

Section 3: Fort Scott Community College Student Handbook

Student Conduct

All student behavior shall be based upon respect and consideration for the rights of others. Students shall be responsible for knowing and abiding by the rules and regulations of the college.

The college assumes that all students are able and willing to maintain standards of self-discipline appropriate to membership in a college community. A rigid code of conduct is purposely omitted in order to establish confidence in this assumption. The college reserves the right to take disciplinary measures in the best interests of FSCC.

Discipline is the responsibility of the Vice President of Student Affairs. Cases involving minor infractions of normal discipline are handled by the Disciplinary Review Board. Disciplinary action will be initiated when a student's behavior/action is determined to be dangerous to that individual's health/well-being, infringement on others' rights, damage to college property, or any other situation which reflects negatively on the college community, programs, organizations, or activities.

The college reserves the right to dismiss a student whose conduct is at any time unsatisfactory in the judgment of college officials. Conflicts with rules/regulations governing the following areas place a student in violation, and subject to discipline, of the Student Code of Conduct.

Nondiscrimination Policy

In accordance with the provisions of Title VI, Title VII Title IX, Section 504, the Americans with Disabilities Act (ADA), and the Age Discrimination Act contain requirements for recipients to issue notices of nondiscrimination. 34 C.F.R. Sections 100.6(d), 106.9, 104.8, 110.25, 41 C.F.R.

Sections 60-1.42(a), respectively. The Title II regulation also contains a notice requirement that applies to all units of government, whether or not they receive federal aid. (See 28 C.F.R. Section 35.106.) Inquiries concerning FSCC's Title IX Coordinators: Fort Scott Community College's compliance under these laws, should be directed to contact the College's Compliance Officer/Director of Human Resources at 2108 South Horton Street, Fort Scott, Kansas 66701 or 620-223-2700 or the Dean of Students at 620-223-2700, ext. 7230.

Federal citations: Discrimination and harassment grievance procedures can be found at www.fortscott.edu/vawa This public "NOTICE of NONDISCRIMINATION" is required by several federal laws and regulations including those implementing Title VI, Title VII, Title IX, Americans with Disabilities Act, Section 504 and the Age Discrimination Act. This notice serves to inform all members of the Fort Scott Community College faculty, staff, student body, and guests, that FSCC prohibits discrimination on the basis of race, color, religion, sex, sexual orientation, age, ancestry, national origin, or disability in admissions; educational

programs, services or activities; and employment. Following are the applicable federal and state civil rights laws that prohibit discrimination:

Title I of the Americans with Disabilities Act of 1990 prohibits employment discrimination against qualified individuals with disabilities by employers with 15 or more employees. The U.S. Equal Employment Opportunity Commission and the Office for Civil Rights are the agencies assigned to enforce Title I of the ADA.

Title II of the Americans with Disabilities Act of 1990 prohibits disability discrimination by public entities, including public colleges and universities whether or not they receive federal financial assistance. The Office for Civil Rights (U.S. Department of Education) is the law enforcement agency charged with enforcing Title II of the ADA.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in any program or activity receiving federal financial assistance. Programs and activities that receive federal financial assistance from the United States Department of Education are covered by Title VI. The Office for Civil Rights (U.S. Department of Education) is the law enforcement agency charged with enforcing Title VI.

Title VII of the Civil Rights Act of 1964 protects individuals against unlawful employment practices based on their race, color, sex, and national origin. The Civil Rights Act of 1991 significantly extended plaintiffs' rights under Title VII. The U.S. Equal Employment Opportunity Commission is the law enforcement agency charged with enforcing Title VII.

Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex in education programs or activities and extends to employment and admission to institutions that receive federal financial assistance. The Office for Civil Rights (U.S. Department of Education) is the law enforcement agency charged with enforcing Title IX.

Age Discrimination Act of 1975 protects people from discrimination based on age in programs or activities receiving federal financial assistance. The Office for Civil Rights (U.S. Department of Education) is the law enforcement agency charged with enforcing the ADA of 1975.

Age Discrimination in Employment Act of 1967 protects individuals who are 40 years of age or older. The U.S. Equal Employment Opportunity Commission is the law enforcement agency charged with enforcing the ADEA. Civil Rights Act (CRA) of 1991 provides monetary damages in cases of intentional employment discrimination. The U.S. Equal Employment Opportunity Commission is the law enforcement agency charged with enforcing the CRA of 1991.

Equal Pay Act of 1963 protects men and women who perform substantially equal work in the same establishment from sex-based wage discrimination. The

U.S. Equal Employment Opportunity Commission is the law enforcement agency charged with enforcing the EPA. Section 504 of the Rehabilitation Act of 1973 protects people from discrimination in admission, employment, treatment, or access based on disability in programs or activities receiving federal financial assistance. The Office for Civil Rights (U.S. Department of Education) is the law enforcement agency charged with enforcing Section 504. Executive Order 11246 requires certain government contractors to engage in affirmative

action and to not discriminate based on race, sex, or national origin. The Office of Federal Contract Compliance Programs (U.S. Department of Labor) is the agency charged with enforcing the EO 11246 and ensuring that federal contractors are in compliance.

Violence Against Women Act

The Violence Against Women Act (VAWA) is a landmark piece of legislation that seeks to improve criminal justice and community-based responses to domestic violence, dating violence, sexual assault, and stalking in the United States.

The passage of VAWA in 1994 and its reauthorization in 2000, 2005, and 2013 has changed the landscape for victims who once suffered in silence. Victims of domestic violence, dating violence, sexual assault and stalking have been able to access services; and a new generation of families and justice system professionals has come to understand that domestic violence, dating violence, sexual assault and stalking are crimes that our society will not tolerate.

In support of the Violence Against Women Reauthorization Act, Title IX regulations and the Clery Act, FSCC prohibits all violent offenses. FSCC's Greyhounds Take a Stand program promotes the education efforts to help stop relationship violence in support of Title IX, the Violence Against Women Reauthorization Act, the SaVE Act, and Clery.

Greyhounds Take a Stand Against Violence

Stalking, Bullying, Retaliation, Sexual Assault, Discrimination, Substance Abuse, Inducing Incapacitation, Prohibited Sexual, Misconduct, Dating and Domestic Violence. For more information, visit www.fortscott.edu/campussecurityreport or file an anonymous report at www.fortscott.edu/incidentreport

If you need immediate help or need to report a violent act such as bullying, domestic or dating violence, sexual assault, stalking, or substance abuse, contact the VP of Student Affairs at 620-223-2700 ext. 3500. FSCC employees may contact human resources at 620-223-2700 ext. 5201. In an emergency, contact the Fort Scott Police Department at 620-223-1700 or 911.

Sexual Harassment Policy

The Department of Education's Office for Civil Rights (OCR), the Equal Employment Opportunity Commission (EEOC), and the State of Kansas regard sexual harassment, a specific form of discriminatory harassment, as an unlawful discriminatory practice. FSCC has adopted the following definition of sexual harassment in order to address the unique environment of an academic community. Acts of sexual harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved.

Sexual harassment, as an umbrella category, includes the offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking, and is defined as: Conduct on the basis of sex or that is sexual in nature that satisfies one or more of the following:

- 1) **Quid Pro Quo:**
 - a. an employee of FSCC,
 - b. conditions the provision of an aid, benefit, or service of FSCC
 - c. on an individual's participation in unwelcome sexual conduct.
- 2) **Sexual Harassment:**
 - a. unwelcome conduct,
 - b. determined by a reasonable person,
 - c. to be so severe, and
 - d. pervasive, and,
 - e. objectively offensive,
 - f. that it effectively denies a person equal access to FSCC's education program or activity.
- 3) **Sexual assault**, defined as:

Any sexual act directed against another person,

 - without the consent of the Complainant,
 - including instances in which the Complainant is incapable of giving consent.
 - Incest:
 - 1) Non-forcible sexual intercourse,
 - 2) between persons who are related to each other,
 - 3) within the degrees wherein marriage is prohibited by Kansas law.
 - Statutory Rape:
 - 1) Non-forcible sexual intercourse,
 - 2) with a person who is under the statutory age of consent of 16.
- 4) **Dating Violence**, defined as:
 - a. violence,
 - b. on the basis of sex,
 - c. committed by a person,
 - d. who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.
 - i. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the

relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—

ii. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

iii. Dating violence does not include acts covered under the definition of domestic violence.

5) **Domestic Violence***, defined as:

a. violence,

b. on the basis of sex,

c. committed by a current or former spouse or intimate partner of the Complainant,

d. by a person with whom the Complainant shares a child in common, or

e. by a person who is cohabiting with, or has cohabited with, the Complainant as a spouse or intimate partner, or

f. by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Kansas or

g. by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Kansas.

**To categorize an incident as Domestic Violence under this Policy, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabiting must be current or former spouses or have an intimate relationship.*

6) **Stalking**, defined as:

a. engaging in a course of conduct*,

b. on the basis of sex,

c. directed at a specific person, that

i. would cause a reasonable person** to fear for the person's safety, or

ii. the safety of others; or

iii. Suffer substantial emotional distress***. For the purposes of this definition—

*Course of conduct means two or more acts, including, but not limited to, acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

**Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.

***Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

FSCC is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities, that are free from discrimination and harassment based on a protected category, and retaliation for engaging in a protected activity. To ensure compliance with federal, state, and local civil rights laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the educational program or activity, FSCC has developed internal policies and procedures that provide a prompt, fair, and impartial process for those involved in an allegation of discrimination or harassment on the basis of protected class status, and for allegations of retaliation.

FSCC values and upholds the equal dignity of all members of its community and strives to balance the rights of the parties in the grievance process during what is often a difficult time for all those involved. The core purpose of this policy is the prohibition of all forms of discrimination. When discrimination takes the form of harassment or, in the case of sex-based discrimination, it can encompass sexual harassment, sexual assault, stalking, sexual exploitation, dating violence, or domestic violence. When an alleged violation of this nondiscrimination policy is reported, the allegations are subject to resolution using FSCC's Title IX process as detailed below.

When the Respondent is a member of the FSCC community, a formal complaint may be filed and a grievance process may be available regardless of the status of the Complainant, who may or may not be a member of the FSCC community. This community includes, but is not limited to, students, student organizations, faculty, administrators, staff, and third parties such as guests, visitors, volunteers, vendors, and campers. The procedure may be applied to incidents, to patterns, and/or to the campus climate, all of which may be addressed and investigated in accordance with this policy.

The Dean of Students serves as the Title IX Coordinator and oversees implementation of the FSCC's policy on equal opportunity, harassment, and nondiscrimination. The contact information for the Title IX Coordinator is:

Vanessa Poyner, VP of Student Affairs/Title IX Coordinator

Fort Scott Community College

2108 South Horton Fort Scott, KS 66701 (620) 223-2700 ext. 3500 – office

(620) 719-6943 - cell

vanessap@fortscott.edu

Bailey Hall office

The Title IX Coordinator has the primary responsibility for coordinating FSCC's efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remedy, and prevent discrimination, harassment, and retaliation prohibited under this policy. All parties will be provided with a comprehensive electronic document detailing options and resources, which the Title IX Coordinator may also go over in person with the parties, as appropriate (excluding an Unaffiliated Complainant in the discretion of the Title IX Coordinator).

Notice or complaints of discrimination, harassment, and/or retaliation may be made using any of the following options:

- 1) File a complaint with, or give verbal notice to, the Title IX Coordinator (or deputies/Officials with Authority) as listed above. Such a report may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail, to the office listed for the Title IX Coordinator or any other official listed.
- 2) Report online, using the reporting form posted at www.fortscott.edu (Title IX Grievance Report). Anonymous reports are accepted but can give rise to a need to investigate to determine if the parties can be identified. If not, no further formal action is taken, though measures intended to protect the community may be enacted. FSCC tries to provide supportive measures to all Complainants, which may be impossible with an anonymous report that does not identify the Complainant.

Because reporting carries no obligation to initiate a formal response, and because FSCC respects Complainant requests to dismiss complaints unless there is a compelling threat to health and/or safety, the Complainant is largely in control and should not fear a loss of confidentiality by making a report that allows the FSCC to discuss and/or provide supportive measures.

FSCC will offer and implement appropriate and reasonable supportive measures to the parties upon notice of alleged harassment, discrimination, and/or retaliation (excluding an Unaffiliated Complainant in the discretion of the Title IX Coordinator).

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate and as reasonably available. They are offered without fee or charge to the parties to restore or preserve access to FSCC's education program or activity, including measures designed to protect the safety of all parties and/or the FSCC's educational environment, and/or to deter harassment, discrimination, and/or retaliation.

The Title IX Coordinator promptly makes supportive measures available to the parties upon receiving notice or a complaint. At the time that supportive measures are offered, FSCC will inform the Complainant, in writing, that they may file a formal complaint with the FSCC either at that time or in the future, if they have not done so already. The Title IX Coordinator works with the Complainant to ensure that their wishes are taken into account with respect to the supportive measures that are planned and implemented.

Fort Scott Community College will maintain the confidentiality of the supportive measures, provided that confidentiality does not impair the FSCC's ability to provide those supportive measures. FSCC will act to ensure as minimal an academic/occupational impact on the parties as possible. The FSCC will implement measures in a way that does not unreasonably burden the other party.

For full description of the Title IX policy and procedure, please visit:

www.fortscott.edu/consumerinfo .

FSCC Computer and Network Usage Agreement

Fort Scott Community College (FSCC), through the Information Technology Office, provides computing resources and worldwide network access for legitimate academic and administrative purposes. Individuals utilizing FSCC computer and network resources are expected to be aware of specific policies governing their use, and should act responsibly while using shared computing and network resources. This applies not only to College employees and students, but also to 3rd party individuals or entities granted access to FSCC network resources.

At times, FSCC may elect to provide network access to individuals or entities operating inside our facilities. These arrangements will be made to further the academic vision and mission of FSCC and all use by these outside entities will be subject to the following policies and restrictions. All policies are subject to change as the computing and network environment evolve. All security measures pertaining to technology and user information, including password requirements and acceptable use, are subject to change at any time without notice at the discretion of the FSCC Information Technology Office.

Each person using FSCC computer and network resources should:

1. Abide by common security measures implemented to protect FSCC and user information, data, and systems.
 - a. Examples of adhering to these measures include, but are not limited to:
 - i. Periodic establishment of new passwords for your computer accounts.
 - ii. Protecting the confidentiality of passwords; users should never share usernames or passwords, even with coworkers or family members. This includes, but is not limited to, account passwords, Wi-Fi passwords, and passwords for encrypted data.
 - iii. Limiting use of an account to only the account holder, or certain FSCC Information Technology personnel or authorized contractor/ support professional if troubleshooting is required.
 - iv. Using only the computers or machines which an individual is authorized to operate, and securing the computer or machine when usage has concluded.

b. Examples of misuse include, but are not limited to:

- i. Using a computer account and/or obtaining a password that you are not authorized to use.
- ii. Using the FSCC network to gain unauthorized access to any computer system.
- iii. Leaving a list of personal passwords in an unsecured location (i.e. sticking on monitor).
- iv. Having usernames or passwords, even unwittingly, will be considered a violation of this agreement.
- v. Using FSCC resources to digitally store or retrieve other users' sensitive personal information, including but not limited to social security numbers and credit card information, in an unsecure or unauthorized manner.
- vi. Using any form of email, or communication by mobile device, to share or request sensitive personal information such as social security numbers or personal credit information pertaining to FSCC staff, faculty, or students.

2. Clearly and accurately identify yourself in electronic communications. Using any methods to conceal or mask the identity of electronic communications will constitute a violation of this policy.

a. Electronic communications shall include, but not be limited to:

- i. Email
- ii. Instant messaging
- iii. Bulletin boards
- iv. Web postings

3. Use computer and network resources appropriately and efficiently. Usage of high-bandwidth applications should only be used as needed and not be allowed to interfere with other legitimate purposes. Inappropriate use of FSCC computing or network resources shall include, but are not limited to:

a. Installing and playing network games on FSCC- owned or managed devices is prohibited, unless part of an established curriculum.

b. Kazaa, Limewire, Bearshare, Frostwire, Bittorrent, Gnutella, uTorrent and other peer-to-peer file sharing applications, media downloader or converter applications that would violate Federal Copyright Laws, are prohibited for anything other than legitimate, lawful purposes.

i. Legal use may include, but not be limited to:

- 1. Downloading software patches directly from the software publisher via Bittorrent

2. Downloading legal Linux ISO images via Bittorrent
- ii. Prohibited uses may include, but are not limited to:
 1. Downloading copyright protected music (in violation of federal copyright law)
 2. Downloading copyright protected movies (in violation of federal copyright law)
 3. Downloading copyright protected software (in violation of federal copyright law)
- c. Using computing or network resources to view, download, or share derogatory or sexually explicit material.
- d. Other examples of inappropriate use include deliberately wasting computer resources by sending unsolicited email, sending chain letters, or engaging in pyramid schemes.
4. Ensure that others are free from harassment or intimidation. This includes, but is not limited to, harassment and intimidation of individuals on the basis of race, sex, religion, ethnicity, sexual orientation, disability, etc. This will apply to any form of electronic communication utilizing FSCC resources.
5. Ensure that the use of computer and network resources is academic or research oriented. Use of FSCC computer or network resources for personal profit or commercial gain is prohibited.
 - a. The exception is in the instance of 3rd party entities that have been granted network access by FSCC administration.
 - b. These entities may, by their nature, be viewed as using the network for commercial gain, but use is still restricted to the activities that are approved by FSCC administration. These activities will be in line with FSCC goals and missions and in support of the FSCC community.
6. Respect copyright and intellectual-property rights. Users must adhere to all federal and state copyright laws, and the terms and conditions of any and all software licensing agreements and/or copyright laws as specified by the vendor or licensor.
7. Respect College property. Misuse of College property includes, but is not limited to:
 - a. Theft or damage of equipment or software.
 - b. Knowingly running or installing computer malware (including viruses), or programs designed to log or retrieve passwords or sensitive user information.
 - c. Attempting to circumvent installed data protection methods.

- d. In any way attempting to interfere with the physical computer network/hardware, or attempting to degrade the performance or integrity of any campus network or computer system.
8. Understand the privacy of your account information.
- a. All data contained within FSCC systems is the property of FSCC.
 - b. Users should have no expectation of privacy of their communications, messages, and files made, transmitted, received, or stored on or through resources provided by FSCC.
 - c. With no notice to the user, network administrators will routinely monitor and make backup copies of FSCC computing and network resources. This is to ensure the smooth operation of all FSCC resources made available to the users.
 - d. If a violation of this agreement is suspected, network administrators will—without warning to the user— investigate the user's digital files or electronic communications stored in or made through any electronic device belonging to FSCC. If a misuse per the details of this agreement is discovered, the offending digital files or electronic communications will be recorded or otherwise used as a basis for disciplinary action, as outlined in Section 11 of this agreement.
 - e. FSCC may be subject to subpoenas or other court orders requiring the recording and/or release of the user's files, messages, or other communications. FSCC will comply with these subpoenas or court orders.
 - f. Network administrators may impose restrictions to ensure maximum performance and fairness to all users. These restrictions may include, but are not limited to, disk quotas, email storage quotas, and adherence to Title IX regulations.
9. Personal use.
- a. Personal use of FSCC resources must be at virtually no cost or inconvenience to FSCC, and must adhere to the guidelines of this agreement.
 - b. In relation to Section 8 of this agreement, be aware of the privacy guidelines, as they extend to any use of FSCC computing and networking resources, including personal use.
10. Follow standard procedure for technical issues.
- a. Do not turn off any device unless specifically directed by a network administrator.
 - b. Document the issue thoroughly; what machine is being used, what software, what prompted the issue, are there any error codes, etc.

c. Immediately contact a member of the FSCC Information Technology Office via ticket, email, or phone. Submitting a ticket via Employee Pages is the primary way unless there is an emergency.

11. Misuse of computing and network resources or non-compliance with written usage policies may result in one or more of the following consequences:

- a. Temporary deactivation of computer/network access.
- b. Permanent deactivation of computer/network access.
- c. Termination of contractual agreements between FSCC and the 3rd party entity.
- d. Expulsion from school and/or termination of employment.
- e. Legal prosecution under applicable federal and state laws.
- f. Possible penalties under the law, including fines and imprisonment.

12. Summary of civil and criminal penalties for violation of federal copyright laws.

- a. Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under Section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement.
- b. Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or "statutory" damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For "willful" infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys' fees. For details, see Title 17, United States Code, Sections 504, 505.
- c. Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense.

For more information, please see the website of the
U.S. Copyright Office at www.copyright.gov.

Alcohol and Drug Policy

Alcoholic beverages and illegal drugs are prohibited on Fort Scott Community College property.

Possession, distribution or use of alcoholic beverages, 3.2 beer, or the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance on the Fort Scott Community College campus, within the college buildings or at any college-sponsored event is strictly prohibited. Violation will result in immediate disciplinary action up to and including dismissal from the college.

FSCC has long recognized that an academic community is harmed in many ways by the abuse of alcohol and the use of other drugs. This high-risk behavior is exemplified by decreased productivity, serious health problems, strained and social interactions as well as forms of vandalism. Problems associated with the illicit use and abuse of substances have a pervasive impact upon the academic community and are not associated with a single socioeconomic group or age level. The process of education and learning are especially impaired by alcohol and the use of illicit drugs.

Alcohol

Fort Scott Community College prohibits the possession of alcohol products or paraphernalia, including promotional materials, on FSCC premises. college staff will issue a summons to any student found drinking, in possession of, or in the presence of alcoholic beverages, alcoholic containers, or paraphernalia on college property. These students will face disciplinary action by the college, as well as any penalties issued in accordance with Kansas law. Individuals found to have violated the college's alcohol policy will be subject to discipline or criminal charges, even if the student is of legal age. Any student who appears to be intoxicated while on campus will be subject to disciplinary action. The local police will determine whether a student's behavior merits arrest or medical attention. Students in campus housing may not keep empty alcohol containers in any campus housing room. Alcohol containers found in a resident's room will be poured out and confiscated. Students in campus housing are responsible for their visitors. If the student is a minor, law enforcement may issue a Minor in Possession citation. A student found in violation of the College's drug policy must complete a drug awareness course. The student must complete the online four-hour course, monitored by the Dean of Students, within 15 days of the date the penalty is issued. The cost of the course is \$25 which will be paid by the student. If the resident/student fails to complete the course within the time limit, the student is subject to disciplinary action up to and including expulsion from the College and/or removal from campus housing.

Drugs

Fort Scott Community College maintains a zero-tolerance policy for the possession, use, sale, or distribution of narcotics, dangerous drugs, and related paraphernalia on any College District campus or property, and in any vehicle on FSCC property. Any student who possesses, participates in the use of, is in the presence of, under the influence of, uses, sells, manufactures, or distributes illegal drugs and/or mood enhancing substances will be subject to disciplinary action and/or criminal proceedings.

The college prohibits drug odor and drug paraphernalia, including bongs, promotional materials, hookah pipes, clips, residue seeds, or any other items used in the preparation or consumption of illegal drugs and/or mood enhancing substances on any college campus. Authorized college staff, may conduct periodic random room inspections to enforce the

college's zero tolerance drug policy. College staff shall contact local law enforcement to ensure proper handling of any items to be confiscated. Disciplinary or criminal charges may be filed against the student(s) or staff involved. Room inspections may encompass, but are not limited to, an individual room, whole apartment, or entire facility. A student found in violation of the College's drug policy must complete a drug awareness course. The student must complete the online four-hour course, monitored by the Dean of Students, within 15 days of the date the penalty is issued. The cost of the course is \$25 which will be paid by the student. If the resident/student fails to complete the course within the time limit, the student is subject to disciplinary action up to and including expulsion from the College and/or removal from campus housing.

Assault and Battery

Includes any action, including hazing, which threatens the physical well-being, mental health, or safety of others.

Children on Campus

1. Students/Faculty/Staff who bring children to the FSCC campus assume all associated risks (emotional or physical).
2. Children on campus must always be accompanied by a parent or guardian.
3. Children may not be left in the care of a faculty or staff member.
4. Children are allowed on campus only on an emergency short-term basis. "Short-term basis" is defined as being no more than two days in a row, for an extended portion of the day. This does not include college-sponsored community events.
5. Children must be removed from the campus immediately if they become noisy and/or disruptive.
6. Children may be allowed in classes on an emergency basis, but only at the discretion of the individual instructor. Instructors have the right to ban children from the classroom, even on an emergency basis.

Dishonesty

Includes cheating, plagiarism, other areas of academic dishonesty, or intentionally giving false information to the college.

Disruptive Behavior

Includes disorderly, indecent, or obscene conduct either in the classroom or on campus owned/operated facilities or properties on /at college sponsored events.

Electronic Communications

Students are expected to abide by ethical standards in the use of all electronic communications which includes, but is not limited to, Internet services and electronic mail.

Weapons Policy and Procedures

The possession and use of firearms, explosives, and other weapons are prohibited on the campus of Fort Scott Community College, with the limited exception of concealed handguns as provided in the policy. The purpose of this policy is to describe how handguns may be carried, stored, and managed on the campus of Fort Scott Community College in as safe a manner as possible. This policy is in accordance with the Kansas Board of Regents policy and state law, KSA 75-7c01, et seq., Fort Scott City Ordinance 9.4.01.0.

Geographic Applicability - This policy is applicable only within the geographic limits of the Fort Scott Community College campus. Campus is defined as any building or grounds or grounds owned by Fort Scott Community College or any building or grounds leased by Fort Scott Community College for college use.

I. Definitions:

Weapons

1. Any object or device which will, is designed to, or may be readily converted to expel bullet, shot or shell by the action of an explosive or other propellant:
2. Any handgun, pistol, revolver, rifle, shotgun or other firearm of any nature, including those that are concealed or openly carried:
3. Any BB gun, pellet gun, air/CO₂ gun, any taser or similar electrical weapon that discharges, a projectile, blow gun, projectile stun gun:
4. Any explosive, incendiary or poison gas (A) bomb, (B) mine, (C) grenade, (D) rocket having a propellant charge of more than four ounces, or (E) missile having an explosive or incendiary charge of more than 1/4 ounce;
5. Any incendiary or explosive material, (liquid solid, or mixture) equipped with a fuse, wick or other detonation device;
6. Any tear gas bomb or smoke bomb; however, personal self-defense items containing mace or pepper spray and/or direct contact stun guns shall not be deemed to be a weapon for the purposes of this policy;
7. Any knife, commonly referred to as a switch-blade, which has a blade that open automatically by hand pressure applied to a button, spring or other device in the handle of the knife, or any knife having a blade that open or falls or is ejected into position by the force of gravity or by an outward, downward or centrifugal thrust or movement;
8. Any straight-blade knife of four inches or more such as a dagger, dirk, dangerous knife or stiletto; except that an ordinary pocket knife or culinary knife designed for and used solely in the preparation of service of food shall not be construed to be a weapon for the purposes of this policy;
9. Any martial arts weapon such as nunchucks or throwing stars;

10. Any longbow, crossbow and arrows or other projectile that could cause serious harm to any person: or
11. Any other dangerous or deadly weapon or instrument of like character.

Handgun

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 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 a fired by the use of a single hand.

Firearm

Any handgun, rifle, shotgun, and other weapon which will or is designed to expel a projectile by the action of an explosive.

I. Prohibitions and Restrictions to the Carrying of a Concealed Firearm Pursuant to Kansas Law:

Open carry of firearms by any means is prohibited. The carrying of any rifle, shotgun, or other long gun by any means is prohibited; it is a violation to openly display any lawfully possessed concealed carry handgun while on campus except when lawfully using the handgun in self-defense or when transferring to safe storage.

Kansas law outlines the following restrictions to the concealed carrying of a handgun. Failure to comply with the following restrictions is a violation of college policy and Kansas Law:

1. Individuals in possession of a concealed handgun must be at least 21 years of age. [K.S.A. 21-6302(a)(4)];
2. 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 incapable of safe operation the firearm.
3. A firearm cannot be fired in the corporate limits of a city, at a dwelling, structure, or vehicle in which a human is present, except in self-defense [K.S.A. 21-6308, 6308a];
4. A firearm cannot be carried by an individual who is both addicted to and an unlawful user of a controlled substance [K.S.A. 21-6301(a)(10)];
5. A firearm cannot be carried by an individual who is or has been a mentally ill person subject to involuntary commitment [K.S.A. 21-6301(a)(13)];
6. A firearm cannot be carried by an individual with alcohol or substance abuse problem subject to involuntary commitment [K.S.A. 21-6301(a)(13)];

7. A firearm cannot be carried by an individual who has been convicted of a felony crime. [K.S.A. 21-6304];
8. An automatic firearm cannot be carried [K.S.A. 21-6301(a) (5)];
9. Any cartridge which can be fired by a handgun and which has a plastic-coated bullet that has a core of less than 60% lead by weight, whether the person knows or has reason to know that the plastic-coated bullet has a core of less than 60% lead by weight is illegal [K.S.A. 21-6301(a)(6)];
10. Any device or attachment of any kind designed, used or intended for use in suppressing the report of any firearm is illegal [K.S.A. 21-6301(a)(4)].

II. Carrying Safety Requirements:

Any individual who is 21 years of age or older and who is lawfully eligible to carry a concealed handgun is wholly and solely responsible for carrying, storing, and using that handgun in a safe manner and in accordance with the Kansas law, Kansas Board of Regents policy and college policy.

Concealed means completely hidden from view and does not reveal the weapon in any way, shape or form.

Whether on their person or in a personal carrier, every handgun carried by an individual must be secured in a holster that completely covers the trigger and the entire trigger guard area and that secures any external hammer in an un-cocked position. The handgun must be secured in the holster with a strap or by other means of retention. The holster must 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 must be carried with the safety in the "on" position.

The handgun must be in the person's custody and control at all times with safety mechanism engaged. Handguns must be carried securely in a suitable carrier (backpack, purse, handbag, or other personal carrier designed and intended for the carrying of an individual's personal items). The suitable carrier must at all times remain with 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 sitting the carrier next to or within the immediate reach of the individual.

III. Campus Gun-Free Locations with Adequate Security Measures:

There are no college locations designated as gun free with permanent adequate security measures. The college may designate a specific location as temporarily gun free and use temporary adequate security measures as defined and required by law and Kansas Board of Regents policy. Appropriate notice will be given whenever this temporary designation is made.

IV. Handgun Storage:

Handgun storage is prohibited at Fort Scott Community College except in the following circumstances: (1) in an individual's privately-owned or leased motor 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; or, (2) in an individual's on-campus residential unit when the handgun is secured in a holster and in an approved storage device (see below).

Approved Storage Device

The college does not provide approved handgun storage devices to any person, under any circumstances. Each individual who stores a handgun in an on-campus residence must provide their own approved storage device.

An approved storage device meets the following criteria:

1. Is of sufficient size to fully enclose the handgun while secured in an approved holster (as defined in Section III);
2. Is constructed of sturdy materials that are non-flammable;
3. Has a combination, digital, or other secure locking device that can only be unlocked by the individual using the storage device. Devices secured exclusively with a key lock are prohibited;
4. Device is constructed specifically for the storage of a handgun and/or ammunition. All ammunition stored in an on-campus residence must be stored in an approved storage device.

Prohibited Storage

1. In any college classroom, lab, office, or facility;
2. In a residence hall, except in the residential unit of the individual who is at least 21 years of age, legally owns the handgun, and has the handgun secured in an approved storage device;
3. In a motor vehicle that is unlocked or when the handgun is visible from the outside of the vehicle;
4. In any other location or under any circumstance except as specifically permitted by this policy or the state or federal law.

V. Violations Process:

All suspected weapons policy violations will be reported to the Fort Scott Police Department.

Initial investigations will be conducted by college officials and the Fort Scott Police Department to determine if college of Kansas Board of Regents policy has been violated. If the investigation determines a crime has been committed, a separate criminal investigation will be conducted, unrelated to policy. If college policy has allegedly been violated, the matter will be reported to the college administrative team. When there is probable cause to believe that a weapons policy violation has occurred, or continued possession and carrying by the alleged policy violator will create imminent danger to self or others, the Fort Scott Police Department have authority to disarm and/or temporarily confiscate a firearm and issue a restriction to not carry a concealed firearm on campus pending results of the investigation.

The President, or his or her designee, may take any temporary action as determined necessary to ensure the safety of the college and of its students and personnel. Any individual who violates one or more provisions of this policy may be issued a lawful directive to leave campus with the weapon immediately. Any individual who violates the directive shall be considered to be in trespass and may be cited accordingly. Any employee or student of the college who violates one or more provisions of the policy shall be subject to discipline in accordance with applicable college codes of conduct. Any individual who violates state or federal law may be detained, arrested, or otherwise subjected to lawful processes appropriate to the circumstances.

Gambling

By Kansas Statute 21-4303, gambling is illegal and is not permitted.

Smoking/use of tobacco/e-cigarettes

All Fort Scott Community College campuses are entirely smoke-free. The Smoke free policy applies to all FSCC facilities, properties, and vehicles, owned or leased by the college, regardless of location, including distant campuses, sites, and/or locations. This policy applies to all FSCC employees, students, independent contractors, and visitors. It is the responsibility of all students, faculty, staff, and visitors to observe, adhere to, and respect the College's Smoke free policy. Students, faculty, and staff are encouraged and empowered to respectfully inform others about the policy in an ongoing effort to support the FSCC's goal of becoming smoke-free and improving individual health and well-being. "Smoking and Smoke products" include, but are not limited to, inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, hookah, or similar product containing lighted or heated tobacco and/or other plant material intended for inhalation, including marijuana, whether natural or synthetic, in any manner or in any form, as well as electronic delivery devices that create an aerosol or vapor of nicotine or any other substance. Smoking and/or tobacco products as defined herein shall not be permitted in any enclosed place, including, but not limited to, all offices, vehicles, classrooms, hallways, waiting rooms, restrooms, meeting rooms, community areas, performance venues, and private residential space within FSCC housing. Smoke products as defined herein shall also be prohibited

outdoors on all FSCC campus properties, including, but not limited to, parking lots, paths, fields, sports/recreational areas, and stadiums.

Theft/Vandalism

Theft or damage to college or other's property will subject students to college disciplinary measures and potential legal action.

Traffic Laws and Regulations

All local and state regulations are in effect on campus 24 hours a day. City, county, and state law enforcement agencies have jurisdiction on campus. All laws and regulations are strictly enforced to assure safety.