
STUDENT CODE OF CONDUCT

Students attending UBTEch shall conduct themselves in a manner consistent with customary standards of employment. Faculty and staff of UBTEch are committed to providing all students a positive learning environment where employment skills can be learned in a safe atmosphere. Consistent with this philosophy, is the general expectations that fellow students, faculty and staff are to be treated in a polite, respectful manner.

The following are considered unacceptable and are not permitted for any students attending UBTEch, while on College owned or controlled property, while on externship assignment, or while representing the College in the community:

Alcohol and Controlled Substances: Use of alcohol and drugs not prescribed to the holder. Use of, possession of, or trafficking of controlled substances or drug-related paraphernalia (illegal drugs) in class or on the premises.

Animals: Animals are not allowed in college facilities unless they are service animals.

Assault: Knowingly or recklessly causing or attempting to cause serious physical harm to another. This includes any threat or act of violence intended to harass, frighten, cause harm, or emotional duress.

Cheating: Cheating is a serious offense, and will be punished by penalties that are deemed appropriate. Repeat offenses are punishable by penalties including expulsion from the College. Plagiarism is considered a form of cheating.

Copyright: Violating copyright laws, illegal photocopies, downloading, peer to peer file sharing of copyrighted materials. Copyright violations may subject violators to civil and criminal liabilities. Summary of Civil and Criminal Penalties for Violation of Federal Copyright Laws.

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.

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.

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 Web site of the U.S. Copyright Office at www.copyright.gov, especially their FAQ’s at www.copyright.gov/help/faq.

Destruction of Property: Intentionally or recklessly damaging, destroying, defacing or tampering with the property of the UBTEch or the property of another person or entity.

Dishonesty and Misrepresentation: Knowingly or recklessly furnishing false information to College officials, faculty and/or staff. This includes forgery or alteration of College documents, records or identification. This also includes presenting others work as one's own.

Disturbing the Peace: Knowingly or recklessly disturbing the peace of the College including, but not limited to, disorderly conduct, failure to comply with an order to disperse, fighting, quarreling and or being intoxicated.

Dress Code: Students should dress appropriately for the occupational environment for which they are training and to start acquiring wardrobes suitable for employment. Clothing should be appropriate for safety and effective performance of tasks in the area of training in which they are enrolled. Dress code may vary between training programs. Clothing must be clean and shall not be immodest, obscene, or create a hostile training or work environment for other individuals or themselves. While it is not our intention to tell students how to dress, there are a few guidelines that we expect UBTEch students to follow:

- Shirts and shoes are to be worn at all times.
- Clothing should not be revealing or offensive as to cause disruption of normal college and classroom activities.
- Both the individual and his/her clothes should be clean so as not to offend others.

Harassment: UBTEch is committed to providing students an environment that is free of harassment and discrimination. In compliance with all federal, state, and local laws the College prohibits all forms of harassment, discrimination and related inappropriate conduct on campus, at College operated facilities or programs, or College related activities by any student, college employee or third party member. Harassment or discrimination in any form shall be grounds for immediate and appropriate disciplinary action. This policy explains proper procedures for investigation, and identifies sanctions for violations.

1. Harassment: Conduct that has the purpose or foreseeable effect of unreasonably interfering with an individual's educational performance or wellbeing. Harassment may include but not be limited to:
 - a. verbal or physical conduct that denigrates or shows hostility towards an individual because of that individual's race, color, religion, gender, national origin, age, or disability or the race, color, religion, gender, national origin, age, or disability of his/her friends, relatives or associates when it has the purpose or effect of:
 - i. Creating an intimidating, hostile or offensive environment; or
 - ii. Unreasonably interfering with a student's academic performance or wellbeing; or
 - iii. Otherwise adversely affecting a student's academic opportunities.
2. Consent - Per 10 U.S. Code § 920 - Art 120,
 - a. "Consent" means freely given agreement to the conduct at issue by a competent person. An expression of lack of consent through words or conduct means there is no consent. Lack of verbal or physical resistance or submission resulting from the use of force, threat of force, or placing another person in fear does not constitute consent. A current or previous dating or social or sexual relationship by itself or the manner of dress of the person involved with the accused in the conduct at issue shall not constitute consent.

- b. A sleeping, unconscious, or incompetent person cannot consent. A person cannot consent to force causing or likely to cause death or grievous bodily harm or to being rendered unconscious. A person cannot consent while under threat or in fear.
 - c. Lack of consent may be inferred based on the circumstances of the offense. All the surrounding circumstances are to be considered in determining whether a person gave consent, or whether a person did not resist or ceased to resist only because of another person's actions."
 3. Sexual Harassment: Any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, if it creates an intimidating, hostile or offensive environment or interferes with student educational or work performance or wellbeing. Sexual harassment can be verbal, nonverbal, physical, or written.
 - a. Sexual harassment can include unwelcome sexual remarks or compliments, sexual jokes, sexual innuendos or propositions, sexually-suggestive facial expressions, kissing, touching, and sexual contact.
 4. Sexual Violence: A severe form of sexual harassment, and refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent, including, but not limited to rape, sexual assault, sexual battery, sexual coercion, or similar acts.
 5. Relationship/Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Relationship violence can exist without the presence of physical abuse.
 6. Domestic Violence: Crimes of violence committed against a victim by a current or former spouse or intimate partner.
 7. Retaliation: Any adverse action taken by a member of the College faculty, staff, or student body against any individual on the basis of a Good Faith Report made by such individual or on the basis of such individual's participation in an investigation by the College or law enforcement.
 8. Stalking: Is a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her safety or the safety of others, or to suffer emotional distress. Stalking may include repeatedly following, harassing, threatening, or intimidating another.
 9. Other unlawful harassment is verbal or physical conduct that denigrates or shows hostility towards an individual because of that individual's race, color, religion, gender, national origin, age, or disability or the race, color, religion, gender, national origin, age, or disability of his/her friends, relatives or associates when it has the purpose or effect of:
 - a. Creating an intimidating, hostile or offensive environment; or
 - b. Unreasonably interfering with a student's academic performance; or
 - c. Otherwise adversely affecting a student's academic opportunities.
 10. Anyone who believes she or he has been the subject of harassment should feel free to object to the behavior and should immediately report the incident to an appropriate official. Appropriate officials are:
 - a. A Department Head, Vice President, Executive Assistant to the President or the Campus President.
 11. The College shall conduct a prompt and thorough investigation of the alleged incident. The alleged offender and the complainant shall have the right to have an advisor, lawyer, or witnesses at the interview.

The college official will:

- a. Interview the complainant to establish the basic facts and identify witnesses and physical evidence, if any.
 - i. A detailed written complaint must be obtained.
 - b. Interview the alleged offender, to allow the alleged offender an opportunity to admit, deny or explain each allegation in the complainant's statement and identify witnesses or physical evidence, if any. The alleged offender will be instructed not to discuss the incident or the complaint with the complainant.
 - c. Interview any witnesses. Witnesses will be informed that any matters that are discussed will be handled as discretely as possible.
 - d. The College will use a preponderance of the evidence standard in determining if a violation of the policy occurred.
12. When the appropriate College official has determined an offense has occurred, action shall be taken as follows:
- a. When the offender is a student, the discipline shall be commensurate with the offense. (See Sanctions for Misconduct)
 - b. Written notification of the judgement will be given to both the respondent and the complainant
 - c. If the offense is a violation of the law the matter will be referred to local Law Enforcement.
13. Any conduct which could reasonably be perceived as retaliatory, such as accosting, calling or writing to the complainant or encouraging third parties to harass the complainant because of her/his complaint is prohibited and shall be considered an independent violation of this policy.
14. Victims have the right to request changes to their academic situation, such as change of program or campus if the program is available on another campus or to request a leave of absence.

Information Technology: Misuse of, theft, unauthorized access or abuse of the UBTech information technology including the violation of College internet access policies.

Insubordination: Failure to comply with reasonable requests from persons in authority.

Parking: Parking on UBTech grounds is a privilege. Students must comply with all parking and driving regulations on campus. Failure to comply may result in loss of parking privileges, towing or parking fines.

Safety Equipment: Misuse of: Unauthorized use or alteration of firefighting equipment, safety devices, alarms, fire extinguishers or other emergency device.

Sexual Misconduct: Engaging in sexual activities on school premises or during school activities, on or off the college campus.

Theft: Theft of the property or services of the College or any person or entity.

Tobacco Use: In keeping with UBTech's intent to provide a safe and healthful environment, tobacco is prohibited on school property. This policy applies equally to all employees, students, and visitors.

Trespass or Forcible Entry: Trespass, or forcible entry into any College building, structure or facility or onto College property.

Truancy: Secondary students who are found loitering during class hours anywhere on UBTech property, including classrooms or labs where they are not officially enrolled, will be considered truant and will be subject to disciplinary sanctions and will be referred to law enforcement.

Unauthorized Visitors: The presence, in classrooms, labs or assessment areas, of visitors, including children, without proper authorization. Children must be attended at all times.

Unsafe Practices: Physical harm to others or self, threat of physical harm to others or self, and dangerous or abusive usage of tools and materials. This also includes unsafe operation of private vehicles on school property and any other unsafe practice.

Weapons: Unauthorized possession or use of a firearm, or explosive device of any description and/or anything used to threaten or harm including but not limited to firecrackers, compressed air-guns, pellet guns, BB guns, paint guns, water guns.

SANCTIONS FOR MISCONDUCT

The following sanctions may be imposed upon any student found to have violated the Student Code of Conduct. The level of sanction imposed upon the student will be commensurate with the severity of the violation.

A student's record of conduct may be considered when determining the appropriate sanction to be imposed. Minor infractions occurring within programs will normally be handled by the program instructor or department head. The Vice President of Student Services or his/her designee is in charge of applying college wide sanctions for student misconduct. More than one sanction may be imposed from the list for any single violation.

Infractions that violate state or federal laws will be referred to appropriate law enforcement authorities.

Warning: A warning is a verbal or written reprimand for violating a College regulation or policy. The warning advises a student that any further violations may result in more stringent disciplinary action.

Probation: Probation involves the imposition of specified restrictions which deprive the student of various privileges for a stated period of time. The extent of the restrictions and the length of the period of time are to be determined by the magnitude of the offense. Probation is considered a serious matter and further infractions of College rules and regulations subject a student to possible suspension or expulsion.

Suspension: A student who receives a suspension will be excluded from the College facilities and all College-related activities for a stated period of time. To be considered for readmission, the student must present an application for readmission to the Vice President of Student Services and may be required to meet additional criteria for continued enrollment.

Expulsion: Any student who receives expulsion will be permanently excluded from UBTech. Once a student has been expelled, he or she is not eligible for readmission.

APPEAL OF SANCTIONS

Students have the right to appeal sanctions imposed by UBTech. Appeals should be directed in writing to the office of the Campus President. The Campus President will designate an appropriate person to serve

as the Appeals Officer. The student shall have five College days from receiving the initial sanction to request an appeal. The decision of the Appeals Officer will be final.

An appeal shall be limited to a review of the records of the initial hearing, supporting documents from which the decision was made, and any additional new evidence. The appeals officer shall consider:

- a. Whether the original hearing was conducted fairly in light of charges and evidence presented, and in conformity with prescribed procedures.
- b. Whether the decision reached was based on substantiated evidence to establish that a violation occurred.
- c. Whether the sanctions imposed were appropriate for the violation the student committed.

*In order to consider new evidence, the evidence must be sufficient to alter a decision.

STUDENT GRIEVANCE PROCEDURE

Uintah Basin Technical College strives to maintain a positive and professional learning environment for its students. This standard for excellence is monitored on an ongoing basis through feedback from students.

Open communication is essential in resolving issues of contention. Students are therefore strongly encouraged to discuss and to work out any difficulty or misunderstanding with the particular instructor or staff member with whom that situation exists.

Should you have cause for concern in this area, you are encouraged to follow the procedure listed below in a timely manner:

1. An attempt should be made to resolve the disagreement at an informal level among the parties involved.
2. If you cannot resolve the issue at an informal level, you have the right to submit a grievance to the Vice President of Instruction for binding resolution. Formal grievances must be submitted in writing by the student to the Vice President of Instruction within ten days of the incident. The complaint, including a list of witnesses with firsthand knowledge and/or understanding of the issues involved, must be signed, dated and submitted at this time. Other parties to the grievance may also submit a statement responding to the grievance with witnesses listed.
3. The Vice President of Instruction or his/her designee will meet with the parties involved to resolve the issue. The Vice President of Instruction or his/her designee will provide a written statement of resolution to the parties involved within ten days of the meeting.
4. If this decision is disputed by either party, they may appeal the decision in writing to the Vice President of Student Services within ten days stating their reasons for the appeal. All relevant information will then be forwarded within one working day to the Vice President of Student Services.
5. An appeal shall be limited to a review of the records of the initial hearing, supporting documents from which the decision was made, and any additional new evidence. The Vice President of Student Services or his/her designee will review:
 - a. Whether the original hearing was conducted fairly in light of charges and evidence presented, and in conformity with prescribed grievance procedures.
 - b. Whether the decision reached was based on substantiated evidence.

c. Whether any sanction imposed was appropriate.

*New evidence must be sufficient to alter a decision, or it will not be considered during the appeal.

The Vice President of Student Services or his/her designee will review the complaint and render a final decision within ten days of hearing the complaint. The student will receive a written response. The decision of the Vice President of Student Services or his/her designee is final. In the case of a sexual harassment or sexual violence complaint, notification of the outcome will be provided to both the respondent and the complainant.

A copy of all written grievances will be placed in the College's student grievance file

After you have exhausted all grievance procedures at UBTECH and you believe the resolution of the problem has a material defect, you may file a complaint certification with the Council on Occupational Education. Contact the Executive Assistant to the Campus President to obtain a Complaint Certification form. The form, and all supporting documentation, must be submitted to the Council on Occupational Education within 14 days of the notification date for the decision from the Vice President of Student Services or his/her designee.

Council on Occupational Education
7840 Roswell Road, Building 300, Suite 325
Atlanta, GA 30350
Telephone:(770) 396-3898 FAX: (770) 396-3790 www.council.org

STUDENT CONSUMER COMPLAINTS

Students who have complaints against the college relating to fraud, false advertising, or other deceptive practices can file a complaint with the Utah Division of Consumer Protection, 160 East 300 East, 2nd Floor, Salt Lake City, UT 84111, Telephone No. 801-530-6601, Toll Free in Utah at 1-800-721-SAFE or online at www.dcp.utah.gov/complaints/index.html. In addition, students involved with distance and correspondence education can file a complaint with their state's enforcement authority. are covered by the student code of conduct should follow the college's process for filing a complaint. The student code of conduct is found at www.ubatc.edu/students/code-conduct.php

Students who have complaints relating to the college's quality of education or other issues appropriate for its accrediting body to consider, can file a complaint with the Council on Occupational Education at:

Council on Occupational Education
7840 Roswell Road, Building 300, Suite 325
Atlanta, GA 30350
Telephone:(770) 396-3898 FAX: (770) 396-3790 www.council.org

Copies of documents describing the college's accreditation and state approval are available for review upon request.