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## **POLICIES & PROCEDURES FOR EMPLOYEES**

Southwestern Community College - Policies and Procedures Manual

Policy Title: **Standards of Student Conduct** **6.25**  
Responsible Division: Student Services  
Date Approved: October 2001

### **1. Preamble**

- a. 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.
- b. 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.

- c. 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 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 non-discriminatory rules and regulations regarding time, place, and manner.
- d. 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 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, a presentation of charge, evidence for charges, the right to present evidence, the right to have witnesses on one's behalf and to hear witness on behalf of the accuser(s), the right to counsel, and the right to appeal.

### 3. **Standards of Student Conduct**

- a. 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.
- b. Students are expected to conduct themselves in accordance with generally accepted standards of scholarship and morality. The purpose of these standards are not to restrict student rights but to protect the rights of individuals in their academic pursuits.
- c. The following regulation 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 the Discipline and Appeals Procedure.
  1. Academic Dishonesty is defined as 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; receiving or giving help during test; copying from another student's test paper; using, during a test, materials not authorized by the person giving the test; collaborating with another student during a test without authority; knowingly using, buying, selling, stealing, transporting or soliciting in whole or part the contents of an unadministered or administered test; substituting for another student or permitting another student to substitute relative to a test or examination; bribing another person to obtain an unadministered or administered test or information about an unadministered or administered test; appropriation of another's work and the unacknowledged incorporation of that work in one's own written work offered for credit (plagiarism); unauthorized collaboration with

another person in preparing written work offered for credit (collusion).

2. Theft, misuse, damage or defacing of college property, or theft of or damage 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.
3. 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 Student Drug-Free College Policy.)
4. Lewd or indecent conduct, including public physical or verbal action or distribution of obscene or libelous written material.
5. Mental or physical abuse of any person on college premises or at college-supervised function, including verbal or physical actions which threaten or endanger the health or safety of any such persons or which promote hatred or racial prejudice.
6. Any act, comment, or behavior which is of a sexually suggestive or harassing nature and which materially interferes with a student's or an employee's performance or creates an intimidating, hostile, or offensive environment.
7. 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.
8. 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.
9. 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.

10. 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.
11. 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.
12. Illegal gambling.
13. Smoking and/or using other forms of tobacco products in classrooms, shops, labs, offices or other unauthorized areas.
14. Violation of college regulations regarding the operation and parking of motor vehicles, the registration of student organizations, or use of college facilities.
15. Forgery, alteration, or misuse of college documents, records, or instruments of identification with intent to deceive.
16. Failure to comply with instructions of college officials acting in performance of their duties.
17. Violation of the terms of disciplinary probation or any college regulation during the period of probation.
18. 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 student has rightfully refused payment on the check, draft or order, is prima facie evidence that the student intended to defraud the College.
19. Violation of a local, state, or federal criminal law on college premises adversely affecting the college community's pursuit of its proper educational purposes.
20. Knowingly giving false information in response to requests from the College.

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