to any college officials.
- Check College emails periodically for pertinent college related information.
- Maintain appropriate attire and hygiene conducive to a college environment.

VII. STUDENT RIGHTS

Students shall be afforded the following rights:

- Free from unwarranted search and seizure of personal property.
- Free to practice any religion or culture-related activities that do not violate any Tribal or Federal laws or interfere with the orderly operation of the College.
- Freedom of Speech and Expression that do not unreasonably disrupt the education process or endanger the well-being and safety of students, faculty, staff, and community.
- Freedom of Press, except where material, whether printed or electronic, in a student publication is false, inaccurate, or obscene.
- Free to organize and promote the interests of its members provided that the purposes of such groups are lawful.
- Free from discrimination and harassment.

VIII. Rights to Due Process

Students have the following rights to due process when an allegation has been brought against them regarding violations of the Student Code of Conduct. A student's right to Due Process shall include:

- A written notice of alleged violation(s) within five business days prior to a hearing.
- Right to have a representative present during the hearing.
- Right to produce witnesses on the student's behalf.
- Right to written findings or facts and conclusions in all cases of the disciplinary action.
- Right to an appeal process as provided in the SCC.

A. Rights to Notice of Disciplinary Charges

Students have the right to be informed and understand the SCC violations in which they are being charged.

- Students will be provided written notice of charges, five (5) business days before the scheduled due process hearing. Notice shall include reference to the alleged violation, and facts alleging the infringement.

B. Rights to Claim Innocence

Students charged with a violation of the SCC have the right to claim innocence and shall provide valid evidence as justification. A student has the right to remain silent during any portion of the finding process and no assumption will be drawn from the student's silence.

C. Right to a Fair and Impartial Hearing

Students have a right to a fair and impartial hearing before a hearing committee composed of unbiased Diné College employees.

In an emergency situation, the appropriate college official may impose disciplinary action not to exceed a temporary suspension until the date of the due process hearing. Imposed temporary suspensions result in the student's immediate removal from the premises.

D. Rights to Withdraw from Participation

If the student chooses not to comply with direct orders, the hearing committee may elect to proceed in the student's absence. When a formal hearing is held during the student's absence, the decision of the hearing committee will have the same effect as if the student were present. In the student's absence, he/she waives his/her right to appeal the hearing committee's decision of sanctions.

E. Rights of Appeal

Students have the right to appeal a disciplinary action given by the hearing committee. Appeals must be made within ten (10) business days after a verbal or written notification of consequence has been given to the students. The Vice-President of Student Affairs (non-academic matters) and the Provost (academic related matters) will review appeals; any concurrence on imposed sanctions will be enforced immediately.

Students do *not* have the right to appeal once the disciplinary sanction is made by the Vice-President of Student Affairs or Provost.

F. Right to have Present

Students have the right to have present at the hearing the student's parent(s) or guardian(s), or any other designee; however, the representative may not address the hearing committee.

Students have the right to be represented by law or legal counsel of the student's choice. Any fees and costs associated are to be paid by the student. If the student chooses to be represented by law or legal counsel, the due process hearing committee needs to be notified immediately. Due Process Hearing will be re-scheduled to have legal representation from both parties.

G. Rights to Search and Seizure

Students have the right to have their personal property secured against unwarranted search and seizure.

The College personnel reserves the right to enter a student's room for the purpose of inspecting the premises when one or more of the following situations exist:

- An occupant of the room is physically harmed or endangered.
- Alcohol and/or other substances are suspected.
- College property is being damaged.
- The welfare, health, and safety of others are at risk.
- Maintenance and/or repairs of the facilities are necessary.

IX. PROCEDURE OF DUE PROCESS

Reports of a student conduct concern should be documented on an Incident Report Form (see Appendix A) and forwarded to the appropriate college official for review.

(See DUE PROCESS CYCLE in Appendix B)

A. Filing an Incident Report Form

1. The completed Incident Report form should be forwarded within two (2) business days to the following individual(s):

- Academic Infractions will be reported to the appropriate Dean of School.
- Non-academic Infractions will be reported to the Dean of Student Success.
- Non-academic infractions for residence life students will be reported to the Residence Life Manager.

The College is responsible for the administration and enforcement of the Student Code of Conduct. Each of these officials individually reviews filed report, investigates, collects factual evidence, as well as contacts security and witnesses.

2. Incident Report Form

- Faculty, staff, student, or any person (witness, visitors, or participant) may fill out an Incident Report Form.
- An Incident Report Form must be written and submitted within two (2) business days of an incident.
- The Incident Report Form can be obtained from MYDINÉCOLLEGE (college website), SCC (back of this booklet), Student Success Center, or any of the Diné College Centers.

3. Evidence

All documentations/evidences must be presented to the appropriate college official by the individual filing the Incident Report Form.

If the appropriate college official determines there is a lack of evidence to support a pending violation of the SCC, no further action will be pursued.

4. Sexual Harassment Complaints

The College is committed to delivering and preserving an atmosphere and environment that helps protect the rights of all students and adheres to zero-tolerance policy towards sexual harassment.

Should a student become a victim of sexual harassment, the College encourages reporting of all known or suspected unwelcomed conduct of a sexual nature. These incidences will be reported to the Title IX Coordinator for review.

5. Student Family Housing and Residential Life Complaints

It is the responsibility of the residential student to report any violations of the SCC to their assigned Residence Advisors (RAs), Residential Life Coordinator, or Campus Security.

B. Disciplinary Violation Procedures

The College students, staff, and faculty may file an Incident Report Form for violation(s) of the SCC.

1. Diné College is responsible for determining which infractions are minor and which are major. Infractions that affect or establish a probable endangerment to the health and safety of other students and/or college property will always be treated as major violations.
2. Minor Violations will be handled by the appropriate college official (School Deans, Dean of Student Success, or Residential Life Manager), in consultation with the student and staff.
 - a. Violations of the SCC at the community campus/centers can be handled by the Center Directors/Managers. Disciplinary actions must be filed with the appropriate Dean of School at the main campus.
3. Major violations will be referred to a Hearing Committee. A Due Process Hearing will be scheduled.

If the student commits another major violation before a hearing is held on a pending major violation, an immediate temporary campus suspension is imposed until date of hearing.

C. Due Process Hearing

The appropriate college official will convene a Hearing Committee comprised of up to five members: Security, a faculty, and a representative from Student Affairs, with two optional members based on the type of violation(s).

1. Notice of Charges

In accordance with the SCC, all cases shall be submitted to the appropriate college officials. Within two (2) days, the report is evaluated to determine degree of incident (based on the SCC) then aligned with category of disciplinary action(s).

A student is notified within five (5) business days after an Incident Report has been filed. The notice will state the violation(s) and include a brief explanation of the findings (date, time, and location) of the pending violation(s).

For on-line students or students from other sites, the use of telephone or video conference may be utilized.

2. Formal Hearing

- a. Whether the findings are valid or invalid, the Hearing Committee will take into consideration the nature of the alleged violation(s).
- b. The Hearing Committee will recommend the appropriate actions:
 1. Verbal or written warning
 2. Disciplinary probation for a specified time
 3. Suspension for a specified time
 4. Eviction from Residence Life for a specified time
 5. Expulsion from the College
- c. The Hearing Committee will render a decision by the end of business day of the Hearing. The student has a right to appeal the decision of the Committee.

The College reserves the right to conduct a hearing on behalf of the student, if:

1. A student facing charges fails to appear for the hearing or otherwise refuses to cooperate in the disciplinary process.
2. A student withdraws from Diné College between the time of alleged violation and the scheduled hearing.
3. Any Title IX violations will be investigated and require a hearing to be conducted within 45 days of reported incident. The Title IX Coordinator shall notify the complainant in writing of the result of the investigation.

D. Appeal Process

Students have the right to appeal if they disagree with an unfavorable decision. A request for an appeal must be submitted to the Vice-President of Student Affairs or the Provost within ten (10) business days.

The Vice-President of Student Affairs or Provost will review the appeal and determine the final outcome.

1. Appeal to Vice-President of Student Affairs or the Provost

Important Note: A decision of expulsion is final and cannot be appealed.

Within two (2) business days after receiving an appeal letter from a student, the Vice-President of Student Affairs or Provost will review the case and any evidence provided.

2. The Vice-President of Student Affairs or Provost will:
 - a. Schedule a meeting with the student for additional clarification or questions.
 - b. Confirm the sanction issued to the student, or rescind the final decision.
 - c. Issue a written decision within five (5) business days.
 - d. Render a decision that will be final and no longer appealable.

Student Conduct Records

Records will be kept in the Office of the Vice-President of Student Affairs for a period of five (5) years. Student expulsion records will be permanently maintained in the Office of Records and Admissions and recorded in Jenzabar EX Notepad or the current student information system.

X. Student Discipline

To maintain a safe learning environment, students are expected to uphold the Student Code of Conduct. For specific offenses, the College will apply a progressive discipline based on the level of offense. There are three categories in the Table of Consequences:

1. Academic – incidents or complaints relevant to class management, class organization, curriculum and instruction (refer to “A. Academic Violation – Table of Consequences”).
2. Non-Academic – incidents or complaints relevant to student support, services, programs, and campus safety (refer to “B. Non-Academic Violation – Table of Consequences”).

3. Tribal, State, and Federal Laws – any and all incidents and complaints relevant to criminal actions (refer to “C. Tribal, State, and Federal Violations – Table of Consequences”).

The progressive number of offenses within the Table of Consequences indicate the severity of the imposed sanction. Immediate suspension, eviction from student housing, and/or expulsion is applied for offenses which are deemed aggravated or a serious threat to the college community.

A. ACADEMIC VIOLATION – TABLE OF CONSEQUENCES

Violations	Definition	1st Offense	2nd Offense	3rd Offense
Cheating	The intentional use or attempted use of unauthorized materials, information or student aids in any academic exercise.	Written Warning or Reduction of Grade with conditions	Dismissal and assigned a failing grade	X
Fabrication	The intentional and unauthorized falsification of information or citation in an academic exercise.	Written Warning or Reduction of Grade with conditions	Dismissal and assigned a failing grade	X
Plagiarism	The intentional or knowing representation of another person’s work as the student’s own in any given situation.	Written Warning or Reduction of Grade with conditions	Dismissal and assigned a failing grade	X
Dishonesty	Making a false statement during an investigation.	Probation	Expulsion	X
Loud or Unusual Noise within/outside a classroom	Using or playing or operating any sound amplifying equipment that violates a standard of peace and quiet conducive to study or sleep. Any equipment so used may be confiscated from the student.	Verbal Warning	Written Warning with dismissal from class	X
Violation of Academic Probation Status	Failure or refusal to comply with the terms and conditions of probation.	Written Warning	Suspension	X
Violation of written agreement or contract	Violation of the terms and conditions of a written agreement or contract entered into	Suspension	Expulsion	X

	with Diné College.			
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B. NON-ACADEMIC VIOLATION – TABLE OF CONSEQUENCES

Violations	Definition	1st Offense	2nd Offense	3rd Offense
Curfew	Students who are loitering after campus curfew hours without permission constitutes a violation.	Commuter and Residence Life (RL) Student: Verbal Warning	Commuter and RL Student: Written Warning and Probation	Commuter and RL Student: Suspension and Eviction
Public Intoxication	Any persons in a public place appearing to be under the influence of intoxicating alcohol/liquor/drugs to a degree that they are unable to care for their own safety. Facts: red blood shot eyes, slurred speech, emitting an odor of intoxicating alcohol, unsteady balance, and talkative (loudly).	Commuter and RL Student: Expulsion & Eviction	X	X
Threatening	A person threatens by word (including written/electronic means) or conduct to cause physical injury to another person or cause serious damage to the property of another; with the intent to terrorize, or in reckless disregard of the risk of terrorizing another person.	Commuter and RL Student: Written Incident Report and Probation	Commuter and RL Student: Expulsion and Eviction until Title IX Hearing	X
Stalking	Stalking consists of knowingly pursuing a pattern of conduct, without lawful authority, directed at a specific individual when the person intends that the pattern of conduct would place the individual in reasonable apprehension of death, bodily harm, sexual assault, confinement or restraint of the individual or another individual.	Commuter and RL Student: Suspension until Title IX Hearing (level of severity of situation may result in immediate expulsion)	Commuter and RL Student: Expulsion	X

Intimidation	Intimidation consists of inducing or attempting to induce fear in any member of a precinct board, voter, challenger, or watcher by use of or threatened use of force, violence, infliction of damage, harm or loss.	Commuter and RL Student: Suspension until Title IX Hearing (level of severity of situation may result in expulsion)	Commuter and RL Student: Expulsion	X
Harassment	Harassment (including verbal, written and/or electronic means) consists of knowingly pursuing a pattern of conduct that is intended to annoy, seriously alarm, or terrorize another person and that serves no lawful purpose. The conduct must be such that it would cause a person to suffer substantial emotional distress.	Commuter and RL Student: Suspension until Title IX Hearing (level of severity of situation may result in expulsion)	Commuter and RL Student: Expulsion	X
Interference with College functions or activities	Intentional or substantial interference with College sponsored activities	Commuter and RL Student: Written Warning	Commuter and RL Student: Suspension and Eviction	X
False Report(s)	It is unlawful for any persons to intentionally make a report to a law enforcement agency or official, which report they know to be false at the time of making it, alleging a violation by another person.	Commuter and RL Student: Probation	Commuter and RL Student: Expulsion	X
Forgery/Fraud	Unauthorized alteration, unauthorized use of any documents or identification used by or issued by the College.	Commuter/RL Student: Suspension	Commuter/RL Student: Expulsion	X
Harboring/Sheltering	Willingly house or provide shelter and concealment of a non-student within the College premises.	Commuter/RL Student: Suspension	Commuter/RL Student: Expulsion	X

Hazing	Engaging in acts of creating a situation which produces mental or physical discomfort, embarrassment, harassment, or ridicule to another person or group of people.	Commuter and RL Student: Suspension until Title IX Hearing (level of severity of situation may result in expulsion)	Commuter and RL Student: Expulsion	X
Dine College Identification Card (I.D.)	Failure to show valid Dine College Identification Card upon reasonable request by a Diné College official/Campus Security	Commuter and RL Student: Written Warning with conditions	Commuter and RL Student: Probation (failure to comply will result in suspension)	X
Malicious Behavior (Property)	Damage, destruction, or obliteration of property belonging to another.	Commuter and RL Student: Suspension with conditions	Commuter and RL Student: Expulsion and Eviction	X
Malicious Behavior (Written Document)	Unauthorized and willful opening or reading or causing to be read a sealed letter addressed to another.	Commuter and RL Student: Suspension with conditions	Commuter and RL Student: Expulsion and Eviction	X
Public Sexual Indecency	Exposes his/her genitals to public view under circumstances which he/she should know is likely to offend or alarm others; in a public place, engages in an act of sexual contact; or in a public place, engages in an act of sexual intercourse.	Commuter and RL Student: Expulsion and Eviction	X	X
Dishonesty	Making a false statement during an investigation.	Commuter and RL Student: Probation with written warning	Commuter and RL Student: Expulsion and Eviction	X
Smoking	Smoking of a lit cigarette, cigar, pipe, vaping, etc., in a non-designated smoking area and/or in Diné College buildings except as part of a recognized traditional ceremony.	Commuter and RL Student: Probation with written warning	Commuter and RL Student: Suspension and Eviction	X

Smokeless Tobacco	Use of snuff, chewing tobacco, etc., including improper disposal of a smokeless tobacco in Diné College buildings or property including trash bins, water fountains, and other containers.	Commuter and RL Student: Probation with written warning	Commuter and RL Student: Suspension with Eviction	X
Unauthorized Possession and/or use of Diné College Property	Use of Diné College premises, facilities or property, including college letterhead, without proper authorization, including unauthorized possession, duplication, or use of keys to any Diné College premises.	Commuter and RL Student: Suspension with written warning	Commuter and RL Student: Expulsion with eviction	X
Violation of Non-Academic Probation Status	Failure or refusal to comply with the terms and conditions of probation. This may include Tribal, State, and/or Federal probation.	Commuter and RL Student: Suspension	Commuter and RL Student: Expulsion	X
Violation of written agreement or contract (for residential life)	Violation of the terms and conditions of a written agreement or contract entered into with Diné College.	RL Student: Suspension (5 to 10 day temporary removal from the dorm)	RL Student: Eviction	X

C. TRIBAL, STATE, AND FEDERAL VIOLATIONS – TABLE OF CONSEQUENCES

Violations	Definition	1 st Offense	2 nd Offense	3 rd Offense
Rape	The person engages in sexual intercourse with a complainant; by forcible compulsion, by threat of forcible compulsion that would prevent resistance by a person of reasonable resolution. Who is unconscious or where the person knows, that the complainant is unaware that the sexual intercourse is occurring. Where the person has substantially impaired the complainant's power to appraise or	Commuter and RL Student: Expulsion and Eviction	X	X

	control his or her conduct by administering employing, without the knowledge of the complainant, drugs, intoxicants, or other means for the purpose of preventing resistance. Who suffers from a mental disability which renders the complainant incapable of consent.			
Statutory Rape	The offense of having sexual relations with somebody who has not reached the legal age of consent, which is 18 years of age in the state of Arizona and the Navajo Nation.	Commuter and RL Student: Expulsion and Eviction	X	X
Driving Under the Influence (DUI)	It is unlawful for a person who is under the influence of intoxicating liquor to drive a vehicle. It is unlawful for a person who is under the influence of any drugs to a degree that renders him incapable of safely driving a vehicle. It is unlawful for person who has an alcohol concentration of eight one hundredths or more in his/her blood or breathe to drive a vehicle.	Commuter and RL Student: Expulsion and Eviction	X	X
Fire Alarms, Drills and Emergency Equipment	Intentional or reckless misuse or damage to fire safety equipment, including the inappropriate activation of a fire alarm or tampering with fire safety equipment.	Commuter and RL Student: Expulsion and Eviction	X	X

<p>Manufacture or Delivery of Liquor</p>	<p>He or she intentionally or knowingly manufactures, delivers, or possesses, with intent to deliver, any beer, ale, wine, whiskey, or any other beverages which produces alcoholic intoxication.</p>	<p>Commuter and RL Student: Expulsion and Eviction</p>	<p>X</p>	<p>X</p>
<p>Possession of Liquor</p>	<p>He or she knowingly or intentionally possess, or transports any beer, ale, wine, whiskey, or any other beverage which produces alcoholic intoxication, and such alcoholic beverage is intended for his/her personal use.</p>	<p>Commuter and RL Student: Expulsion and Eviction</p>	<p>X</p>	<p>X</p>
<p>Controlled Substances Possession Prohibited</p>	<p>It is unlawful for any person intentionally to possess a controlled substance unless the substance was obtained pursuant to valid prescription or order of a practitioner while acting in the course of his professional practice or except as otherwise authorized by Controlled Substance Act. It is unlawful for any person intentionally to possess a controlled substance.</p>	<p>Commuter and RL Student: Expulsion and Eviction</p>	<p>X</p>	<p>X</p>
<p>Assault</p>	<p>Attempts to commit battery upon the person of another by any unlawful act, threat or menacing conduct causes the other person to reasonably believe that he/she is in danger of receiving immediate battery.</p>	<p>Commuter and RL Student: Expulsion and Eviction</p>	<p>X</p>	<p>X</p>

Battery	A person commits battery if one unlawfully or intentionally strikes or applies force to another person.	Commuter and RL Student: Expulsion and Eviction	X	X
Burglary	A person enters or remains unlawfully in a residential, non-residential structure, or motor vehicle with the intent of committing an offense therein.	Commuter and RL Student: Expulsion and Eviction	X	X
Theft	Intentionally or knowingly controls property of another with the intent to deprive a person of such property permanently; comes into control of loss, misled or mis-delivered property under circumstances providing means of inquiry as to the true owner.	Written Warning and Probation with conditions	Expulsion (for non-residential) Eviction (for residential)	X
Criminal Impersonation	Assumes a false identity with the intent to defraud another; pretends to be a representative of some person or organization with the intent to defraud.	Commuter: Suspension	Commuter and RL Student: Expulsion	X
		RL Student: Eviction		
Sexual Assault	A person commits sexual assault if a person engages in sexual intercourse or sexual contact with any person without consent.	Expulsion	X	X
Receiving Stolen Property	A person purchased, received, concealed, or aided in the concealing of property of another knowing, having	Commuter: Suspension	Expulsion	X

	person to know that such property was obtained by theft, fraud, extortion, or unlawful means.	RL Student: Eviction		
Reckless Driving	Any person who drives a vehicle carelessly in a willful or wanton disregard of the rights or safety of others.	Commuter: Suspension	Expulsion	X
		RL Student: Eviction		
Sexual Harassment	Unwelcome sexual advances, such as verbal or physical conduct of a sexual nature that creates an intimidating, threatening, abusive, or hostile environment.	Commuter: Suspension	Expulsion	X
		RL Student: Eviction		
Shoplifting	Any person obtained the goods of another while in a mercantile establishment, in which merchandise is displayed for sale by willful possession of merchandise with the intention of converting it without paying for it.	Commuter: Suspension	Expulsion	X
		RL Student: Eviction		
Criminal Trespass	A person intentionally and knowingly and without consent or permission of the owner, user, or person in lawful possession thereof; Enters upon, remains or traverses upon private, allocated lands or the property not one's own.	Commuter: Suspension	Expulsion	X
		RL Student: Eviction		
Felony History	Failure to disclose felony history	Meet with Counselor to determine course of action	X	X
Sex Offenders	Failure to report status to the Office of Records and Admissions and to	Expulsion	X	X

	Campus Security.			
Sexual Misconduct: Physical contact or other non-physical conduct of a sexual nature in the absence of clear, knowing and voluntary consent, including but not limited to:				
A.	Sexual contact, defined as any intentional sexual touching, with any body part or object, by any person upon another without consent.	Commuter: Suspension until Title IX Hearing	Expulsion	
		RL Student: Eviction until Title IX Hearing		
B.	Sexual exploitation, defined as taking non-consensual, unjust or abusive sexual advantage of another. Examples include, but not limited to, prostituting another student, non-consensual video or audio-taping of sexual activity, going beyond the boundaries of consent (such as knowingly allowing another to secretly watch otherwise consensual sexual activity), engaging in non-consensual voyeurism, and knowingly transmitting or exposing an STD or HIV to another student without the knowledge of the student.	Expulsion	X	X
Criminal Damage of Property	A person intentionally or recklessly defaces or damages tangible property of another person; tampers with tangible property of another person as to substantially impair its function or value.	Commuter: Suspension with conditions	Expulsion with Eviction	X
		RL Student: Suspension (5 to 10 day temporary removal from the dorm)		
Endangering the Welfare of a Minor	A parent, guardian or any other person commits endangering the welfare of a minor if they intentionally or knowingly contribute, encourage or cause a	Probation with conditions	Commuter: Expulsion	X

	person under the age of 18 years of age. To be subjected to the infliction of physical or mental injury including failing to maintain reasonable care and treatment thereof. To live in a home, which by reason of neglect, cruelty or depravity is an unfit place.		RL Student: Eviction and Expulsion	
Child Abuse and/or Neglect	Physical, sexual or emotional mistreatment of a child and/or children.	Expulsion	X	X
Disorderly Conduct	A person commits disorderly conduct if, with intent to cause public inconvenience, annoyance or alarm, or with knowledge of doing so, or recklessly creating a risk thereof, a person engages in fighting, or provokes a fight in a public or private place. In a public place uses abusive or offensive language or gestures to any person present.	Commuter: Suspension	Expulsion	X
		RL Student: Eviction		
Criminal Street Gangs	An on-going, club, organization, or association of 5 or more persons. Participates in a criminal street gang with knowledge that its members engage in or have engaged in a continued series of offenses. Intends to promote or further the felonious activities of the criminal street gang or maintain or increase their position in the gang.	Commuter: Suspension	Expulsion	X
		RL Student: Eviction		

Unlawful Use of a Firearm	Without lawful authority discharges a firearm in the proximity of a building, or into any building or vehicle knowingly to endanger a person or property.	Commuter and RL Student: Expulsion and Eviction	X	X
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XI. Conduct Sanctions

When a student is found in violation of the College policies and regulations, any of the following sanctions or combination thereof may be imposed.

- A. Warnings: A written warning is issued to the student to refrain from repeating the offense(s).
- B. Loss of Privilege: Denial of specified privileges for a designated period of time. This sanction may include, but not limited to, denial of the right to represent the college in student leadership activities or sports; denial of the use of campus facilities, etc.
- C. Student Conduct (Probation): A status imposed for a specified period of time during which a student must demonstrate conduct that conforms to the College's Code. Conditions restricting the student's privileges or eligibility for activities may be imposed. Misconduct during the probationary period may result in further disciplinary action.
- D. Student Conduct (Suspension): Temporary separation of the student from the College.
- E. Student Conduct (Eviction): Removal of a student from residential hall or family housing for a period of a semester, an academic year, or indefinite due to violation(s). Student may appeal eligibility to return with conditions at the discretion of the Vice-President of Student Affairs.
- F. Student Conduct (Expulsion): The permanent dismissal of the student from the College.
- G. Record Hold: A hold may be placed on transcripts, diplomas, or other records during the terms of the student's sanction and/or until the student satisfies the terms and conditions of any sanction imposed.

XII. Regulations by Departments and Schools

All students shall abide by each of the departments and Schools within the College and their set policies and regulations. Violations of such policies shall result in disciplinary action.

- A. Residence Halls: Please refer to the Diné College Warriors Residence Life Handbook for guidelines and procedures.
- B. Student Organizations: All student clubs or organizations will abide by the Associated Students of Diné College (ASDC) Constitution and By Laws and the Student Code of Conduct.
- C. Campus Security: All students, faculty, staff, and community members must refer to the current Diné College General Catalog under “Campus Security” for more information.

XIII. GLOSSARY

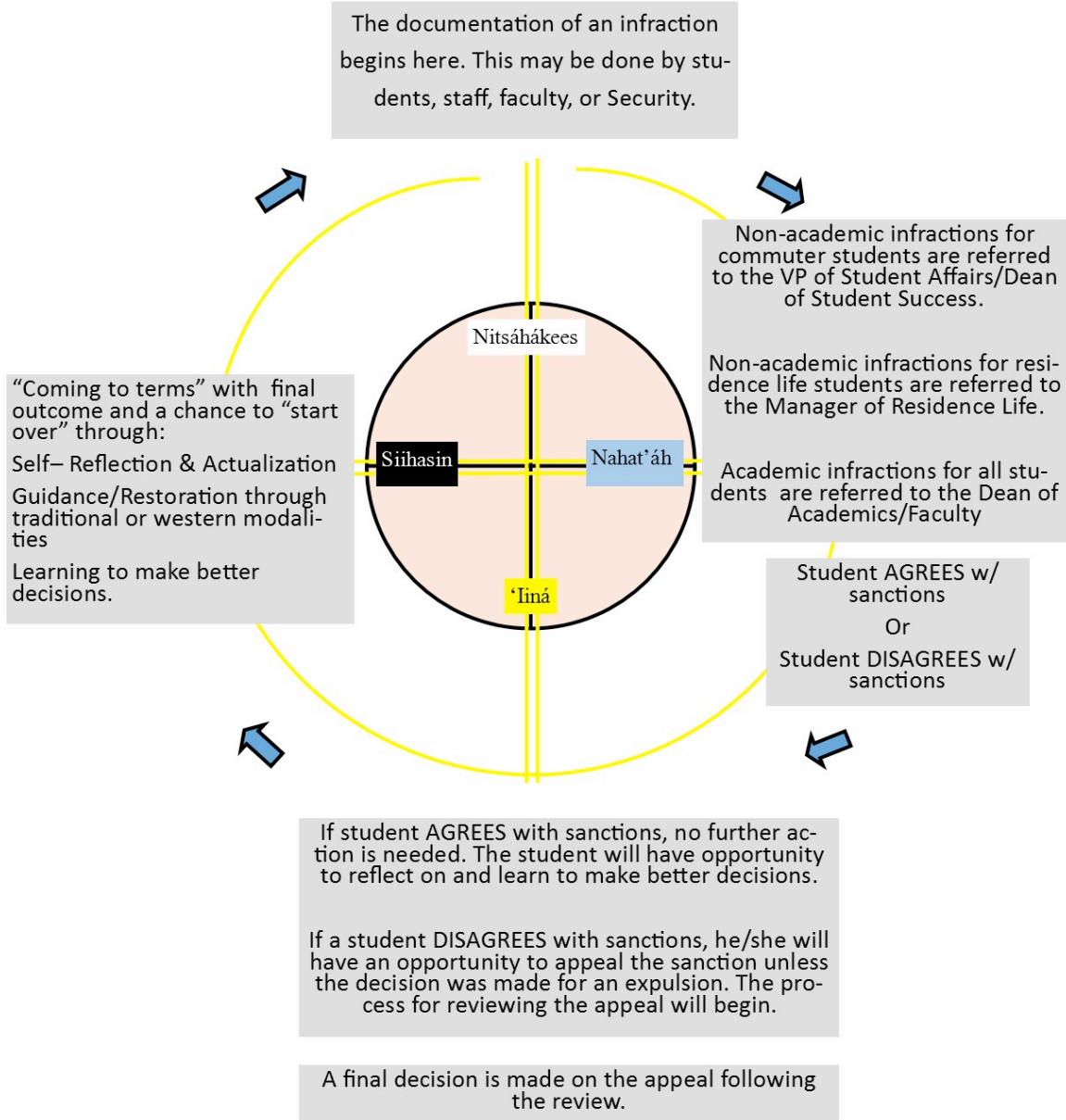
Board of Regents	The governing board of the College who are appointed by the Navajo Nation. The Board of Regents have the authority to approve policies.
Campus Security Officer	An officer available for the safety and protection of the College community and who has the authority and responsibility of enforcing the College's rules and policies.
Club/Organization	A student organization with a common purpose or interest.
College Community	Students, faculty, staff, and members of the community who are contributing to or benefitting from the College's mission, services, and resources.
College Property	Property owned, leased, rented, used, or controlled by the college.
College Representatives	Employees of the college: the President, Provost, Vice-Presidents, Deans, Directors, Coordinators, Administrative staff, faculty members, support staff, student employees and temporary/part-time employees of the College.
Counseling	Professional counselors that support students with their social and emotional development, goal setting, and academic achievement.
Expulsion	The permanent dismissal of a student from the College, including College sponsored activities.
Faculty/Adjunct	Employees of the College who hold faculty/adjunct employment contracts, or whose main functions consist of teaching.
Hearing Body	The Vice President of Student Affairs, the Provost, the Deans, and the Residence Hall Manager.
Hearing Committee	A group of College representatives brought together at the request of the Hearing Body to review student appeals and determine an outcome of the appeal.
Incident Report	A document that summarizes an incident that took place.
Person(s)	Any member or non-member of the College community.
President	The chief administrator of the College entrusted with the management and administration of the College and implementation of policies by the Board of Regents.
Reprimand	A written documentation highlighting a violation of the SCC, which becomes part of the student's record.

Sanction	A form of disciplinary action imposed upon a student who violates the SCC.
Student	Any person registered for one or more courses offered by the College.
Student Organization	Any group or organization of students of Diné College that has obtained official recognition as a student organization from the Associated Students of Diné College (ASDC).
Substantiated	When reasonable evidence is found to prove that a violation of the SCC occurred.
Unsubstantiated	When there is lack of evidence to prove that a violation of the SCC occurred.
Title IX of the Educational Amendments of 1972	Title IX of the Educational Amendments of 1972 is a Federal Civilized Right Law that prohibits discrimination on the basis of sex in educational programs and activities. All public and private elementary and secondary school, school districts, colleges and universities that receive any Federal funding must comply with Title IX.
Visitor	A non-employee or non-student who is on College-owned property of the purpose of visiting a member of the College community.
Dean of Schools/Provost	The College's academic administrative official(s) bearing the title; as used in this Code may include any members of the administrative staff appointed as a designee.

Appendix A

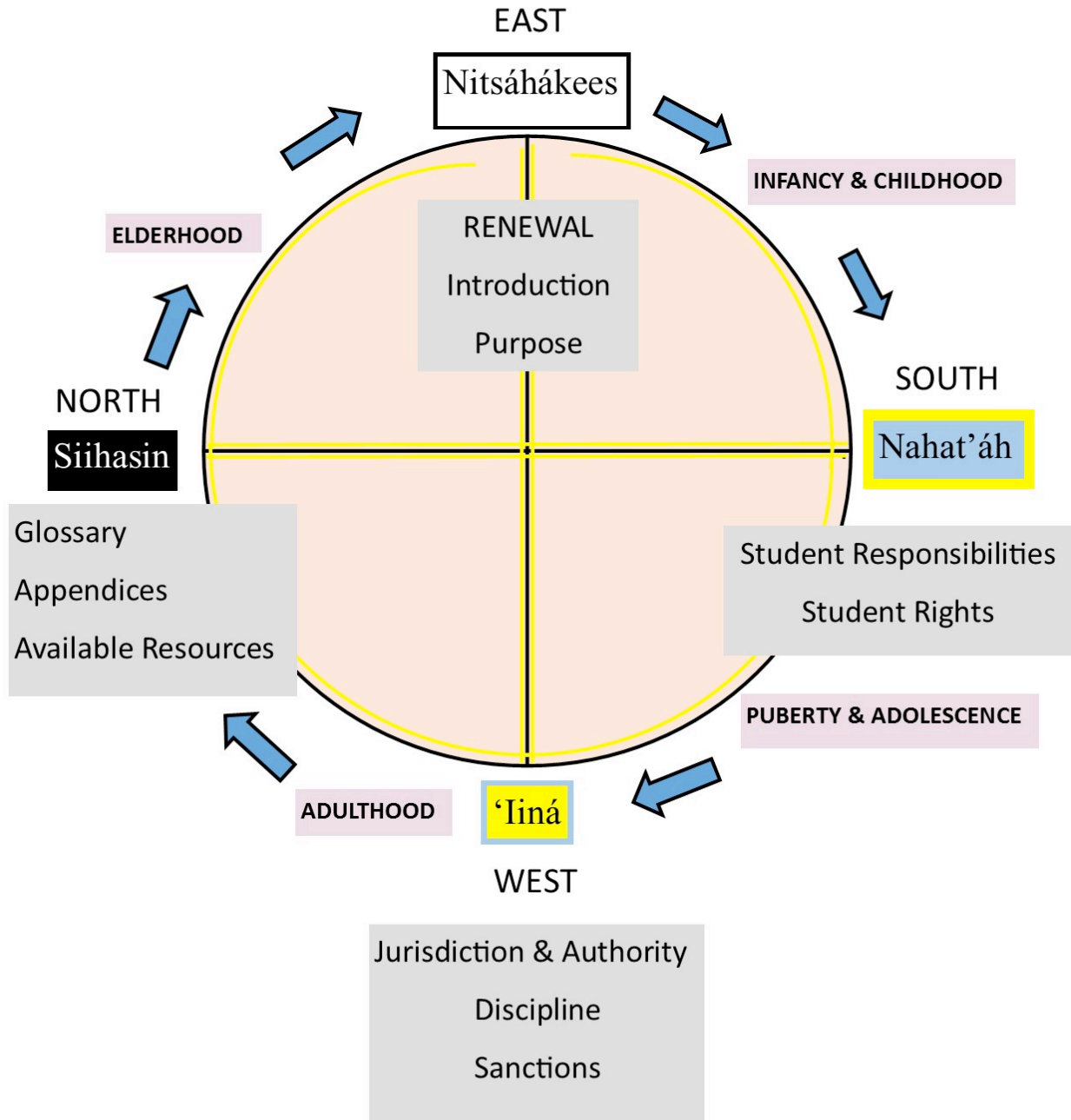
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Due Process Cycle



Appendix B

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Diné College Student Code of Conduct



Appendix C

Dine College Incident Report Form

Name of Alleged Perpetrator:		ID #	Residential or Commuter (circle one)
Site (circle one): TSAILE SHIPROCK TUBA CITY CROWNPOINT CHINLE WINDOW ROCK			
Location of Incident:		Date:	Time:
Names of Witness(s) to the Incident:			
<i>Description of the Incident:</i>			
<input type="checkbox"/>	Academic Violation	(Refer to Student Code of Conduct for list of violations)	
<input type="checkbox"/>	Non-Academic Violation	(Refer to Student Code of Conduct for list of violations)	
<input type="checkbox"/>	Tribal, State, Federal Laws	(Refer to Student Code of Conduct for list of violations)	
Reported By:		Title:	Date:
<i>Official Use Only</i>			
Action Taken:			
Designated Official:		Title:	Date:

Appendix D

ACCEPTABLE USE OF TECHNOLOGY FOR STUDENT LABS

Why we need to share:

Studying and working at Diné College depends upon cooperative sharing of resources.

This cooperation will ensure everyone's ability to benefit from the use of technology.

What is “acceptable”?

Be considerate and respectful of others.

Be considerate and respectful of the resources available to you.

Browse the Internet, send email, or transfer data files for Diné College coursework assignments and College related functions.

What is “unacceptable”?

1. The use of Diné College resources for personal financial gain or private/public participation in activities counter to Diné College mission, philosophy, or policies.
2. Copying or using software, graphics, video, or audio materials in violation of copyright or licensing laws.
3. Sending harassing, threatening or obscene emails, documents or pictures.
4. Accessing, viewing, or printing obscene or offensive images or documents.
5. Using Diné College technology resources to illegally access communication, computers, networks, or information services at Diné College or elsewhere.
6. Using Internet “chat” services, especially audio chat services for personal communication.
7. Using someone else's MyDineCollege login or allowing someone to use your MyDineCollege login.
8. Loud music, cellphone use or socializing.

Information Technology ● Network Operating Center
Help-desk: (928) 724-6644 ext. 6644 it-help@dinecollege.edu
ITV Help-desk: (928) 724-6655 ext. 6655