

Student Rights and Code of Conduct

Policy Number: AI – 008

Purpose

The purpose of the Student Code of Conduct is to outline the expectations regarding student behavior and to assist in the maintenance of a productive, safe educational environment.

When students violate college regulations, they are subject to disciplinary action by the college whether or not their conduct violates the law. If a student's behavior simultaneously violates both college regulations and the law, the college may take disciplinary action independent of that taken by legal authorities.

Student Rights

Legal Rights

All rights and privileges guaranteed to every citizen by the Constitution of the United States and by the state of North Carolina shall not be denied any student. Furthermore, SCC shall adhere to all of the statutes of the United States and the state of North Carolina.

Rights of the Learner

- A. Students have the right to freedom of expression, inquiry, and assembly without restraint or censorship subject to reasonable and nondiscriminatory rules and regulations regarding time, place, and manner.
- B. Student performance will be evaluated solely on an academic basis, not on opinions or conduct in matters unrelated to academic standards.
- C. Students have the right to inquire about and to propose improvements in policies, regulations and procedures affecting the welfare of students through established student government procedures, campus committees, and college offices.

Freedom of Association

Students are free to organize, to join an association or organized club, or propose the creation of new clubs and association to promote students' program or career interest.

Student Records

The Family Educational Rights and Privacy Act of 1974 (FERPA) provides safeguards regarding the confidentiality of, and access to, student records. FERPA policies are described in more detail in the Student Records Policy.

Due Process

Due process procedures are established to guarantee a student accused of a student code of conduct violation the right to a hearing, a presentation of charges, evidence for charges, the right to present evidence, the right to have witnesses on one's behalf and to hear witnesses on behalf of the accuser(s), the right to counsel, and the right of appeal. No disciplinary sanctions other than temporary removal from class or activity (only for duration of said activity) may be imposed upon any student without due process.

Student Code of Conduct

The following violations include, but not limited to the following conduct:

Academic Dishonesty, Cheating, and Plagiarism

For more information regarding cheating and plagiarism, please refer to the *Cheating and Plagiarism Policy*.

Damage, Destruction or Theft of College Property

Theft of, misuse of, or damage to college property, or theft of or damage to property of a member of the college community, or a campus visitor on college premises or at college functions; unauthorized entry upon the property of the college or into a college facility or a portion thereof which has been restricted in use and thereby placed off limits; unauthorized presence in a college facility after closing hours; occupation or seizure in any manner of college property, a college facility or any portion thereof for a use inconsistent with prescribed, customary or authorized use.

Alcohol on Campus

For more information regarding alcohol on campus, please refer to the *Drug and Alcohol Use/Abuse Policy*.

Drugs on Campus

Possession, use, or distribution of any illegal drugs, except as expressly permitted by law is prohibited. Any influence which may be attributed to the use of drugs shall not in any way limit the responsibility of the individual for the consequences of his/her actions. For more information regarding drugs on campus, please refer to the *Drug and Alcohol Use/Abuse Policy*.

Weapons on Campus

Possession or use of a weapon, as defined by State law, on College premises or at College-sponsored or College-supervised functions, as prohibited under North Carolina General Statute §14-269.2. This includes carrying a concealed weapon on campus or to a College-sponsored activity even though in possession of a valid permit. Exceptions may apply to on-duty law enforcement officers attending College classes or activities. This also includes unauthorized use of any instrument designed to inflict serious bodily injury to any person.

Disruption and Disorderly Conduct

A student shall not engage directly or aid and abet in lewd or indecent conduct, including public physical or verbal action or distribution of obscene or libelous written material. Intentional obstruction or disruption of teaching, research, administration or disciplinary proceedings or other college activities, including public service functions and other duly authorized activities on college premises will not be tolerated. This also includes excessive use of profanity, obscene and offensive language and conduct. A student on campus shall promptly identify himself to a SCC official or campus police officer at all times upon reasonable request. Forgery, alteration, or misuse of college documents, records, or instruments of identification with intent to deceive is a violation.

Verbal, Physical, and Emotional Abuse

A student shall not intentionally cause, or attempt to cause any verbal, physical, or emotional abuse of any person on college premises, at college sponsored, or college supervised functions. This includes any verbal or physical actions which threaten or endanger the health and safety of any such persons, the educational process, or which promote hatred or racial prejudice. This includes acts of bullying, hazing, and cyber-bullying. The North Carolina General Statute §14-35 defines hazing and the punishment set forth for hazing. The North Carolina General Statutes §14-458.1 defines cyber-bullying and the punishment set forth for cyber-bullying.

Gender-Based and Sexual Misconduct

Sexual misconduct or inappropriate sexual behavior, both consensual and non-consensual, including but not limited to inappropriate displays of affection, sending graphic or sexually explicit materials through electronic and digital media, explicit behavior, sexual violence, sexual harassment, sexual discrimination, domestic violence, intimate partner violence, dating violence, stalking, public sexual indecency, or indecent exposure on College property is prohibited. Any act, comment, or behavior which is of a sexually suggestive or harassing nature and which in any way interferes with a student's or an employee's performance or creates an intimidating, hostile or offensive environment is also prohibited. For more information regarding gender-based and sexual misconduct, please refer to the *Gender-Based and Sexual Misconduct Policy*.

Other Types of Harassment and Discrimination

For more information regarding other types of harassment and discrimination, please refer to the *Harassment and Discrimination Policy*.

Technology Usage

For more information regarding technology usage on campus, please refer to the *Information Technology Acceptable Use Policy, Electronic Signature Policy, and Copyright Infringement Policy*.

Free Speech and Public Assembly

Participating in or conducting an assembly, demonstration or gathering in a manner which threatens or causes injury to person or property; which interferes with free access to, ingress or egress of college facilities; or which is harmful, obstructive or disruptive to the educational process or institutional functions of the college; remaining at the scene of such an assembly after being asked to leave by a representative of the college staff. For more detailed information, please refer to the *Free Speech and Public Assembly Policy*.

Tampering with Fire Alarms and Emergency Equipment

Setting off a fire alarm, using, or tampering with any fire safety equipment, except with reasonable belief in the need for such alarm or equipment is a violation. Using or tampering with an Automated External Defibrillator (AED) device, except with reasonable belief in the need for such alarm or equipment is also violation.

Tobacco Free Campus

No student, faculty, staff, or intutional visitor is permitted to use any tobacco products on the College grounds and leased property. Tobacco products include cigarettes, cigars, blunts,

bidis, pipes, chewing tobacco, snuff, and any other items containing or reasonably resembling tobacco or tobacco products. This prohibition also includes any electronic oral device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, or any other product name or designation. For more detailed information, please refer to the *100% Tobacco-Free School Policy*.

Parking Violations

Violation of college regulations regarding the operation and parking of motor vehicles.

Financial Responsibility

Fiscal irresponsibility such as failure to pay college levied fines, or the passing of worthless checks to college officials. The college will not accept checks from students who have written the college a check with insufficient funds.

State and Federal Laws

Violation of a local, state or federal criminal law on college premises may adversely affect the college community's pursuit of its proper educational purposes; therefore, a student should not violate any state or federal laws while on the campus of SCC, or while attending an SCC activity, function, or event off the ground of SCC.

Dress Code

Students may dress informally while at SCC, but cleanliness and neatness of appearance must be maintained. Shirts and shoes are required at all times while the student is on campus or at all times while such student is attending a SCC activity, function or event off SCC grounds. Clothing that has vulgarities, lewd acts or comments, incites racial or ethnical prejudice, or infringes on religious freedom should not be worn. Special technical or vocational credit programs, such as the health or technical programs, may require special attire for clinical, laboratory, or shop areas. A student shall not attend classes or laboratory work conducted in the clinical, laboratory, or shop areas if such student is in violation of the attire codes for such areas.

Violations of the Student Code of Conduct

Immediate Dismissal of Students

If an act of misconduct threatens the health or well-being of any member of the academic community or seriously disrupts the function and good order of the college, an instructor, campus police, or administrator may direct students involved to cease and desist such conduct and advise them that failing to cease and desist could result in immediate dismissal from school. If the students fail to cease and desist, the instructor, campus police, or administrator may then dismiss them from the class or the college until a resolution of the matter can be made. Prior to dismissal, the student(s) shall be given the opportunity to explain his or her conduct to the instructor, campus police, or administrator.

An instructor, campus police, or administrator invoking such dismissal shall notify the Chief Academic Officer and Curriculum programs, in writing of the individuals involved and the nature of the infraction as soon as possible, but no more than two (2) days following the incident. The Chief Academic Officer and Curriculum Programs is responsible for reviewing the dismissal and implementing the student discipline procedures as outlined below.

Discipline Issues Occurring Inside the Classroom

Faculty members are responsible for classroom management. When students are disrupting the learning environment (talking during class, playing with phones or other devices, etc.), faculty members will address the situation at the lowest level possible. If the student continues the disruptive behavior, the faculty may refer the student to the Division Chair/Director of the program.

The Division Chair/Director may decide that the student's ongoing disruptive classroom behavior warrants removal from the course. If the Division Chair/Director recommends that the student should be removed from the course, the Division Chair/Director will file a written code of conduct charge against the student with the Vice President of Academic Affairs. The Vice President of Academic Affairs, in consultation with the Vice President and the Vice President of Corporate and Continuing Education, will implement student discipline procedures as outlined below.

Discipline Issues Unrelated to the Classroom

Any administrative official, campus police officer, faculty member, staff member, or student may file charges with the Vice President of Academic Affairs against any student or student organization for violations of college regulations.

Sanctions

When the accused is found to be in violation of this policy, sanctions will be issued to the accused to correct the behavior and to reasonably ensure that the actions will not be repeated. The Vice President of Academic Affairs may apply the following sanctions as appropriate:

Verbal Warning

A verbal warning which if the student continues or repeats a specific behavior/condition further disciplinary action will be taken.

Reprimand

A written communication which gives official notice to the student that any subsequent offense against the Student Code of Conduct will carry heavier penalties because of this prior infraction.

General Probation

An individual may be placed on General Probation when involved in a minor disciplinary offense. General Probation has two important implications: The individual is given a chance to show his/her capability and willingness to observe the Student Code of Conduct without further penalty; secondly, if he/she errs again, further action will be taken. This probation will be in effect for no more than two semesters.

Restrictive Probation

Restrictive Probation results in loss of good standing and becomes a matter of record. Restrictive conditions may limit activity in the college community. Generally, the individual will not be eligible for initiation into any local or national organization and may not receive any college award or other honorary recognition. The individual may not occupy a position of leadership or responsibility with any college or student organization, publication, or activity. This probation will be in effect for not less than two semesters. Any violation of

Restrictive Probation may result in immediate suspension.

Restitution

The student must pay for damaging, misusing, destroying or losing property belonging to the college, college personnel, or students.

Interim Suspension

Students will be excluded from class and/or other privileges or activities as set forth in the notice, until a final decision has been made concerning the alleged violation.

Loss of Academic Credit or Grade

This punishment is imposed as a result of academic dishonesty as determined by the Academic Appeal Policy.

Withholding Transcript, Diploma, or Right to Register

This sanction is imposed when financial obligations are not met.

Suspension

The student is excluded from class or classes and/or all other privileges or activities of the college for a specified period of time. This sanction is reserved for those offenses warranting discipline more severe than probation or for repeated misconduct. Students who receive this sanction must get specific written permission from the Vice President of Academic Affairs before returning to the college campus.

Expulsion

The student is dismissed from campus for an indefinite period. The student loses his/her student status. The student may be readmitted to the college only with the approval of the President.

Group Probation

This sanction is given to a college club or other organized group for a specified period of time. If group violations are repeated during the term of the sentence, the charter may be revoked or activities restricted.

Group Restriction

A club or other organization is removed from college recognition during the semester in which the offense occurred or for a longer period (usually not more than one other semester). While under restriction, the group may not seek or add members, hold or sponsor events in the college community, or engage in other activities as specified.

Group Charter Revocation

This sanction involves removal of college recognition for a group, club, society, or other organization for a minimum of two years. Re-charter after that time must be approved by the President.

Student Disciplinary Process

Surry Community College will use the Civil Rights Investigation Model to handle all grievance issues pertaining to student misconduct. This process will ensure a prompt, thorough, fair, and impartial investigation and resolution for all parties involved. For more information regarding the grievance process, please see the *Student and Employee Grievance Process Policy*.

Adopted by the Board of Trustees, June 08, 2015