



*Engage... Inspire... Enrich...*  
student learning

**TRI-COUNTY**  
COMMUNITY COLLEGE

# STUDENT SUCCESS: STUDENT RIGHTS AND POLICIES



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

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 traditional or online 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 instance, college discipline will be initiated only when the presence of the student on campus or in the online environment 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.

## 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 traditional or online 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. Students have the right to an educational environment that is free from unlawful discrimination and harassment.
- F. 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)

## Definitions

The following processes are covered under this policy:

- Student Complaints
- Student Appeals of Academic Matters
- Student Academic Misconduct
- Student Non-academic Misconduct

**Student Complaints**

- A. Purpose
- The purpose of the Student Complaints Procedure for Academic Matters is to provide a channel for student complaints about College policies, procedures, services, or personnel.
- B. Complaint Steps:
1. The student is encouraged to first informally discuss the matter in question with the college employee most directly involved. He or she may choose to informally discuss the matter with the employee's immediate supervisor.
  2. If the student is unable to resolve the matter in question through discussion with the college employee most directly involved or the employee's immediate supervisor, the student may file a formal complaint with the appropriate vice president of the College. This written complaint should be filed within 30 calendar days after the alleged decision or action occurred. The written complaint will become the document of record.
  3. The College expressly prohibits any retaliatory acts by any student, faculty member or staff member. Any such act will be subject to the appropriate disciplinary procedure.
  4. The appropriate vice president will investigate and consider the issue and provide the student with a decision within 10 working days of receiving the written complaint. That notification will be delivered in an appropriate manner (meeting, phone call, email, or letter).
  5. If the matter is not resolved with the appropriate vice president, the complaint may be appealed to a committee consisting of all the vice presidents and any other personnel deemed appropriate by the President of the College.
  6. This committee's decision will be final.
  7. A student may at any stage of the process consult with the Enrollment Management personnel for advice regarding the grievance process.
  8. A log of all formal complaints will be kept in the appropriate vice president's office.

**Student Appeals of 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. Appeal Steps:
1. The student must first discuss his or her complaint with the instructor at a mutually agreed-upon time or manner. If the complaint concerns a final grade in a course, the student must appeal this grade within the following semester. Such discussions are not regarded by the College as formal complaints or appeals, and those discussions are the ideal format in which to deal with most academic matters.
  2. However, if the situation is not resolved to the satisfaction of the student, the student may formally appeal in writing. All such appeals must be submitted in writing to the Vice President for Instruction or one of the three academic deans. Upon such submission, the appeal will be recorded and maintained by the Vice President for Instruction.
  3. This formal appeal should state the nature of the appeal in as detailed a manner as possible, including times, dates, assignment or grade details, and the solution desired by the student. Any documentation (copies of assignments or syllabi, for example) should be provided.
  4. The College expressly prohibits any retaliatory acts by any student, faculty member or staff member. Any such act will be subject to the appropriate disciplinary procedure.
  5. The appeal will be investigated by the Vice President for Instruction or a designated representative (one or more of the academic deans).
  6. The results of that investigation and a response to the appeal will be made known to the student in an appropriate manner (meeting, phone call, email, or letter). The decision of the Vice President is final.
  7. A log of all formal appeals shall be kept in the office of the Vice President for Instruction.

### 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 action may be initiated. Disciplinary actions may be based on either academic misconduct or non-academic misconduct. Any violation that involves both categories of misconduct may be subject to both sets of procedures and any resulting sanctions.

### Academic Misconduct

- A. The College believes the values of honesty, responsibility, and accountability should be at the core of all academic activities. Thus, the College takes very seriously any potential issues of 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. Individual instructors of the College have the responsibility for dealing with academic misconduct in their courses. Using the standard of the preponderance of evidence, an instructor may subject a student found guilty of academic misconduct to the following penalties, as he or she deems appropriate for the exact nature of the offense:
  1. Loss of grade for work in question.
  2. Loss of academic credit for course with a grade of "F" entered on the student's official transcript.
  3. Suspension from the college for a specified period of time to be determined by the Vice President for Instruction.

The College will keep documentation of these sanctions if the penalty imposed is a loss of academic credit or suspension from the College.

- C. 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 above.

### **Nonacademic Misconduct**

- A. Policy – Students of the College are expected to behave in accord with community and moral standards. The pursuit of educational goals depends on a safe, orderly, and open environment, and individual student conduct cannot be allowed to jeopardize the operation of the College and students' pursuit of their educational goals.
- B. Jurisdiction -- The TCCC rules of student conduct shall apply to conduct that occurs on campus of the College, at any College-sponsored activity and to any off campus or electronic conduct that impacts the College and its students in their pursuit of their educational goals. Based on this, students are responsible for conduct from the time of admission through the awarding of a degree, regardless of academic term.
- C. Code of Conduct -- The following sections describe activities and/or behaviors that are prohibited by the College. College officials have the authority to take immediate action and begin disciplinary proceedings in response to violations. Violation of one or more of the following regulations may result in one of the sanctions described below.
1. Behavior
    - a. Indecent Conduct: The College prohibits disorderly, lewd, or indecent conduct, including physical, written or verbal action; language commonly considered offensive (not limited to, but including profanity); or distribution of obscene or libelous written or electronic material.
    - b. Violence: The College prohibits mental or physical abuse of any person (including sex offenses) 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 prejudice. This includes fighting and/or other disruptive behavior, which includes any action or threat of action which endangers the peace, safety, or orderly function of the College, its facilities, online learning resources or persons engaged in the business of the College.
    - c. Harassment: The College prohibits any act, comment, behavior, or clothing which is of a harassing, offensive, intimidating, or sexually suggestive nature. The College also prohibits physical or electronic stalking, or behavior which in any way interferes with another student's rights or an employee's performance or creates an intimidating, hostile, or offensive environment. The College also prohibits any action intending to trade sexual favors for any consideration.
    - d. Sexual Harassment/Violence: Following the US Department of Education's guidance concerning Title IX, the College prohibits "conduct of a sexual nature is sufficiently severe, persistent, or pervasive to limit a student's ability to participate in or benefit from the education program, or to create a hostile or abusive educational environment."
    - e. Disruption: The College prohibits the 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.
    - f. Failure to Comply: The College requires that students comply with instructions of college officials acting in performance of their duties.
  2. College Property
    - a. Theft and Damage: The College prohibits theft of, misuse of, or harm 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 a College function.
    - b. Occupation or Seizure: The College prohibits 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.
    - c. Presence on College Premises: The College prohibits unauthorized entry upon the College Premises; unauthorized entry into a College facility or a portion thereof which has been restricted in use; unauthorized presence in a College facility after closing hours; trespassing on College Premises in violation of a disciplinary sanction; or furnishing false information to gain entry upon the College Premises or into a College facility.
    - d. Assembly: The College prohibits participation in or conducting an informal or formal unauthorized gathering in a manner that threatens or causes injury to person or property or that interferes with free access to, ingress, or egress of College facilities that is harmful, obstructive, or disruptive to the educational process or institutional functions of the College; or remaining at the scene of such an assembly after being asked to leave by a College Official.

- e. Fire Alarms: The College prohibits setting off a fire alarm or using or tampering with any fire safety equipment on the college campuses or at college-sponsored activities, except with reasonable belief in the need for such alarm or equipment.
  3. Drugs, Alcohol and Other Substances:
    - a. The College prohibits the 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.
    - b. The College also prohibits the manufacture, possession, use or distribution of any controlled substance or illegal drug, except as expressly permitted by law.
    - c. The College prohibits being in a state of intoxication on the college's campuses or at college-sponsored functions, regardless of location.
    - d. 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 Student Drug-Free College Policy.)
  4. Weapons:
    - a. The College prohibits possession, storage, use, or threat of use of firearms, weapons, ammunition, incendiary devices or explosives on the college campuses, in personal vehicles parked on campus, or at college-sponsored activity sites, except in connection with a college-approved activity. This also includes unauthorized use of any instrument capable of inflicting serious bodily injury to any person.
    - b. Students with lawful concealed carry permits must abide by all federal and state regulations.
  5. Smoking:
    - a. The College prohibits smoking in all campus buildings, shops, labs, etc., except in designated areas.
    - b. This also applies to electronic cigarettes.
  6. Gambling:
    - a. The College prohibits gambling on all its campuses or computers as well as the location of any college-sponsored activity.
    - b. Any instructional activities at any location are not subject to this restriction.
  7. Parking: The College prohibits the violation of campus rules concerning the registration of vehicles and parking.
  8. Forgery: The College prohibits the forgery, alteration, or misuse of college documents, records, or instruments of identification with intent to deceive.
  9. Probation: The College prohibits violation of the terms of disciplinary probation or any college regulation during the period of probation.
  10. Fiscal Irresponsibility:
    - a. The College prohibits 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.
    - b. 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.
  11. Violation of TCCC Policy, Rule, or Regulation: The College prohibits violation of any college policy, rule, or regulation.
  12. Violation of Law: The College prohibits violation of any federal, state, or local law.
  13. Acceptable Use of Technology: The College prohibits any violation of its Acceptable Use of Technology policy. Destruction of or harm to equipment, software, or data belonging to the college or to others is considered unacceptable usage and is subject to disciplinary action. This may include altering, downloading, or installing software on college computers, tampering with computer hardware or software configuration, improper access to the college's network, and disconnection of College computers or devices.
- D. Discipline Procedure
1. Charge
    - a. Any college employee may report a student violation of the Code of Conduct or may receive a report from a student. Any retaliation by a student or staff member against an individual making such a report is strictly forbidden. Such a report does not take the place of a student's right to file a criminal complaint if applicable, and students will be notified of that right.
    - b. That employee should make an Incident Report to one of the following personnel:
      1. The Vice President for College and Community Initiatives
      2. The Vice President for Instruction
      3. The Vice President for Business and Finance

4. The Coordinator of Facility Services
5. The Title IX Coordinator (for all Title IX violations of sexual harassment/violence)
6. Director of Computing and Information Management (for Acceptable Use of Technology violations)
- c. The report should include the following information:
  1. Name of the student(s) involved.
  2. Alleged violation of the Code of Conduct.
  3. Time, place, and date of the incident.
  4. Name of person(s) directly involved or witnesses to the infractions.
  5. Any action taken that relates to the matter.
  6. Desired solution(s), if applicable.
2. 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. In addition, if the nature of the offense is such that it 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 administrative officer may suspend the student(s) from either the class or the College until a resolution of the matter can be made.
3. Retaliation: The College expressly prohibits any retaliatory acts by any student, faculty member or staff member. Any such act will be subject to the appropriate disciplinary procedure.
4. Investigation and Decision: Within five (5) working days after the charge is filed, the appropriate 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 below.
  - c. Refer the student to a college office or community agency for services.
5. 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.
6. Evidentiary Standard: All such decisions regarding non-academic misconduct shall be made based on the preponderance of the evidence. In other words, it is more likely than not that the infraction occurred.
7. Sanctions
  - a. Reprimand: A written communication which gives official notice to the student that any subsequent offense against the Code of Student Conduct will carry heavier penalties because of this prior infraction.
  - b. General Probation: An individual may be placed on General Probation when involved in a minor disciplinary offense. General Probation has two (2) 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 (1) semester.
  - c. 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 not less than two (2) semesters. Any violation of Restrictive Probation may result in immediate suspension.
  - d. 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.
  - e. 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.

- f. Loss of Academic Credit or Grade: Imposed as a result of academic dishonesty.
  - g. 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.
  - h. 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.
  - i. Expulsion: Dismissing a student from campus for an indefinite period, losing student status. The student may be readmitted to the College only with the approval of the President.
8. Appeal Process for Non-academic Misconduct Sanctions
- a. 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 (3) 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.
  - b. Committee Composition: Membership of the Appeals Committee shall be composed of four faculty/staff members appointed by the President.
  - c. Procedures for Hearings Before the Appeals Committee:
    - 1. Procedural Responsibilities of the Vice President. The Appeals Committee must meet within ten (10) working days of receipt of a request for a hearing. At least five (5) 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.
    - 2. On written request of the student, the hearing may be held prior to the expiration of the five-day (5) notification period.
    - 3. 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 (3) 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 (5) working days of the completion of the hearing.
    - 4. The conduct of the Committee Hearings
      - a. Hearings before the Committee will be confidential and shall be closed to all persons except the following:
        - i. The student.
        - ii. Counsels.

- iii. Witnesses, who shall give testimony singularly and in the absence of other witnesses and who 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.
  - 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 (2) 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.
5. Appeal to the President
  - a. A student who refuses to accept the findings of the Committee may appeal in writing to the President within five (5) working days after receipt of the Committee's decision. The President shall have the authority to:
    - i. Review the findings of the proceedings of the Committee.
    - ii. Hear from the student, the Vice President and the members of the Committee before ruling on an appeal.
    - iii. Approve, modify, or overturn the decision of the Committee.
    - iv. Inform the student in writing of the final decision within ten (10) working days of the receipt of the appeal.

## 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 Success Center.

## 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 class room.

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 Success Center, Harper Building - Registrar's File Room.
2. Financial Aid Record: Student Success Center, 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 Success Center, Harper Building - Registrar's File Room.
2. Financial Aid Record (maintained for three years after last semester of enrollment) Student Success Center, 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.
  - Copies (official or unofficial) may be obtained only with written request.
  - 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.
  - 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:
  - Contact the Registrar for an appointment.
  - 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 Success Center staff, and other TCCC officials who have a legitimate educational interest.
2. The official student file shall not be sent outside of Student Success Center 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 Success Center 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 full 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. 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 three 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 percent of applicable coursework must be completed at TCCC for a degree/diploma/certificate to be awarded).

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. 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.

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 percent 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 Success Center. Classes will not be disturbed to deliver personal messages except in emergencies. 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: Disabled American Veteran (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 student 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 the Student Success Center 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 a 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 WKRRK (1320 AM) Murphy, WCVP (600 AM) Murphy, WCVP (95.9 FM) Robbinsville, and WCNG (102.7 FM) Murphy.

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.tricountycc.edu](http://www.tricountycc.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:

- TCCC is open and operating on a normal schedule.
- TCCC is closed.
- 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://opec.edu.gov/security/>.

Criminal Offenses - On Campus	2007	2008	2009	2010	2011	2012	2013
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0
ONegligent manslaughter	0	0	0	0	0	0	0
Sex offenses - Forcible	0	0	0	0	0	0	0
Sex offenses - Non-forcible	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	1	0	0	0	0
Arson	0	0	0	0	0	0	0

Arrests - On-Campus	2007	2008	2009	2010	2011	2012	2013
Illegal weapons possession	0	0	0	0	0	0	0
Drug law violations	0	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0	0

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

Criminal Offenses - Public Property	2007	2008	2009	2010	2011	2012	2013
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0
Sex offenses - Forcible	0	0	0	0	0	0	0
Sex offenses - Non-forcible	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0

Arrests - Public Property	2007	2008	2009	2010	2011	2012	2013
Illegal weapons possession	0	0	0	0	0	0	0
Drug law violations	0	0	0	0	0	0	0
Liquor law violations	0	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.

## CELLPHONE POLICY

Upon entering classrooms, labs, and the library, students must put cellphones 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. Cellphones may not be turned on or used during exams. It is the instructor's discretion to establish more restrictive policies if deemed necessary.

