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**STUDENT CODE OF CONDUCT**

Students and staff of Colby Community College constitute a special community engaged in the educational process. The college assumes that students will demonstrate personal conduct which is based upon courtesy, integrity, common sense, and respect for others, both inside and outside the classroom.

The college reserves the right to suspend or dismiss a student for conduct which is determined to be detrimental to the best interest of the college. The following types of behavior are considered violations of college standards for student conduct and may result in suspension or other disciplinary action.

- A. Threatening the life or physical safety of others.
- B. Disrupting, impeding, or interfering with the operation of the college.
- C. Infringing upon or invading the rights of others.
- D. Inflicting damage to college equipment or facilities.
- E. Violating conditions of probation.
- F. Demonstrating academic dishonesty.
- G. Participating in any unauthorized manufacture, possession, use, distribution or sale of alcohol or drugs, whether by faculty, staff or students on college property or any college-sponsored event contrary to the purposes and policies of Colby Community College and the State of Kansas.
- H. Exhibiting conduct which results in conviction of the student of any offense specified in federal or student criminal statutes. It is not the intent of these policies to prohibit the participation in college programs of individuals who may have a previous criminal record for which they have met the requirements of the law.
- I. Harassing a college instructor or staff member on the basis of sex. Sexual harassment is defined as conduct involving unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:
 - 1) submission to such conduct is made either explicitly or implicitly a term or condition of academic success; or
 - 2) submission to or rejection of such conduct by an individual is used as the basis for academic decisions, affecting either the instructor or staff member; or exhibition of such conduct has the purpose or effect of unreasonably interfering with the instructor or staff member's performance or creating an intimidating, hostile or offensive environment. Prohibited is any behavior of students that represents repeated or unwanted sexual attention or sexual advances when acceptance of such attention or advances is made a condition of reward or of penalty; or
 - 3) prohibited is any behavior of students that represents repeated or unwanted sexual attention or sexual advances when acceptance of such attention or advances is made a condition of reward or of penalty.



J. Willful violation of any published regulation for student conduct adopted or approved by the Board of Trustees.

- 1) The Vice President of Student Affairs, or such other person as may be designated by the Board of Trustees, will be responsible for considering and imposing any student disciplinary action. Any student, staff member, or administrator may request the initiation of such disciplinary action through the Vice President of Student Affairs.

With the exception of matters involving an immediate danger to life, limb, or property, a suspension or other disciplinary action will be preceded by an opportunity for the student involved to confer with the Vice President of Student Affairs. At such conference, the student will be advised of the nature and extent of the alleged offense. If the student denies having committed such offense, the student will be given an explanation of the evidence the authorities have and an opportunity to present the student's version of the incident. Subsequent to the conference, the Vice President of Student Affairs may impose disciplinary action deemed appropriate.

If the Vice President of Student Affairs elects to impose disciplinary measures, the student will be informed in writing of the nature and terms of such disciplinary action and will be further advised of the right to appeal the decision. A copy of the written notice will be sent to the President of the college. Notice of disciplinary action will be sent by certified mail to the student.

The college will emphasize in its daily operations the understanding as formulated by the Board of Trustees that all policies and procedures will be administered in a manner which is both fair and applicable to all persons. Therefore, the emphasis of all disciplinary actions will be to do everything possible to keep the students in college and to assist them in the fulfillment of their educational objectives.

- 2) Any student receiving disciplinary action or who is required to pay any fine/penalty as a result of violation of school, instructor, or housing policy may wish to appeal that action according to the procedure listed below.
- 3) Student Grievance Procedure: It is the policy of Colby Community College to provide students protection against unwarranted infringement of their rights. A student grievance may concern an alleged violation of college policies, infringement of a student's rights, and other such problems dealing with students, college staff and faculty, and authorized college activities. To comply with federal regulations, Colby Community College maintains records of the formal written **Student Complaint Log** and the disposition of the complaints. These records are filed with the Vice President of Academic Affairs and the Vice President of Student Affairs.
 - a. Level I—The student will attempt to rectify the grievance with the supervisor of the area in which the alleged violation occurred within ten (10) college working days. Every effort will be made to resolve the grievance at the lowest possible level.
 - b. Level II—The aggrieved student may first discuss the problem with the Vice President of Student Affairs. During this discussion the aggrieved person shall seek to resolve the matter informally.



- c. Level III—If the aggrieved student is not satisfied with the disposition of the grievance at Level II, or if no decision has been rendered within five (5) school days after the discussion of the grievance, the student may file the grievance in writing to the college president. Within five (5) school days after the receipt of the written grievance by the college president, the president will appoint a committee (one administrator and four faculty/staff members) which may adjust the fine/penalty. The chair of the committee shall submit the committee's decision to the student within ten (10) school days.



STUDENT COMPLAINT GUIDELINES

In accordance with the U.S. Department of Education Program Integrity Rule, 34 C.F.R. Part 600.9, Colby Community College has a process to review and respond to student complaints. The college seeks to resolve all/any student complaints in a timely and effective manner and adheres to procedures for resolving academic and non-academic concerns. Steps, timelines and resolution processes are addressed through administrative procedures described in detail in the academic catalog, policy manual and student handbook.

For assistance on complaint processes, please contact the college using the contact information below:

Dr. George McNulty

Vice President of Student Affairs

Email: george.mculty@colbycc.edu

Phone: (785) 460-5490

Address: 1255 South Range, Colby Kansas, 67701

Mr. Brad Bennett

Vice President of Academic Affairs

Email: brad.bennett@colbycc.edu

Phone: (785) 460-5404

Address: 1255 South Range, Colby Kansas, 67701

In addition, the following resources are available to the student:

Consumer protection and/or fraud complaints may be filled with the Kansas Attorney General's office at <http://ag.ks.gov/>

Discrimination complaints may be filed with the Kansas Human Right Commission at <http://www.khrc.net/>

Complaints regarding State Authorization Reciprocity Agreement (SARA) courses delivered by SARA member community colleges may be filled by students enrolled in those courses with the Kansas Board of Regents office at <http://www.kansasregents.org/>

Colby Community College is regionally accredited by the Higher Learning Commission (HLC). Complaints regarding an institution's ongoing ability to meet the Criteria of Accreditation may be filed by following the guidelines at <https://hlcommission.org/HLC-Institutions/complaints.html>

Colby Community College was created as authorized by and in accordance with state law by action of the community it serves. The college is a political subdivision of the state and has taxing authority. By statute, CCC has an elected board that governs the college and answers to its constituencies, and this state-created trustee board handles all/any student complaints that cannot be resolved by the college's administrative procedures.

It is expected that students will fully utilize the college's administrative procedures to address complaints. On occasion, however, a student may believe these administrative procedures have not adequately addressed concerns. If after exhausting all available institutional resources a student's complaint remains unresolved, the student may make a complaint to the CCC Board of Trustees, in writing, by completing and submitting a board complaint form.

The board will acknowledge receipt of the complaint within 10 business days and determine if additional information is required. The board will communicate their plan to the complainant(s) for investigating and resolving the complaint. The board will send a written response, typically within 45 days of receipt of the complaint, explaining the investigation and the resolution. Complainant(s) will receive an update if the investigation and resolution takes longer than 45 days.

If a student has question pertaining to a complaint made to the CCC Board of Trustees, please contact the Office of the President at (785) 460-5400. *[Revised July 22, 2016]*



STUDENT-ATHLETE DRUG POLICY**POLICY**

Each year, student-athletes will sign a consent form demonstrating their understanding of the Colby Community College drug-testing program and their willingness to participate. This consent statement is required of all student-athletes before participation in intercollegiate competition during the year in question. Failure to complete and sign the statement annually shall result in the student-athlete's ineligibility for participation in all intercollegiate competition.

EDUCATION

All student-athletes at Colby Community College shall receive substance abuse educational materials. The Director of Student Health shall be responsible for administering the program. The program shall provide information on drugs and illegal or controlled substances and their effects, dealing with their use and testing. The educational materials shall be given to each student-athlete prior to or during the first semester of athletic participation.

DRUG TESTING

Drug testing is required of all Colby Community College student-athletes on a random per team basis. Testing may also be performed "for cause" at the discretion of appropriate personnel, in consultation with the Director of Athletics, Office of Student Affairs, and individual Coach. Student-athletes will be selected for testing during each semester using a random system from the rosters of all athletic teams, in or out of season. The randomly selected student-athletes will be required to provide a urine sample, approximately 30-60 ml, under the strict supervision of personnel selected by the Director of Athletics or Vice President of Student Affairs. The student-athlete may have a witness accompany him/her to the testing to certify identification and to monitor the proceedings. Each specimen will be sealed under the observation of the student-athlete and a witness.

For the purpose of this policy, "drugs of consideration" shall include all illegal controlled substances as defined by law, and include, but not be limited to, the following:

1. Amphetamines
2. Anabolic Steroids
3. Barbiturates
4. Benzodiazepines (Valium, etc.)
5. Cocaine
6. Opiates (Heroin, Morphine, etc.)
7. THC (Marijuana)
8. Any other drug determined by the team physician, NJCAA, KJCCC, or NCAA.

All positive tests will be immediately reported to the Athletic Director and Vice President of Student Affairs, who will in turn contact the student-athlete for a confidential meeting. The Athletic Director and The Vice President of Student Affairs will then communicate with the student-athlete's athletic coach.



If the student-athlete tests positive and he/she believes it is a false positive test, he/she may request a re-test.

REFUSAL to participate in the drug testing procedures will be treated as a positive test.

OFFENSES

Level 4 Offense - 5 point (Career as a student-athlete)

1. Any convicted felony drug offense while attending Colby Community College.
2. Any charged felony drug offense. This would include an incident that results in a diversion.
3. A 2nd violation of any Level 3 Offense
4. A 2nd positive drug test and/or 2nd refusal to take a test administered by CCC, ADAC, or law enforcement.

Level 3 Offense - 4 point (Career as a student-athlete)

1. Any convicted misdemeanor drug offense while attending Colby Community College.
2. Any charged misdemeanor drug offense. This would include an incident that results in a diversion.
3. Any verbal communication with local or regional authorities about the following:
 - A legal search and seizure where drugs or drug paraphernalia were found.
 - A legal detainment and confiscation of drugs or drug paraphernalia but individuals was released.
 - A legal arrest and release for drugs or drug paraphernaliaAll of which would provide grounds for testing.
4. A positive drug test and/or refusal to take a test administered by CCC, ADAC, or law enforcement.

PENALTY

First Offense: (4 points)

- Anything that falls under the category of Level 3 offense the following will apply:
- The Athletic Director or Vice President of Student Affairs may request the student-athlete's consent to notify his or her parent(s) or guardian(s). However, in accordance with the Family Educational Rights and Privacy Act (FERPA), Colby Community College reserves the right to disclose the results of a positive drug test and the consequent disciplinary action to the student-athlete's parents if the student-athlete is under the age of 21.
- The student-athlete will receive mandatory assessment and counseling through an on-campus specialized substance abuse facility. This counseling will be monitored by The Office of Student Affairs and The Athletic Department.



- The student-athlete will be tested weekly during counseling and randomly thereafter for the academic year with the cost to be expensed to the student.
- The student-athlete will be suspended immediately from any participation for 3 weeks which would include a minimum of a 3 contest/date suspension, or any contest held during the length of the suspension. Individual punishment according to team rules and guidelines.

Second Offense (5 points)

- Anything that falls under the category of Level 4
- The Athletic department and The Office of Student Affairs may request the student-athlete's consent to notify his or her parent(s) or guardian(s). However in accordance with the Family Educational Rights and Privacy Act (FERPA), Colby Community College reserves the right to disclose the results of a positive drug test and the consequent disciplinary action to the student-athlete's parents if the student-athlete is under the age of 21.
- The student-athlete will be permanently suspended from all athletic participation and will lose all athletic financial aid at the completion of the academic semester.

Once 5 points are accumulated during an academic year the athlete will not be allowed to participate in any athletic program at Colby Community College. This drug policy includes any offenses, both on and off campus.

The Administration or Board of Trustees may change this policy and implement policy changes at any time. The most current policy may be found online.

**If a violation occurs after the season has been completed, the athlete will serve a suspension at the beginning of the next season in which he/she participates. If a violation occurs after his/her season has been completed and the athlete's eligibility to play has been exhausted, the athlete will immediately forfeit the athletic scholarship.

REINSTATEMENT

If a student-athlete violates the drug policy and is permanently suspended from the team; he/she may submit a written request for reinstatement at the completion of semester the infraction took place. This is a one-time request for the career of the student-athlete at Colby Community College, regardless of sport or activity. A student-athlete who receives a felony conviction as a result of their violation will be denied the opportunity to submit a request for reinstatement.

REINSTATEMENT REQUIREMENTS

- Reinstatement to full athletic participation will be contingent upon completion of the recommended rehabilitation program. A program of six sessions will be mandatory.



- Student-athlete must have completed all of the terms and conditions of the suspension established by the Athletic Director and coaching staff.
- The student-athlete must agree to be tested randomly on a quarterly basis for the academic year with the cost to the student.
- Student-athlete must show proof that they are in good academic standing and on track for graduation or completion of their academic program
- Student-athlete must sign an “Individual Conduct Agreement Form” that spells out all the items mentioned above. By signing the form the student-athlete understands that it is a “One and done” contract for the duration of their time at Colby Community College.

PROCESS OF REINSTATEMENT

1. Student must submit a written request for reinstatement to the Head Coach of their sport and the Athletic Director. This request must explain why they deserve to be reinstated into Colby Community College Athletics. The following documents need to attached to the request:
 - Current Academic Transcript
 - Letter of Completion from Substance Counselor or Program Director
 - Current Negative Drug Test
2. Once the request has been submitted it will be reviewed by the Reinstatement Committee (Head Coach, Athletic Director, The Director of Student Health and Vice President of Student Affairs).
3. After the Reinstatement Committee reviews the request a recommendation will be rendered and forwarded to the President’s office for review.
4. The President and the Athletic Director will meet to review recommendation and he/she will give his advisement to the Reinstatement Committee.
5. The student-athlete will receive written notification of the Reinstatement Committee’s recommendation within 21 days of the student-athletes written request.



STUDENT-ATHLETE ALCOHOL POLICY

Student-athletes at Colby Community College assume certain responsibilities in exchange for their participation in community college athletics. Student-athletes are representatives of the team, the community, and ambassadors of the College. The student-athlete's behavior and conduct may reflect negatively upon the community, the College, the athletic program and the student-athlete. While possession and consumption of alcohol and cereal malt beverages may be legal for some student-athletes, its consumption could be injurious to the health and well-being of the student-athlete and increase the risk of injury. For these reasons this alcohol policy is adopted. This alcohol policy includes any offenses, both on and off campus.

Policy

During the athletic season as established by the NJCAA, (1) student-athletes shall obey all state and local laws related to possession and consumption of alcohol and cereal malt beverages as defined by Kansas law, and (2) no student-athlete, whether legal or not, shall consume alcohol or cereal malt beverages.

Offenses

Level 4 Offense – 5 points (Career as a student-athlete)

Any convicted felony offense while attending Colby Community College.

Level 2 Offenses – 3 points (Career as a student-athlete)

Any ticketed misdemeanor or felony alcohol offense. This would include an incident that results in a diversion.

Any positive alcohol test and/or refusal to take a test administered by CCC, ADAC, or law enforcement are level 2 offenses.

Level 1 Offense – 2 points (12-month duration from the time of the violation)

Any non-ticketed alcohol offense in the residence halls, campus or community.

Penalty

5 Points – Immediate removal from team and loss of scholarship.

4 Points – 2-week suspension to include a minimum of a 1 contest/date suspension, loss of scholarship and mandatory counseling at the expense of the athlete. Individual punishment according to team rules.

3 Points – 1-week suspension to include a minimum of a 1 contest/date suspension, mandatory counseling at the expense of the athlete, and probation for the remainder of the year. Individual punishment according to team rules.

2 Points – 1 contest/date suspension during the next available contest/date. Individual punishment according to team rules.



Levels 2 and 4 offense points will accumulate during the student-athlete's career at Colby Community College. Once 5 points are accumulated during an academic year the athlete will not be allowed to participate in any athletic program at Colby Community College. All Level 1 offense points will last for one (1) year from the time of the violation.

All suspensions will be served during the official playing season of the athlete's sport. If it is in the fall when the athlete is qualifying for the team, the athlete will miss the opportunity to qualify for that team. This alcohol policy includes any offenses, both on and off campus.

For the purpose of this document "ticketed" means, but is not limited to: citation, Notice to Appear (NTA), issuance of a complaint for driving under the influence (DUI), minor in possession (MIP), transporting an open container (TOC), or any other offense involving drugs or alcohol.

The Administration or Board of Trustees may change this policy and implement policy changes at any time. The most current policy may be found online.

****If a violation occurs after the season has been completed, the athlete will serve a suspension at the beginning of the next season in which he/she participates. If a violation occurs after his/her season has been completed and the athlete's eligibility to play has been exhausted, the athlete will immediately forfeit the athletic scholarship.**



**COLBY COMMUNITY COLLEGE ATHLETIC ASSOCIATION
STUDENT-ATHLETE
URINE AND DRUG SCREEN ANALYSIS/ POLICY
INFORMED CONSENT AND RELEASE LIABILITY**

In accordance with the applicable provisions of the Family Educational Rights and Privacy Act of 1974, I _____, a student-athlete in _____,
(Print full name) (Print sport)

agree to submit a sample of my urine for screening and analysis. I understand that this screening and analysis will be conducted as determined by the Student Health Director.

The purpose of this screening and analysis is to determine or rule out the presence of non-prescribed or prohibited controlled substances in my urine as set forth in the Colby Community College Student-Athlete Substance Abuse Policy.

Due to the provisions outlined, I consent to this request for a urine specimen. I hereby release Colby Community College, the approved laboratory, and all employees and agents of this institution from any liability whatsoever arising from the request to furnish a urine sample, the testing of the urine sample, and decisions made based on the results of the analysis.

I have read the Colby Community College Student-Athlete Substance Abuse Policy and understand its purpose, methodology, drugs of consideration, drug screening conditions, and actions or sanctions. I understand a documented chain of specimen custody exists to ensure the identity and integrity of my sample throughout the collection and testing process. I further understand that my results will remain in exclusive confidential possession of the Colby Community College Student Health Center and as set forth in the Substance Abuse Policy.

I understand that Colby Community College has a drug screening policy for the purpose of education, prevention, detection and deterrence of substance usage and abuse. In accepting the privilege to participate, I agree to drug screening and testing and understand that non-compliance with the policy will be a breach of this privilege to participate agreement, which will result in my removal from the team and loss of my athletic-related financial aid.

Drug Policy Information

I further state that I have received, read, and understand the Colby Community College Student-Athlete Alcohol Policy. In accepting the privilege to participate in community college athletics, I agree to be subject to the drug policy. I understand the penalties which may be imposed if I violate the policy. I understand that if I violate the policy, I may be removed from the team and lose my athletic-related financial aid.

Student-Athlete

Witness

Student-Athlete Parent (if student is under 18)

Witness

Date



STUDENT ATHLETE ALCOHOL POLICY

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Policy

During the athletic season as established by the NJCAA, (1) student-athletes shall obey all state and local laws related to possession and consumption of alcohol and cereal malt beverages as defined by Kansas law, and (2) no student-athlete, whether legal or not, shall consume alcohol or cereal malt beverages.

Offenses

Level 4 Offense – 5 points (Career as a student-athlete)

Any convicted felony offense while attending Colby Community College.

Level 2 Offenses – 3 points (Career as a student-athlete)

Any ticketed misdemeanor or felony alcohol offense. This would include an incident that results in a diversion.

Any positive alcohol test and/or refusal to take a test administered by CCC, ADAC, or law enforcement are level 2 offenses.

Level 1 Offense – 2 points (12-month duration from the time of the violation)

Any non-ticketed alcohol offense confirmed in the residence halls, campus or community.

Penalty

5 Points – Immediate removal from team and loss of scholarship.

4 Points – 2-week suspension to include a minimum of a 1 contest/date suspension, loss of scholarship and mandatory counseling at the expense of the athlete. Individual punishment according to team rules.

3 Points – 1-week suspension to include a minimum of a 1 contest/date suspension, mandatory counseling at the expense of the athlete, and probation for the remainder of the year. Individual punishment according to team rules.

2 Points – 1 contest/date suspension during the next available contest/date. Individual punishment according to team rules.

Levels 2 and 4 offense points will accumulate during the student-athlete's career at Colby Community College. Once 5 points are accumulated during an academic year the athlete will not be allowed to



participate in any athletic program at Colby Community College. All Level 1 offense points will last for one (1) year from the time of the violation.

All suspensions will be served during the official playing season of the athlete's sport. If it is in the fall when the athlete is qualifying for the team, the athlete will miss the opportunity to qualify for that team. This alcohol policy includes any offenses, both on and off campus.

For the purpose of this document "ticketed" means, but is not limited to: citation, Notice to Appear (NTA), issuance of a complaint for driving under the influence (DUI), minor in possession (MIP), transporting an open container (TOC), or any other offense involving drugs or alcohol.

The Administration or Board of Trustees may change this policy and implement policy changes at any time. The most current policy may be found online.

****If a violation occurs after the season has been completed, the athlete will serve a suspension at the beginning of the next season in which he/she participates. If a violation occurs after his/her season has been completed and the athlete's eligibility to play has been exhausted, the athlete will immediately forfeit the athletic scholarship.**



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In accordance with the applicable provisions of the Family Educational Rights and Privacy Act of 1974,

I _____, a student-athlete in _____,
(print full name) (print sport)

agree to submit a sample of my urine for screening and analysis. I understand that this screening and analysis will be conducted as determined by the Student Health Director.

The purpose of this screening and analysis is to determine or rule out the presence of non-prescribed or prohibited controlled substances in my urine as set forth in the Colby Community College Student-Athlete Substance Abuse Policy.

Due to the provisions outlined, I consent to this request for a urine specimen. I hereby release Colby Community College, the approved laboratory, and all employees and agents of this institution from any liability whatsoever arising from the request to furnish a urine sample, the testing of the urine sample, and decisions made based on the results of the analysis.

I have read the Colby Community College Student-Athlete Substance Abuse Policy and understand its purpose, methodology, drugs of consideration, drug screening conditions, and actions or sanctions. I understand a documented chain of specimen custody exists to ensure the identity and integrity of my sample throughout the collection and testing process. I further understand that my results will remain in exclusive confidential possession of the Colby Community College Student Health Center and as set forth in the Substance Abuse Policy.

I understand that Colby Community College has a drug screening policy for the purpose of education, prevention, detection and deterrence of substance usage and abuse. In accepting the privilege to participate, I agree to drug screening and testing and understand that non-compliance with the policy will be a breach of this privilege to participate agreement, which will result in my removal from the team and loss of my athletic-related financial aid.

Alcohol Policy Information

I further state that I have received, read, and understand the Colby Community College Student-Athlete Alcohol Policy. In accepting the privilege to participate in community college athletics, I agree to be subject to the alcohol policy. I understand the penalties which may be imposed if I violate the policy. I understand that if I violate the policy, I may be removed from the team and lose my athletic-related financial aid.

Student-Athlete

Witness

Student-Athlete Parent (if student is under 18)

Witness

Date



SUSPENSION AND EXPULSION PROCEDURES

Suspension/expulsion hearings shall be conducted by the Vice President of Student Affairs, or by any other hearing officer or committee appointed by the Vice President.

Reasons for Suspension or Expulsion. Students may be suspended or expelled for one or more of the following reasons:

- Willful violation of any published, adopted student conduct regulation(s);
- Conduct which substantially disrupts, impedes, or interferes with college operation;
- Conduct which endangers the safety or substantially impinges on or invades the rights of others;
- Conduct which constitutes the commission of a felony or misdemeanor;
- Disobedience of an order of a college authority if the disobedience results in disorder, disruption or interference with college operation; and
- Possession of a weapon at college, on college property or at a college-sponsored event.



CROWD CONTROL AT COLLEGE-SPONSORED ACTIVITIES

Disorder and disruption of college activities will not be tolerated, and persons attempting to endanger the safety of students, college personnel or other adults, to damage college property, to interfere with college activities or the educational process, will be asked to leave the premises.

The college administration and staff are responsible for handling any problem. The final decision for determining if assistance is needed is the responsibility of the college administrator. In the absence of the administrator, the determination shall be made by the assistant administrator or person designated to be in charge of the activity. The president shall be notified of any serious problem at the college.



INTERROGATION AND INVESTIGATIONS

Persons designated by the president may conduct investigations and question students about infractions of college rules or the student conduct code. If there is reason to believe a violation of a criminal law has been committed, the administrator shall notify the appropriate law enforcement agency and may request further investigation of the alleged violation.

Coordination with Law Enforcement. College administrators may meet periodically with local law enforcement officials to discuss the college's policies and rules regarding law enforcement contacts with the college. Law enforcement officers shall not be permitted to conduct investigations during college hours except in demonstrated emergency situations. If a demonstrated emergency is found, the administrator shall require identification of law enforcement officials and reasons for the interrogation or investigation of a student. If the administrator is not satisfied with either the identification or the reason, the request shall not be granted. The administrator shall attempt to notify the president and the officer's superiors of the reasons for the refusal.

Violations of Criminal Law. Information on the criminal conduct shall be turned over to law enforcement officials.

Taking Students Into Custody. Students shall not be voluntarily released by college officials to law enforcement authorities unless the student has been placed under arrest or taken into custody by law enforcement or SRS. When a student has been taken into custody or arrested on college premises without prior notification to the college administration, the college staff present shall ask the law enforcement officer to notify the administrator of the circumstances as quickly as possible.

Disturbance of College Environment. Law enforcement officers may be requested to assist in controlling disturbances at college and, if necessary, to take students or other persons into custody.



WEAPONS

Applicability

This Policy applies to all Colby Community College (CCC or “College”) students, employees and visitors: (1) on the CCC main campus, Norton campus, and within locations owned or leased by CCC that are not part of the CCC main or Norton campuses (collectively, “Campus”), or (2) When attending/participating in or performing College duties at any off-campus College-sponsored or supervised classes, practices, activities or other programs (collectively, “Off-Campus Activity”).

Weapons Statement

In order to promote a safe and secure community college and learning environment, CCC prohibits the possession or use of Weapons¹ on Campus and at Off-Campus Activities, other than as set forth below.

In accordance with the Kansas Personal and Family Protection Act, K.S.A. 75-7c01 et seq., as amended (the “Act”) and other applicable federal/state laws, it is permissible and will not be a violation of this Policy for the:

1. Carrying of a concealed Handgun² on Campus by legally qualified individuals, pursuant to Kansas law, and also in accordance with the Concealed Carry Restrictions set forth below,
2. Lawful carrying of a concealed Handgun by an employee performing College duties at an off-Campus Activity, when in accordance with applicable laws/policies for such location,
3. Lawful possession of a Handgun within a personal/non-College vehicle,
Lawful possession of Weapons:
 - A. by Colby or Norton Police Departments or other law enforcement officers while acting within the scope of their employment, by authorized armored car personnel, or by others authorized in writing by the CCC President, Vice President of Student Affairs or designee, or as necessary for the conduct of College-approved programs.

Concealed Carry Restrictions

Concealed Carry: Each individual who lawfully possesses a Handgun on Campus shall be wholly and solely responsible for carrying, storing and using that Handgun in a safe manner and in accordance with the law and this Policy. Individuals who carry a Handgun on Campus must carry it concealed on or about their person at all times. “Concealed” means completely hidden from view and does not reveal the Handgun in any way, shape or form. “About” the person means that an individual may carry a Handgun if it can be carried securely in a suitable carrier, such as a backpack, purse, handbag or other personal carrier designed and intended for the carrying of an individual’s personal items. Moreover, the carrier must at all times remain within the exclusive and uninterrupted control of the individual. This includes wearing the carrier with one or more straps consistent with the carrier’s design, carrying or holding the carrier or setting the carrier next to or within the immediate

¹ “Weapon” means a weapon described in K.S.A. 21-6301, as further defined under K.S.A. 75-7c20; however, for purposes of this Policy includes knives more than 4 inches in length.

² “Handgun” is defined as a “firearm”, pursuant to K.S.A. 75-7c02, with cross-reference to K.S.A. 75-7b01.

Specifically, under K.S.A. 75-7b01, it is: (1) a pistol or revolver which is designed to be fired by the use of a single hand and which is designed to fire or capable of firing fixed cartridge ammunition; or (2) any other weapon which will or is designed to expel a projectile by the action of an explosive and which is designed to be fired by the use of a single hand reach/control of the individual. It shall be a violation of this Policy to openly display any lawfully possessed Handgun while on Campus.



Restrictions Pursuant to Kansas Law

Kansas law states that the only type of firearm that an individual can carry while concealed is a Handgun as defined above. The following restrictions applicable to all firearms specifically apply to the concealed carrying of a Handgun under Kansas law and this Policy, and the violation of any of the following restrictions is a crime under Kansas law and a violation of this Policy:

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

Location Restrictions

Certain Campus buildings and/or Public Areas³ within Campus buildings can be permanently or temporarily designated to prohibit concealed Handguns. There are no Campus buildings or Public Areas that have been permanently designated to prohibit concealed handguns with Adequate Security Measures (ASMs) in place. However, the CCC Security Officer may temporarily designate a specific location as prohibiting concealed Handguns and use temporary ASMs as defined and required by law. Appropriate notice will be given whenever this temporary designation is made.

Campus locations leased by CCC or used for Off-Campus Activity, and owned by an entity that may lawfully exclude or permit firearms at their premises (concealed or otherwise), may choose at their sole discretion to exclude or permit Handguns from their premises, notwithstanding a lease or use arrangement with CCC. If handguns are excluded at such locations and would otherwise be permitted by this Policy, individuals are expected to comply with the rules imposed by the location.

Safety Requirements: To reduce the risk of accidental discharge on Campus, when carrying a concealed Handgun on Campus (whether on the person or in a carrier), the concealed Handgun is to be secured in a holster that completely covers the trigger and the entire trigger guard area. The holster is to have sufficient tension or grip on the handgun to retain it in the holster even when subjected to unexpected jostling. Handguns with an external safety are to be carried with the safety in the “on” position. Handguns are to be carried without a chambered round of ammunition and revolvers with the hammer resting on an empty cylinder.

³ “Public Areas” is defined at K.S.A. 75-7c20.



Storage: Handgun storage is not provided by CCC. Individuals may store a Handgun in the individual's vehicle when the vehicle is locked and the Handgun is secured in a location within the vehicle that is not visible from outside the vehicle; Handgun storage by any other means is prohibited.

Specifically, it is prohibited for any individual to store a Handgun: (1) in a vehicle that is unlocked or when the Handgun is visible from outside the vehicle, (2) in an individual's office, (3) in an unattended backpack/carrier, (4) in any type of locker or (5) in any other location and under any circumstances except as specifically permitted by this Policy and by state and federal law.

Training: Training on the proper handling of a concealed Handgun is encouraged. All CCC employees are eligible for CCC continuing education training reimbursement to supplement training for local, noncredit workshops, which could include a gun safety course. Additionally, CCC may periodically offer on-campus presentations to students/employees related to safe handgun practices.

Even the lawful carrying of a concealed Handgun has its own risks. Any report of Weapons on a CCC Campus will be addressed by local police departments in coordination with the CCC Security Officer. The lawful carrying of a concealed Handgun should not create concerns on Campus; however, anything other than the lawful carrying of a concealed Handgun has the potential to create confusion and additional risk during police responses.

Enforcement

Any individual violating this Policy will be subject to appropriate disciplinary action, including but not limited to suspension/expulsion, termination of employment, immediate removal/trespass from the premises and/or arrest. Enforcement of this Policy will be administered by the CCC Vice President of Student Affairs.

Reporting:

1. Suspected violations of this Policy should be reported to Vice President of Student Affairs, Security Officer, or local authorities:
 - Call: (785) 462-3984; (785) 460-5490
 - Walk-in: Security Officer, Student Union, Colby campus only; Vice President of Student Affairs office, Student Union, Colby campus only
2. Emergency reports concerning threats or violence on campus:
 - Call: (785) 460-4460-Colby City Police Department; (785) 460-5508-Colby Community College Security Officer
 - Immediate Assistance: Dial 911



UNDOCUMENTED IMMIGRANT POLICY

UNDOCUMENTED IMMIGRANT'S AND OTHERS Effective July 1, 2004, the Kansas Legislature (HB2145) established eligibility regulations for certain undocumented immigrants and others to qualify for paying resident tuition and fees rates, for any enrolled class beginning after that date, under the following conditions:

1. the student has attended a regionally accredited Kansas high school for three or more years and;
2. has either graduated from an accredited Kansas high school or has earned a GED issued in Kansas and;
3. a. in the case of a person without lawful immigration status: has signed and filed an affidavit with the institution stating that the person or person's parents have filed an application to legalize such person's immigration status, or will file such an application as soon as such person is eligible to do so or;
3. b. in the case of a person with a legal, nonpermanent immigration status: has filed with the postsecondary educational institution an affidavit stating that such person has filed an application to begin the process for U.S. citizenship or will file such application as soon as such person is eligible to do so. *[Added March, 2016]*



STUDENTS WITH DISABILITIES

Policy Statement

In accordance with the Americans with Disabilities Act and Section 504 of the Rehabilitation Act, Colby Community College shall adhere to all applicable federal and state laws, regulations, and guidelines with respect to providing effective communications and modifications as necessary to afford equal access to programs for qualified persons with disabilities and to ensure that no qualified individual shall be, by reason of disability, excluded from participation in, or be denied the benefits of the services, programs, or activities of CCC, or be subjected to discrimination by CCC.

Colby Community College is committed to providing equal access to employment, educational programs, and activities for students with disabilities. The Institution recognizes that students with disabilities may need accommodations to have equally effective opportunities to participate in or benefit from the Institutional educational programs, services and activities. Conformance to this policy does not negate the responsibility of CCC to ensure that accessible technology and course content complies with applicable accessibility standards.

I. Responsibilities

A. Disability Services

Students requesting services, resources or accommodations for a disability should contact:

Disability Coordinator at 785-460-5510 or disability@colbycc.edu

Disability Services and the Office of the Vice President of Student Affairs serves as the main point of contact on issues related to ADA compliance for all persons involved in providing class instruction at Colby Community College.

Disability Services is responsible for:

- Determining effective communications and modifications to provide equal access for students with disabilities.
- Supervising the timely implementation of accommodations as requested by individual students, primarily through the Accommodation Disability Disclosure, and through other reasonable requests for assistance.
- Acting as a liaison between students and faculty to promptly and effectively resolve access issues.

B. Academic Departments and Instructional Staff

Academic departments and instructional staff are responsible for:

- Providing all accommodations recognized by CCC through the “accommodation disability disclosure” in cooperation with Disability Services.
- Contacting Disability Services as soon as possible after receiving notification from a student that an accommodation is not being provided completely or correctly, so that a timely and appropriate resolution can be facilitated.



C. Nonacademic Programs

CCC institutional offices and programs are responsible for providing accommodations for nonacademic programs with the assistance of Disability Services.

D. Students

Students are responsible for the following:

- Submitting documentation of their disability to Disability Services.
- Requesting accommodations and signing disability disclosure form to be sent to designated instructors.
- Updating accommodations through Disability Services, and requesting accommodations each academic semester for which accommodations are needed.

II. Accommodations

Colby Community College will make reasonable modifications to the environment, policy and practice and/or provide auxiliary aids and services when Disability Services determines such modifications are needed for equal access. Modifications may include, but are not limited to:

Academic Requirements: Accommodations can include changes in the length of time permitted for completion of degree requirements, substitution of specific courses required for the completion of degree requirements, adaptation of the manner in which specific courses are conducted, and elimination of rules which have the effect of limiting the participation of students with disabilities, such as rules prohibiting use of recorders in classrooms.

Examinations: Alternative methods for evaluating the achievement of students who have a disability that impairs sensory, manual, or speaking skills that will best assure that the results of evaluation represent the student's achievement in the course, rather than reflecting the disability.

Accessible Classrooms: CCC will move classes that are scheduled in inaccessible rooms to accessible rooms on request if a student has a disability that affects their access and alternative course sections are not a viable option because of schedule conflicts or other reasonable restrictions. Students needing new classroom assignments should contact Disability Services as soon as possible to allow adequate time for classroom changes.

Auxiliary Aids and Adaptive Equipment: Auxiliary aids include services, equipment, and procedures that allow students with disabilities access to learning and activities in and out of the classroom. They include but are not limited to: sign language interpreters, real time captioning services, adaptive technology, alternative media, exam accommodations, etc. Students requesting adaptive equipment or sign language interpreters must request these services in a timely manner (preferably 6 months in advance) giving the Institution time to locate and secure resources being requested.

III. Appeal and Complaint Procedures

Accommodation Appeal Process

If a student believes an accommodation or adjustment has not been appropriately determined or reasonable accommodations have not been provided, the student has the right to appeal the determination or provision to the Vice President of Student Affairs.



PERTINENT FORMS

Record of Student Complaint

Student Complaint Form

RECORD OF STUDENT COMPLAINT

Date Complaint received _____

Date of Complaint _____

Name of student filing complaint _____

Name of person handling complaint _____

NOTE: The student's written and signed complaint should be attached to this document. The written response to the complaint should also be attached.

PROCEDURE FOR STUDENT COMPLAINTS

Every effort will be made to resolve any complaint in an expeditious manner.

The student submits a signed, written complaint to the Vice President of Student Affairs.

The Vice President of Student Affairs will review the complaint and respond to the student concerning the steps to be taken in responding to the complaint. The investigation may involve other parties connected with the complaint. The nature of the complaint will dictate the extent of involvement of outside parties and the length of time needed to respond to the complaint.*

*All written complaints of faculty will be forwarded to the Vice President of Academic Affairs and handled according to the procedures explained in the CCC Student Handbook.

Complaint Resolution Date: _____

Signature of Institutional Officer

Student Complaint Form

Return this completed form to the Vice President of Student Affairs

Name _____ Phone _____

Address _____

E-mail _____

Nature of complaint: _____

Briefly explain complaint: _____

Complainant Signature _____

Date _____

Colby Community College does not discriminate on the basis of race, color, national origin, sex, disability or age in its programs, activities, and employment.