



# STUDENT SUCCESS: STUDENT RIGHTS AND POLICIES



# STUDENT RIGHTS, STANDARDS OF STUDENT CONDUCT, DISCIPLINE, APPEAL, AND GRIEVANCE PROCEDURES

## 1. PREAMBLE

Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students, and the well-being of society. Free inquiry and free expression are indispensable to the attainment of these goals. As members of this academic community, students are encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth. Freedom to teach and freedom to learn are inseparable facets of academic conditions in the classroom, on the campus, and in the community. Students should exercise their freedom with responsibility. As members of the larger community of which the College is part, students are entitled to all rights and protection accorded them by the laws of that community.

By the same token, students are also subject to all laws, the enforcement of which is the responsibility of duly constituted authorities. When students violate laws, they may incur penalties prescribed by legal authorities. In such instances, college discipline will be initiated only when the presence of the student on campus will disrupt the educational process of the College. However, when a student's violation of the law also adversely affects the College's pursuit of its recognized educational objectives, the College may enforce its own regulations. 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.

## 2. STUDENT RIGHTS

- A. 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.
- B. Students are free to pursue their educational goals. Appropriate opportunities for learning in the classroom and on the campus shall be provided for by the College. 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 freedom of expression, inquiry, and assembly without restraint or censorship subject to reasonable and nondiscriminatory rules and regulations regarding time, place, and manner.
- D. 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.
- E. The Family Educational Rights and Privacy Act of 1974 provides safeguards regarding the confidentiality of and access to student records, and this Act will be adhered to by the College. Students and former students have the right to review their official records and to request a hearing if they challenge the contents of these records. No records shall be made available to unauthorized personnel or groups outside the College without the written consent of the student involved, except under legal compulsion (see Student Records Policy).

- F. No disciplinary sanctions other than temporary removal from class or activity (only for duration of said activity) may be imposed upon any student for nonacademic misconduct without due process. Due process procedures are established to guarantee a student accused of a Standards of Student Conduct violation the right of a hearing, presentation of charge(s), 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 to appeal. Appeals involving disciplinary sanctions for academic misconduct are subject to the due process outlined in Section 8 Appeals Procedure for Academic Matters.

## 3. STANDARDS OF STUDENT CONDUCT

The College reserves the right to maintain a safe and orderly educational environment for students and staff. Therefore, when in the judgment of college officials, a student's conduct disrupts or threatens to disrupt the college community, appropriate disciplinary action will be taken to restore and protect the sanctity of the community.

Students are expected to conduct themselves in accordance with generally accepted standards of scholarship and morality. The purpose of these standards is not to restrict student rights but to protect the rights of individuals in their academic pursuits.

The following regulations set forth offenses for which disciplinary proceedings may be initiated. Violation of one or more of the following regulations may result in one of the sanctions described in Section 5.

### A. Academic Misconduct

Academic misconduct includes but is not limited to the following:

1. Cheating - Cheating is defined as committing fraud and / or deception in the academic environment. Examples include:
  - a. Taking or acquiring possession of any academic material (test information, research papers, notes, etc.) from a member of the College staff or student body without permission.
  - b. Receiving or giving help during tests; collaborating with another student during a test without authority.
  - c. Copying from another student's test.
  - d. Using, during a test, materials not authorized by the person giving the test.
  - e. Using, buying, selling, stealing, transporting, or soliciting a whole or part of the contents of an un-administered or administered test.
  - f. Substituting for another student or permitting another student to substitute relative to a test or examination.
  - g. Bribing another person to obtain an un-administered or administered test.
  - h. Obtaining another student's work and submitting it as one's own.
  - i. Allowing another student to submit his/her work as one's own.
2. Plagiarism - Plagiarism is defined as appropriation of another's work and the unacknowledged incorporation of that work in one's own written work offered for credit.
3. Unacceptable Collaboration - Unacceptable collaboration is defined as working with other students on academic assignments, tests, papers, etc. without express permission or authority from the College staff. Examples include:
  - a. Submitting work as one's own that was prepared in whole or in part by another student.
  - b. Working together on assignments, tests, papers, etc. and representing results as one's own work, rather than as a collaborative effort.
4. Aiding and Abetting Dishonesty - Aiding and abetting dishonesty is defined as assisting someone else in committing an act of academic misconduct, whether through deliberate or inadvertent actions of one's own. Examples include:
  - a. Allowing another student to view, copy, or otherwise use one's own work in the completion of his/her work.
  - b. Helping another student complete tests, assignments, papers, etc. without express permission from a member of the College staff.

**B. Nonacademic Misconduct**

1. Theft, misuse, damage or defacing of college property, or theft or damage of 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.
2. Possession or consumption of alcoholic beverages or being in a state of intoxication on the College campus or at college-sponsored or supervised functions off campus or in college-owned vehicles. Manufacture, possession, use or distribution of any illegal drugs, except as expressly permitted by law. Any influence which may be attributed to the use of drugs or of alcoholic beverages shall not in any way limit the responsibility of the individual for the consequences of his/her actions (see Drug and Alcohol Policy).
3. Lewd or indecent conduct, including public physical or verbal action or distribution of obscene or libelous written material.
4. Mental or physical abuse of any person on college premises or at college-sponsored or college-supervised functions, including verbal or physical actions which threaten or endanger the health or safety of any such persons or which promote hatred or racial prejudice.
5. Any act, comment, or behavior which is of a sexually suggestive or harassing nature; and/or which interferes with a student's or an employee's performance or creates an intimidating, hostile, or offensive environment; and/or any action intended to result in the trading of sexual favors for any other consideration.
6. 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.
7. 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.
8. 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; which is harmful, obstructive or disruptive to the educational process or institutional functions of the College; holding rallies, demonstrations, or any other form of public gathering without prior approval of the College; remaining at the scene of such an assembly after being asked to leave by a representative of the college staff.
9. Possession or use of a firearm, incendiary device or explosive, except in connection with a college-approved activity. This also includes unauthorized use of any instrument designed to inflict serious bodily injury to any person.
10. Setting off a fire alarm or using or tampering with any fire safety equipment, except with reasonable belief in the need for such alarm or equipment.
11. Gambling on the college premises.
12. Smoking and/or using other forms of tobacco products in classrooms, shops, labs, offices or other unauthorized areas.
13. Violation of college regulations regarding the operation and parking of motor vehicles, the registration of student organizations, or use of college facilities.
14. Forgery, alteration, or misuse of college documents, records, or instruments of identification with intent to deceive.
15. Failure to comply with instructions of college officials acting in performance of their duties.
16. Violation of the terms of disciplinary probation or any college regulation during the period of probation.
17. Fiscal irresponsibility such as failure to pay college-levied fines, failure to repay college-funded loans, or the passing of worthless checks, drafts, or orders to college officials. A student's failure to pay the College the amount due on a check, draft or order, on or before the fifth class day after the day the Business Office sends written notice that the drawee has rightfully refused payment on the check, draft or order, is prima facie evidence that the student intended to defraud the College.
18. Violation of a local, state, or federal criminal law on college premises adversely affecting the college community's pursuit of its proper educational purposes. Knowingly giving false information in response to requests from the College.
19. Violation of college policy as to the use of college computers and/or software, and/or the use of same to access and/or distribute pornographic materials, photos, etc.

**4. DISCIPLINE PROCEDURE****A. Immediate Suspension**

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 or administrative officer may direct student(s) involved to cease and desist such conduct and advise them that failing to cease and desist will result in immediate suspension. If the student(s) fail to cease and desist, the instructor may then suspend the student(s) from the class. An administrative officer may suspend the student(s) from either the class or the College until a resolution of the matter can be made.

The instructor or administrative officer invoking such suspension shall notify the vice president of Instructional Services in writing of the individual(s) involved and the nature of the infraction as soon as possible but no more than two days following the incident (for purpose of brevity, the title of "vice president" will refer to the vice president of Instructional Services throughout this section). The vice president shall resolve the matter in a timely fashion utilizing the steps outlined below in Section 4, C.

**B. Responsibility for Implementation**

The vice president is responsible for implementing student discipline procedures. In the event any discipline procedure conflicts with state or federal law, the state or federal law shall be followed, and the vice president shall refer the discipline matter to the appropriate official as outlined by state or federal law.

**C. Disciplinary Procedures**

In order to provide an orderly system for handling student disciplinary cases in accordance with due process and justice, the following procedures will be followed:

1. Charges: Any administrative official, faculty member, or student may file charges with the vice president against any student or student organization for violations of college regulations. The individual(s) making the charge must complete a charge form (available from the office of the vice president) stating:
  - a. Name of the student(s) involved.
  - b. Alleged violation of the standards of student conduct.
  - c. Time, place, and date of the incident.
  - d. Name of person(s) directly involved or witnesses to the infractions.
  - e. Any action taken that relates to the matter.
  - f. Desired solution(s).
2. Investigation and Decision: Within five working days after the charge is filed, the vice president shall complete a preliminary investigation of the charge and shall schedule a meeting with the student. After discussing the alleged infraction with the student, the vice president may act as follows:
  - a. Drop the charges.
  - b. Impose a sanction consistent with those shown in Section 5.
  - c. Refer the student to a college office or community agency for services.
3. Notification: The decision of the vice president shall be presented to the student in writing immediately following the meeting with the student. In instances where the student cannot be reached to schedule an appointment with the vice president or where the student refuses to cooperate, the vice president shall send a certified letter to the student's last known address providing the student with a list of charges, the vice president's decision, and instructions governing the appeal process (Section 6).

**5. SANCTIONS****A. Academic Misconduct**

An individual in violation of the academic misconduct policy will be subject to the following penalties, as determined by the instructor:

- a. Loss of grade for work in question.
- b. Loss of academic credit for course with a grade of "F" entered on the student's official transcript.
- c. Suspension from the College for a specified period of time to be determined by the vice president of Instructional Services.

The College will keep documentation of these sanctions.

Students who are found to be in violation of the academic misconduct policy may appeal any decision by following the Appeals Procedure for Academic Matters listed under Section 8 in the student handbook.

### B. Nonacademic Misconduct

1. Reprimand: A written communication which gives official notice to the student that any subsequent offense against the Standards of Student Conduct will carry heavier penalties because of this prior infraction.
2. General Probation: An individual may be placed on general probation when involved in a minor disciplinary offense. General probation has two important implications: first, the individual is given a chance to show capability and willingness to observe the Standards of Student Conduct without further penalty; and second, if the individual errs again, further action will be taken. This probation will be in effect for no more than one semester.
3. 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 sanction prohibits the student from officially representing the College or participating in any extra-curricular activities including intramural competitions. This probation will be in effect for no less than two semesters. Any violation of restrictive probation may result in immediate suspension.
4. Restitution: Paying for damaging, misusing, destroying or losing property belonging to the College, college personnel, or students. Restitution may take the form of appropriate service to repair or otherwise compensate for damages.
5. Interim Suspension: Exclusion 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.
6. Loss of Academic Credit or Grade: Imposed as a result of academic dishonesty.
7. Withholding Academic Records and/or the Right to Register: Withholding transcript, diploma, or the right to register or participate in graduation ceremonies imposed when financial obligations are not met or the student has a disciplinary case pending final disposition.
8. Suspension: Exclusion from class(es), 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 before returning to campus.
9. Expulsion: Dismissing a student from campus for an indefinite period and losing student status. The student may be readmitted to the College only with the approval of the president.

## 6. DISCIPLINARY APPEALS PROCEDURE

A student who disagrees with the decision of the vice president may request a hearing before the Appeals Committee. This request must be submitted in writing to the vice president within three working days after receipt of the vice president's decision. The vice president shall refer the matter to the Appeals Committee together with a report of the nature of the alleged misconduct, the name of the complainant, the name of the student against whom the charge has been filed, and the relevant facts revealed by the vice president's investigation.

### A. Committee Composition: Membership of the Appeals Committee shall be composed of the following:

1. Four faculty/staff members appointed by the president.
2. President of the Student Government Association.
3. Committee members will serve one year with replacements appointed by the president.

### B. Procedures for Hearings Before the Appeals Committee:

1. Procedural Responsibilities of the Vice President: The Appeals Committee must meet within 10 working days of receipt of a request for a hearing. At least five working days prior to the date set for the hearing, the chairperson shall send a certified letter to the student's last known address providing the student with the following information:
  - a. A restatement of the charge or charges.
  - b. The time and place of the hearing.
  - c. A statement of the student's basic procedural rights.
  - d. A list of witnesses.
  - e. The names of the Committee members.

On written request of the student, the hearing may be held prior to the expiration of the five-day notification period.

2. Basic procedural rights of students include the following:
  - a. The right to counsel. The role of the person acting as counsel is solely to advise the student. The counsel shall not address the Committee.
  - b. The right to produce witnesses on one's behalf.
  - c. The right to request, in writing, that the president disqualify any member of the Committee for prejudice or bias (the requests must contain reasons). A request for disqualification, if made, must be submitted at least three working days prior to the hearing. If such disqualification occurs, the appropriate nominating body shall appoint a replacement to be approved by the president.
  - d. The right to present evidence.
  - e. The right to know the identity of the person(s) bringing the charge(s).
  - f. The right to hear witnesses on behalf of the person bringing the charges.
  - g. The right to testify or to refuse to testify without such refusal being detrimental to the student.
  - h. The right to appeal the decision of the Committee to the president who will review the official record of the hearing. The appeal must be in writing and it must be made within five working days of the completion of the hearing.
3. The conduct of the Committee Hearings:
  - a. Hearings before the Committee will be confidential and shall be closed to all persons except the following:
    1. The student.
    2. Counsels.
    3. Witnesses who shall:
      - a. Give testimony singularly and in the absence of other witnesses.
      - b. Leave the committee meeting room immediately upon completion of the testimony.
  - b. The hearing will be recorded. Recordings will become the property of the College, and access to them will be determined by the chairperson of the Committee and the vice president. All recordings will be filed in the office of the vice president.
  - c. The Committee shall have the authority to adopt supplementary rules of procedure consistent with this code.
  - d. The Committee shall have the authority to render written advisory opinions concerning the meaning and application of this code.
  - e. Upon completion of a hearing, the Committee shall meet in executive session to determine concurrence or non-concurrence with the original finding and to recommend sanctions, if applicable.
  - f. Decisions of the Committee shall be made by majority vote.
  - g. Within two working days after the decision of the Committee, the vice president shall send a certified letter to the student's last known address providing the student with the Committee's decision.

**C. Appeal to the President**

A student who refuses to accept the findings of the Committee may appeal in writing to the president within five working days after receipt of the Committee's decision. The president shall have the authority to:

1. Review the findings of the proceedings of the Committee.
2. Hear from the student, the vice president, and the members of the Committee before ruling on an appeal.
3. Approve, modify, or overturn the decision of the Committee.
4. Inform the student in writing of the final decision within 10 working days of the receipt of the appeal.

**D. Appeal to the Board of Trustees**

Any party of the Appeals Committee hearing may request, in writing, a hearing before the Board of Trustees or a committee of the Board as an appeal of the president's decision within five working days of that decision. The Board of Trustees or a committee of the Board may review information to date and render a decision without the personal appearance before them of the parties of the Appeals Committee hearing or they may choose to have the parties involved in the hearing appear before them before rendering a decision. This decision of the Board will be made at the next regularly scheduled meeting of the Board following the incident.

**7. APPEALS PROCEDURE FOR NON-ACADEMIC MATTERS****A. Purpose**

The purpose of the Appeals Procedure for Non-Academic Matters is to provide a system to channel student complaints against faculty and staff concerning the following:

1. Admissions decisions.
2. Out-of-state classification for tuition purposes.
3. Alleged discrimination on the basis of age, sex, race, disability or other conditions, preferences or behavior, excluding sexual harassment complaints.
4. Sexual harassment complaints should be directed to the vice president. Because of the sensitive nature of this kind of complaint, a conference with the vice president will replace the first step of the Appeals Procedure for Non-Academic Matters. The vice president will counsel with the student to determine the appropriate action that is required. If the grievance is not resolved after this meeting, then the remainder of the Appeals Procedure for Non-Academic Matters will be followed.

**B. Grievance Steps**

1. The student must go to the instructor or staff member where the alleged problem originated. An attempt will be made to resolve the matter equitably and informally at this level. The conference must take place within five working days of the incident which generated the complaint.
2. If the grievance is not resolved at the informal conference, the student may file a written grievance. A grievance form shall be made available to the student by the vice president. The vice president will explain the grievance process to the student. The completed grievance form must be presented to the vice president within five working days after satisfying the first step in the grievance process. The vice president will then refer the grievance to the immediate supervisor involved. The supervisor shall respond in writing to the student within 10 working days of receipt of the grievance form.
3. If the written statement of the supervisor does not satisfy the grievant, a request to appear before the Appeals Committee for Non-Academic Matters may be made. The student must submit a written request within five working days after receiving the written response of the supervisor. The request shall include a copy of the original grievance form and the reason why the supervisor's response is unsatisfactory. A copy of the supervisor's response must be attached to the request by the student.

The vice president shall immediately notify the president who shall insure that the Appeals Committee for Non-Academic Matters is organized in a manner consistent with Section C of this procedure. The vice president will send copies of the appeal to the members of the Committee, the employee, and the

employee's supervisor. The employee against whom the grievance was filed shall be given an opportunity to respond in writing to the chairperson of the Committee.

Meeting(s) shall be conducted between five and 15 working days following the date of the request. A postponement may be granted by the chairperson upon written request of either party, if the reason stated justifies such action.

The Committee shall hold interviews with the grievant, the employee, and the supervisor, singularly, and in the absence of other witnesses. The Committee may interview any additional witnesses that it considers necessary to render a fair decision. The Committee shall decide by a majority vote the solution of the grievance. In case of a tie, the chairperson shall vote to break the tie. The Chairperson shall forward a copy of the Committee's decision to all parties involved and to the office of the president within two working days.

4. Either party may appeal the Committee's decision to the president within 10 working days of the Committee's decision. The president shall review the Committee's findings, conduct whatever additional inquiries that are deemed necessary, and will render a decision within 10 working days of receipt of the appeal.
5. The president's decision may be appealed by either party involved to the Board of Trustees within 10 working days of the president's decision. The Board of Trustees or a committee of the Board shall review any information to date, conduct whatever additional inquiries deemed necessary, and render a decision at its next regularly scheduled meeting following the incident.

**C. The Student Appeals Committee**

This Committee will not address academic complaints about grades, methods of instruction, or routine classroom policies and/or procedures.

**D. Rights of Parties Involved in a Grievance**

When a meeting of the Student Appeals Committee for Non-Academic Matters is scheduled, the parties involved are entitled to:

1. A written notice of the complaint.
2. A written notice of the time and place of the meeting. This notice shall be forwarded to all parties at least five working days prior to the meeting unless they waive this requirement.
3. Review all available evidence, documents, or exhibits that each party may present at the meeting.
4. Have access to the names of the witnesses who may testify.
5. Appear in person and present information on his/her behalf, call witnesses, and ask questions of any person present at the meeting.
6. The right to counsel. The role of the person acting as counsel is solely to advise the client. The counsel shall not address the Committee.

**8. APPEALS PROCEDURE FOR ACADEMIC MATTERS****A. Purpose**

The purpose of the Appeals Procedure for Academic Matters is to channel student complaints about grades, methods of instruction, and/or classroom policies or procedures.

**B. Grievance Steps**

1. The student must first discuss his or her complaint with the instructor at a mutually agreed upon time. If the complaint concerns a final grade in a course, the student must appeal this grade within the following semester.
2. If the situation is not resolved, the student may appeal in writing, explaining the grievance to the division head representing his/her program of study.

3. If the situation is still not resolved or if the division head is the student's instructor, the student may appeal in writing to the Academic Appeals Committee, which consists of the college division heads. If the student's instructor is one of the division heads, the vice president of Instructional Services will appoint another instructor to serve on the Academic Appeals Committee.
4. If the situation is still not resolved, the student may then appeal to the vice president of Instructional Services. The decision of the vice president is final.

## STUDENT ACCEPTABLE USE OF INFORMATION TECHNOLOGY RESOURCES POLICY

Access to Tri-County Community College's information technology resources is a privilege granted to you as a student in support of your studies. It is expected that these resources will be used efficiently and responsibly in support of the mission of the College as set forth in this policy. All other use not consistent with this policy may be considered unauthorized use.

You as a student are responsible for ensuring the confidentiality and appropriate use of institutional data to which you are given access, ensuring the security of the equipment where such information is held or displayed, ensuring the security of any accounts issued in your name, and abiding by privacy rights of students, faculty, and staff concerning the use and release of personal information, as required by the North Carolina public records law.

### Privacy

Because of the need to protect Tri-County Community College's network, management cannot guarantee the confidentiality of information stored on any network device belonging to Tri-County Community College. For security and network maintenance purposes, authorized individuals within Tri-County Community College or the state IT system may monitor equipment, systems and network traffic at any time, per the North Carolina public records law. Tri-County Community College reserves the right to audit networks and systems on a periodic basis to ensure compliance with this policy.

### Unacceptable Use

The following activities are, in general, prohibited. Under no circumstances is a student of Tri-County Community College authorized to engage in any activity that is illegal under local, state, federal, or international law while utilizing college-owned resources.

The lists below are by no means exhaustive, but attempt to provide a framework for activities which fall into the category of unacceptable use.

### System and Network Activities

The following activities are strictly prohibited, with no exceptions:

1. Violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the installation or distribution of "pirated" or other software products that are not appropriately licensed for use by Tri-County Community College.
2. Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which Tri-County Community College or the end user does not have an active license is strictly prohibited, unless that use falls under established academic fair use.
3. Exporting software, technical information, encryption software or technology, in violation of international or regional export control laws, is illegal.

4. Introduction of malicious programs into the network or server (e.g., viruses, worms, Trojan horses, e-mail bombs, etc.).
5. Revealing your account password to others or allowing use of your account by others.
6. Using a Tri-County Community College computing asset to actively engage in procuring or transmitting material that is in violation of any laws.
7. Making fraudulent offers of products, items, or services originating from any Tri-County Community College account.
8. Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which you are not an intended recipient or logging into a server or account that you are not expressly authorized to access. For purposes of this section, "disruption" includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.
9. Circumventing user authentication or security of any host, network, or account.
10. Installing unauthorized network or computer devices on college property. The installation of thumb drives, floppy disks, PDAs, or other USB devices are acceptable provided their use does not compromise the College's network.
11. Tampering with physical security devices in any campus computer lab.
12. Viewing, printing, relaying, publishing, copying, or saving of pornography.

### E-mail and Communications Activities

1. Sending unsolicited e-mail messages, specifically the sending of "junk mail" or other advertising material to individuals who did not specifically request such material (e-mail spam).
2. Any form of harassment via e-mail, telephone or paging, whether through language, frequency, or size of messages.
3. Unauthorized use or forging of e-mail header information.
4. Solicitation of e-mail for any other e-mail address, other than that of the poster's account, with the intent to harass or to collect replies.
5. Creating or forwarding "chain letters," "Ponzi," or other "pyramid" schemes of any type.

### Enforcement

Enforcement will be based upon receipt by the Information Technology Department of one or more formal complaints about a specific incident or through discovery of a possible violation in the normal course of administering information technology resources.

Repeated offenses and serious incidents of non-compliance may lead to college disciplinary action under college disciplinary policies and procedures for students, private civil action, and/or criminal charges. Serious incidents of non-compliance include but are not limited to unauthorized use of computer resources, attempts to steal passwords or data, copyright violations, unauthorized use or copying of licensed software, repeated harassment, creating or viewing obscene material or threatening behavior.

Appeals of college actions resulting from enforcement of this policy will be handled through existing disciplinary/grievance processes for Tri-County Community College students.

## ACADEMIC FREEDOM POLICY

The search for knowledge and the dissemination of that knowledge is the foundation upon which education rests. Academic freedom for faculty and students is the freedom to ask questions, seek answers, examine all pertinent data, question assumptions and conclusions, and present those answers within the structure of a given course and its objectives or a given program and its outcomes. Academic freedom is ultimately the freedom to teach and to learn, protected from institutional censorship. Freedom always exists alongside responsibility and academic freedom is no exception. This freedom carries with it the duties of intellectual honesty and sound judgment.

## INTELLECTUAL PROPERTY POLICY

Tri-County Community College, as an institution of higher learning, has a mission of helping students succeed. This mission lies in the creation and dissemination of knowledge and is not limited to any particular medium. As part of the everyday business of the College, many forms of intellectual property may be conceived, developed, and disseminated. While most of these intellectual properties are not commercial in nature, such a possibility does exist. Thus, the purpose of this policy is to establish the rights and responsibilities concerning intellectual property for faculty, administrators, staff, and students. Clear allocation of ownership and control of intellectual property rights is necessary, especially given the increasing role of technology in the classroom and evolving legal issues concerning copyrights.

Tri-County Community College owns all rights to its logo, seal, and other related materials. The College's name and symbols may not be used in the production and marketing of items not copyrighted, patented, or otherwise approved by the College.

Title to intellectual properties developed by faculty, administrators, and staff of the College as essential course materials shall reside with the developer, but every member of the College community shall enjoy a permanent non-exclusive, royalty-free license to make all traditional and reasonable academic uses of that property.

Title to intellectual properties developed by faculty, administrators, staff, and students of the College as supplemental course materials shall reside with the developer.

Title to intellectual properties developed by individual students shall reside with the student.

Title to intellectual properties developed by faculty, administrators, staff, and students of the College as published materials in official college publications shall reside with the College.

Title to intellectual properties developed by faculty, administrators, staff, and students of the College as published materials in unofficial college publications shall reside with the developer, but a one-time non-exclusive, royalty-free license shall be granted with the College.

Title to intellectual properties developed by faculty, administrators, staff, and students of the College in a work for hire situation shall reside with the College unless a specific contract states otherwise.

Intellectual properties developed or supported by grants shall be governed by the terms and conditions contained in those grants; in the event the grant does not specify, then the above policy is to be applied.

For a copy of the complete Intellectual Property Policy, contact Student Services.

## SMOKE-FREE ENVIRONMENT POLICY

The aim of Tri-County Community College is to provide an atmosphere conducive to learning and health. Smoking is therefore prohibited in all buildings on the College campus. Smoking is allowed in designated smoking areas only.

## SEXUAL HARASSMENT POLICY

All employees and students are expected and instructed to conduct themselves in such a way as to contribute to an atmosphere free of sexual harassment.

Requests for sexual favors and other unwelcome verbal or physical conduct of a sexual nature by an employee or student constitute sexual harassment when:

- Submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment, academic, or student status.
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual, or such conduct has the purpose or effect of interfering with an individual's performance or creating an intimidating, hostile, or offensive environment in the workplace or the classroom.

Any person who believes that he or she has been subjected to sexual harassment in violation of this policy should make a confidential complaint to his or her supervisor. If this is not feasible, the employee may take the complaint to offending supervisor's superior and/ or the director for Human Resources. In the case of a student, complaint should be made to the vice president of Instructional Services.

## DRUG AND ALCOHOL POLICY

Tri-County Community College complies with the Drug-Free Schools and Communities Act (Amendment of 1989, Public Law 101-226) as well as the Drug-Free Workplace Act of 1988. The abuse and use of drugs and alcohol are subjects of immediate concern in our society. From a safety perspective, the users of drugs or alcohol may impair the well-being of employees, students, and the public at large; drug and alcohol use may also result in damage to college property.

Therefore, it is the policy of Tri-County Community College that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance or alcohol is prohibited while in the workplace, on college premises, or a part of any college-sponsored activities. Any employee or student violating this policy will be subject to disciplinary action up to and including termination or expulsion and referral for prosecution.

## AIDS AND OTHER CONTAGIOUS DISEASES POLICY

Students and employees of Tri-County Community College who have the AIDS virus or any other contagious disease will not be excluded from enrollment or employment or restricted in their access to college services or facilities.

The College complies with Section 504 of the Rehabilitation Act of 1973 and makes every effort to ensure that handicapped persons admitted to the College as students or employed by the College are afforded all the rights and privileges provided to them by this act.

Persons who know or have reasonable basis for believing that they are infected are expected to seek expert advice about their health circumstances and are obligated ethically and legally to conduct themselves responsibly in accordance with such knowledge for the protection of others.

## STUDENT RECORDS

### Access to and Release of Student Records

Tri-County Community College, in the execution of its responsibilities to students, maintains accurate and confidential student records. The TCCC staff recognizes the rights of students in accordance with college policy and the Family Educational Rights and Privacy Act of 1974 (FERPA).

### Types and Location of Current Student Records

1. Academic Record: Student Services Department, Harper Building - Registrar's File Room.
2. Financial Aid Record: Student Services Department, Harper Building - Financial Aid Office.

### Types and Location of Previous Student Records

1. Academic Record (complete record maintained for five years after last semester of enrollment, TCCC grades/transcripts maintained interminably) Student Services Department, Harper Building - Registrar's File Room.
2. Financial Aid Record (maintained for three years after last semester of enrollment) Student Services Department, Harper Building - Financial Aid Office.

### Student's Rights

1. To inspect and review the student's education records. Upon inspection, the student is entitled to an explanation of any information contained in their record.
  - a. Copies (official or unofficial) may be obtained only with written request.
  - b. Originals received from outside institutions are property of Tri-County Community College and will not be released to the student or sent elsewhere at his/her request.
  - c. The procedure for exercising the right to inspect and review education records is to contact the Registrar for an appointment.
2. To seek amendment of the student's education records that the student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights. The procedures for requesting amendment of records is as follows:
  - a. Contact the Registrar for an appointment.
  - b. Consult the "Appeals Procedure for Academic Matters."
3. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the Act [FERPA] and Reg. 99.31 authorize disclosure without consent.
4. Complaints may be filed with the Department of Education concerning alleged failures by Tri-County Community College to comply with the requirements of the Act and this part.
5. Tri-County Community College permits students to request correction of the student's education records under Sec. 99.20, to obtain a hearing under 99.21(a), and to add a statement to the record under Sec. 99.21 (b)(2).



### Release of Student Information

1. Tri-County's policy of disclosing education records under Reg. 99.31 is to disclose a student's educational records and personally identifiable information only to Tri-County Community College faculty and Student Services staff, and other TCCC officials who have a legitimate educational interest.

2. The official student file shall not be sent outside of Student Services except in circumstances specifically authorized by the vice president of Instructional Services. The authorization for such special circumstances must be in writing.
3. A record of disclosures will be maintained as required by Sec. 99.32, and a student may inspect and review that record.
4. Tri-County Community College has designated the following information as DIRECTORY INFORMATION, which may be made available to the public by the College:
  - Student name
  - Major field of study
  - Dates of attendance (beginning and ending)
  - Degrees, diplomas, or awards received
  - Address (only with approval of Vice President of Instructional Services)
  - Academic honors list
  - Graduation list
  - Recognized student activities
  - Other student honors or awards
  - Special achievement

### Request for Privacy Flag

Any student who does NOT wish any information to be released to third parties must notify the Registrar in writing.

Information other than directory information is released ONLY with written permission of the student. Personally identifiable information (other than that which is listed as directory information) will NOT be released without prior written consent of the student, except to Tri-County Community College faculty and student services staff, and other TCCC school officials who have a legitimate educational interest. Tri-County Community College is committed to protecting students' privacy and does not display social security numbers on transcripts or registration forms. When applying for admission, students are asked for, but not required to give their social security numbers. Photo ID cards with unique identification numbers are issued to streamline students' interactions with the Financial Aid and Business Offices, the bookstore, and the library. The ID cards will also be useful for activities requiring student identification.

### The Solomon Amendment

The Solomon Amendment requires institutions to provide directory-type information on students at least 17 years of age upon request of representatives of the Department of Defense for military recruiting purposes to avoid the withdrawal of federal funding. This information, referred to as "student recruiting information," includes: student name, address, telephone listings, date and place of birth, level of education, academic major, degrees received, and the most recent previous education institution at which the student was enrolled.

To comply with this amendment, TCCC releases such information upon request of representatives of the Department of Defense, unless the student has formally requested not to have any information released under FERPA (see Request for Privacy Flag above).



## TRANSCRIPTS

The Registrar's Office develops and supplements procedures for registration and record keeping for all curriculum students. The following goals must be met in order to maintain complete and accurate student records:

- To establish a functional registration/records program which will facilitate the proper enrollment of students into classes.
- To provide accurate record keeping and timely submission of required reports to individuals and governmental agencies.
- To maintain required security of student records.
- To provide a set of approved policies and procedures for the collection and maintenance of student records which is systematic, comprehensive, and enforceable by the College.
- To safeguard the legal rights of students as to the release of information from their student record.
- Transcripts are released only with the written permission from the student.

## STUDENT RECORDS AND GRADE CHANGES

Grades are recorded in a student's official records at the completion of each semester. Students will be furnished with a report of these grades if there are no holds on their records. Recorded grades may be changed only with the written authorization of the instructor. Students must appeal this grade within the following semester. The original course instructor must make all grade changes.

## TESTS AND EXAMINATIONS

The instructor may give tests and examinations, oral or written, at his/her discretion. Regularly scheduled final examinations will be given at the end of each semester.

## INDEPENDENT STUDY

Students may take an independent study in a course under the following guidelines:

- The student must submit a written request detailing the reason for the independent study to the instructor and the vice president of Instructional Services.
- The student must have at least a 3.0 grade point average.
- The course is needed for graduation this academic year and no other options are available to obtain the class.
- The student may have only one independent study per calendar year.
- Students who must withdraw from a class during the semester under emergency circumstances may be allowed to complete the course as an independent study with permission from the instructor and the vice president of Instructional Services.

## ACADEMIC FORGIVENESS POLICY

**FIVE-YEAR RULE POLICY:** A freshman or sophomore with a grade point average below 2.0 who has not attended a community college or university for five or more calendar years and who is eligible for readmission is given the option of having the five-year rule applied or not applied. If the five-year rule is applied, all quality points from courses completed with grades of D or F before the interruption are removed from the GPA calculation. No hours of credit will be allowed for courses in which less than a C was earned, although, at the discretion of the student's academic advisor, they may be used to waive appropriate course requirements. The student's cumulative GPA will be based on courses attempted after readmission. The earned hours will include all credits: (1) transferred from other institutions, (2) completed with a grade of C (2.0) or higher before the five-year rule was applied, and (3) earned after the last five-year rule was applied.

If the five-year rule is not applied, the student will return with a cumulative GPA, credit hours and grades as if the interruption had not occurred. The quality point deficit of some students may be of such magnitude that the application for readmission from a student who has chosen not to apply the five-year rule may be rejected.

A student, having elected to have the five-year rule applied or not applied, may not reverse the option later. Applications for the five-year rule may be obtained from the Registrar's office and submitted to that office prior to the initial term of re-enrollment.

## SPECIAL CREDITS

### AP Credit and CLEP Credit

College credit may be awarded if appropriate conditions are met by Advanced Placement (AP) courses and College Level Examination Program (CLEP) scores. Any student seeking credit for AP or CLEP examinations must have official test scores sent to the college registrar. See the Registrar for additional details.

A minimum score of 3 for AP examinations and a minimum score of 50 for CLEP examinations are required for potential credit to be evaluated. Scores are valid for 20 years, as recommended by The College Board.

There is NO limit to how much credit a student can earn through AP/CLEP examinations (graduation requirement of 25% of applicable coursework must be completed at TCCC for a degree/diploma/certificate to be awarded).

PLEASE NOTE: TCCC can ONLY award credit for courses offered by this college and those within the state Comprehensive Articulation Agreement.

### Credit by Examination

Students may earn credit by examination for specified courses if they can demonstrate the required level of proficiency. Credit by examination will be limited to introductory courses in English, mathematics, computer information, and keyboarding. Other requests will be considered on an individual basis by the instructor involved and the vice president of Instructional Services.

Students interested in credit by examination should contact the Vice President for Instructional Services prior to the semester in which the exam will be attempted. The student is required to be enrolled in the appropriate course section prior to completing the exam. All credit by exams must be completed during the registration period for the semester in which the credit is to be attempted. For whichever courses are attempted, the student must pay the regular tuition and fees and enroll in the given class in order to take a challenge exam and earn credit for the course.

Students failing to obtain the minimum cut-off scores or better on such an examination may not take a second examination and will be expected to take the subject as a regularly scheduled course. As a minimum, students must obtain a grade of C or equivalent in order to receive credit by exam.

The proficiency will be noted on the student's permanent record and appropriate credit will be given. Copies of the proficiency examination will be filed in the student's academic record.

**NOTE:** Financial aid does not pay for these courses, and not all colleges and universities accept credits earned in this manner.

## COURSE REPETITION POLICY

Students may repeat a course for credit or audit, or a combination of the two, no more than three times within a five-year period. They may not re-enroll for a course in which an Incomplete (I) has been awarded until the grade of (I) has been removed. They may not enroll for a course in which credit by exam has been awarded. If students withdraw before the 10% date, they will not be considered as repeating upon re-enrollment.

## FIELD TRIPS

All learning does not take place solely in the classroom environment. From time to time, students will visit production plants, small manufacturing complexes, hospitals, and small and large business establishments. These trips provide students with an opportunity to witness first hand the “on the job” application of course related materials. Times and dates of field trips are announced by individual course instructors.

## EMERGENCY CONTACT OF STUDENTS AND TELEPHONE USE

In emergencies, students may be contacted through the Student Services office. Classes will not be disturbed to deliver personal messages except in emergencies. A public pay telephone is located in the Student Lounge in the Harper Building. An emergency phone is located outside the McSwain Building. College phones are not to be used for personal calls.

## VISITORS AND CAMPUS TOURS

Tri-County Community College encourages the presence of visitors on our campus. However, due to certain occupational hazards involved in the use of various technical and vocational equipment, the College requests that visitors first contact the Harper Help Desk on Main Campus or the Shope Building at the Graham County Center. Students and visitors are asked not to bring children to the College because of class disruption and possible injuries.

## STUDENT PARKING

All parking in designated areas will be on a first-come, first-serve basis. Caution must be exercised by all students entering or leaving parking areas. All students, faculty, and staff are to park in the lined off parking areas. Visitor, handicapped, and pass through areas are to be observed. Vehicles found parked in other than designated areas will be towed at the owner's expense.

Persons parking in handicapped areas must have their automobile identified with one the following: DAV tag, handicapped sticker, or handicapped card on dash.

Continuing Education students, faculty, and staff who park on campus must purchase an annual parking permit. A fee will be charged per vehicle per semester for parking privileges. All curriculum students will be issued an annual parking permit upon registration and payment of their students activity fee. A parking permit is good for one year, or fraction thereof, beginning fall semester. Visitors will be issued a temporary permit when necessary.

Traffic and parking regulations remain in effect at all times on campus. Parking is allowed in designated areas only. Vehicles blocking drives and loading zones or parking on grass may be subject to tow-away at the owner's expense. Only authorized vehicles and vehicles for shop repair are allowed to park in the vocational shop areas. A work order must be displayed on the window of the vehicle for repair.

Parking stickers are available for purchase by curriculum students in the Business Office located in the Harper Building. These numbers are recorded in the Business Office and in Student Services for registration purposes. All administrators are responsible for enforcing the parking rules and regulations. State and local law

enforcement agencies will prosecute for violations of applicable laws on campus. Copies of citations are kept on file in the Business Office. Parking fines must be paid before a student will be allowed to register for a new class or semester, graduate, or receive transcripts. Parking fines may be issued for any of the following:

- Violations
- No registration or expired sticker
- Speeding
- Parking in unauthorized areas
- Failure to yield to a pedestrian
- Failure to display permit
- Double parking/blocking vehicle
- Reckless driving
- Parking in HANDICAPPED space

## INCLEMENT WEATHER

In the event of adverse weather, students should tune in to local news outlets for the status of the College's operation. Radio stations carrying the announcement will be WKRK (1320 AM), WCVP (600 AM-Murphy and 95.9 FM-Robbinsville) and WCNG (102.7 FM). Television stations carrying the announcement will be WLOS-TV (Asheville), WTVC-TV (Channel 9 in Chattanooga), and WRCB-TV (Channel 3 in Chattanooga). Students can also hear the status of the College's operation on our answering machine by calling 828-837-6810 or checking the website at [www.tricountyycc.edu](http://www.tricountyycc.edu). Students can also sign up for text alerts by going to the TCCC website and clicking the text alert icon.

The announcement will be one of the following:

1. TCCC is open and operating on a normal schedule.
2. TCCC is closed.
3. TCCC will operate on a delayed schedule.

In some cases, the operation status of the Graham County Center may differ from that of the main campus. Listen carefully for the announcement pertaining to the campus you attend.

If TCCC is operating on a delayed schedule, classes not affected by the delay will begin at their regularly scheduled time. The delayed hours are cancelled hours. For example, if the College is delayed two hours, classes will begin at 10:00 a.m.; at 10:00 a.m. you will attend your 10:00 a.m. class. Any other scheduled class time before 10:00 a.m. is cancelled. If you have a class that meets 9:00 a.m. - Noon, you will miss the first hour of that class, arriving at 10:00 a.m. Also, if you have an 8:00 or 9:00 a.m. class that only meets for an hour, it is cancelled. The instructors of the cancelled classes will inform you of how the time missed will be made up.

## INSTRUCTIONAL EVALUATION BY STUDENT

Students at Tri-County Community College are asked to evaluate their instructors. Results of the evaluations serve as an invaluable aid in improving instruction. All student evaluations are kept strictly confidential and may never be used against the student in any way. Students should not sign evaluation sheets and should complete them only in the absence of the instructor(s) being evaluated.

## STUDENT RIGHT-TO-KNOW INFORMATION

Tri-County Community College is committed to informing students and prospective students about the probabilities of success in our programs and current job market information. The U.S. Department of Education requires that each institution of higher education publish completion rates for students who entered as full-time students and who completed their curriculum program within one and one-half times the time allowed in the catalog for that program. The average rate of persistence toward degree completion of students in each curriculum at TCCC is available in the "Fact Book" at [www.tricountycc.edu](http://www.tricountycc.edu).

## CRIME AWARENESS AND CAMPUS SECURITY

Tri-County Community College is in compliance with the Crime Awareness and Campus Security Act of 1990 and will provide the safest educational environment possible for all students, faculty, staff, and visitors. Known and suspected violations of Federal and North Carolina laws and other emergencies should be reported to the College for action. Acts such as murder, sex offense, robbery, aggravated assault, burglary, motor vehicle theft, liquor law violation, drug abuse violation and weapons possession must be reported immediately. Students, faculty, and staff must recognize that they should take individual steps to protect themselves from becoming a victim of a crime and work together as a campus community in the prevention of crime and the promotion of security. The following statistics are provided for your information. Complete statistics are available in the Administrative Office or accessed at <http://ope.ed.gov/security/>.

<b>Criminal Offenses - On Campus</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
Murder/Non-negligent manslaughter	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0
Sex offenses - Forcible	0	0	0	0	0	0
Sex offenses - Non-forcible	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor vehicle theft	0	0	1	0	0	0
Arson	0	0	0	0	0	0
<b>Arrests - On-Campus</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
Illegal weapons possession	0	0	0	0	0	0
Drug law violations	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0

The following are offenses reported at off-campus locations near or adjacent to TCCC.

<b>Criminal Offenses - Public Property</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
Murder/Non-negligent manslaughter	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0
Sex offenses - Forcible	0	0	0	0	0	0
Sex offenses - Non-forcible	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
<b>Arrests - Public Property</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
Illegal weapons possession	0	0	0	0	0	0
Drug law violations	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0

## CLINICAL AND CO-OP STUDENTS/ FACULTY CRIMINAL BACKGROUND CHECK/DRUG TESTING

Many clinical sites and co-op education agencies used by Tri-County Community College now require a criminal background check and/or drug test in order to be allowed to use their facilities. An example of programs that might have such requirements are Emergency Medical Science, Nursing, Medical Assisting, Health Care Management, Early Childhood Education, and Criminal Justice. Students who have negative findings on the criminal background check and/or drug test may be prohibited from participating in their clinical or co-op experience, which could result in their inability to complete the requirements of the program. Faculty with negative findings may not be able to teach in these programs as well as other consequences as established by college policy.

## CELL PHONE POLICY

Upon entering classrooms, labs, and the library, students must put cell phones on vibrate. Students may only leave the classroom or lab to take a call if it is a legitimate emergency. Students may not initiate calls while in classrooms, labs, or the library. Cell phones may not be turned on or used during exams. It is the instructor's discretion to establish more restrictive policies if deemed necessary.



*Celebrating Our Graduates*



**CONGRATS**  

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**CLASS OF 2013**