

### **III-2.010 Student Conduct**

Students may not display conduct on GTCC premises or at GTCC sponsored events 1) that adversely affects the college's educational objectives, 2) that is illegal, or 3) that is contrary to the rules and regulations of the college. Students who display such conduct may be subject to disciplinary action under the college's disciplinary policy. Such students have the right to appeal under the policy.

Conduct prohibited by this rule shall be determined by the President, consistent with this definition.

#### Procedure:

1. Prohibited conduct shall include but not be limited to:
  - a. All forms of academic dishonesty, including but not limited to the following: taking or acquiring possession of any academic material (test information, research papers, notes, etc.) from a college employee or student without permission; receiving or giving unauthorized help on assignments or during tests; submitting papers or reports (that are supposed to be original work) that are not entirely the student's own; not giving credit for other's work (plagiarism); altering or misrepresenting grades, reports or laboratory/clinic records.
  - b. Theft of, misuse of, damage, or defacement to college property, or theft or damage to property of a member of the college community or a campus visitor on college premises or at college functions; unauthorized entry upon the property of the college or into a college facility or portion thereof which has been restricted in use and thereby placed off limits; unauthorized presence in a college facility after closing hours.
  - c. Possessing, manufacturing, using, distributing, selling or being under the influence of alcohol and/or any controlled substance in violation of any local, state, or federal law on college premises, at any college-sponsored activity, or in college-owned vehicles. Controlled substances include but are not limited to the following: heroin, marijuana, hallucinogens, cocaine, PCP, "crack," and prescription drugs not prescribed for the individual by a licensed physician.
  - d. Lewd or indecent conduct, including physical or verbal action, or distribution of obscene or libelous material or that which may cause a material and substantial disruption of school activities.

- e. Assault on or communicating a threat to 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.
- f. Any unsolicited or unwelcomed act, comment, or behavior which is of a sexual nature or which has sexual implications and which interferes with a student's or an employee's performance or creates an intimidating, hostile, or offensive environment. See Sexual Harassment Policy and Procedures.
- g. Obstruction or disruption of study, teaching, research, administration or disciplinary proceedings, or other college activities, including public service functions and other duly authorized activities on college premises.
- h. 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.
- i. 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 of the college; remaining at the scene of such an assembly after being asked to leave by a college employee.
- j. Possession, use, sale, or distribution of a gun, rifle, pistol, dynamite cartridge, bomb, grenade, mine, powerful explosive, any type of ammunition, bowie knife, dirk, dagger, sling shot, leaded cane, switchblade, blackjack, metallic knuckles, or other weapon of like kind.
- k. Issuing a bomb threat; 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.
- l. Gambling.
- m. Smoking and/or using other forms of tobacco products in any GTCC buildings or other unauthorized areas.
- n. Violation of college regulations regarding the operation and parking of motor vehicles.

- o. Forgery, alteration, or misuse of college documents, records, or instruments of identification with intent to deceive or providing false information to the college.
- p. Failure to comply with the instructions or directions of college employees acting in the performance of their duties.
- q. Violation of the terms of disciplinary probation or any college regulation during the period of probation.
- r. Fiscal irresponsibility such as failure to pay college-levied fines, failure to repay college-funded loans, or the passing of worthless checks to college officials.
- s. Violation of local, state, or federal criminal law on college premises adversely affecting the college community's pursuit of its educational purposes.
- t. Behavior in a class, lab, shop, or clinical setting which conflicts with the safety of others and/or which conflicts with safety rules for the area.
- u. Theft or other misuse of computer time, including, but not limited to, unauthorized entry into a file to use, read, or change the contents or for another purpose; unauthorized transfer of a file, unauthorized use of another's identification and password; use of computing facilities to interfere with another student, college employee or administrator; use of computing facilities to send obscene or abusive messages; and use of computing facilities to interfere with normal operation of the college computing system.
- v. Abuse of the judicial system, including but not limited to: failing to respond to the summons of a judicial body or college official; falsifying, distorting or misrepresenting before a judicial body; disruption or interference with the orderly conduct of a judicial proceeding; institution of a judicial proceeding knowingly without cause; attempting to discourage an individual's proper participation in or use of the judicial system; attempting to influence the impartiality of a member of the judicial body prior to or during the course of the proceeding; harassment or intimidation of a member of the judicial body, failure to comply with the sanctions imposed; and influencing or attempting to influence another person to commit an abuse of the judicial system.
- w. Serving as an accessory to a violation or aiding another individual in the commission of an offense as defined by the Student Conduct Policy.

2. The college will name a Chief Disciplinary Officer and a Disciplinary Officer for each campus. The Jamestown campus officer will serve as Chief Disciplinary Officer and provide oversight and assistance to other campus Officers. The Chief Disciplinary Officer will also maintain original files on all disciplinary cases, regardless of campus.
3. Emergency Procedures:
  - a. Emergency procedures are to be followed only in cases of an act of misconduct which presents an immediate threat to the health, safety, or well being of any member of the college community or of any visitor, or which seriously disrupts the function and good order of the college or which damages or threatens to damage property on college premises.
  - b. If any college employee observes student(s) conduct which threatens the health, safety or well being of any member of the college community or of any visitor or threatens damage to property, the employee may select a course of action from the following:
    - 1) Summon a Campus Police Officer by dialing 0 and requesting Campus Police assistance; or
1. If, in the judgement of the employee, the situation presents immediate danger, and no Campus Police Officer is available, she/he may summon assistance from the law enforcement agency which has jurisdiction in that area; (e.g. Greensboro Police Department, Guilford County Sheriff's Department, High Point City Police Department).
  - 3) Instruct the student(s) to cease and desist and that failure to do so will result in immediate suspension; or
    - a) If the student(s) fail to cease and desist, the employee is empowered to suspend the student(s) from the class or activity.
    - b) The suspension may be extended, at the request of the employee, by an administrative officer (Coordinator, Director, Department/Division Chair, Assistant Dean, Dean, or Vice President). The administrative officer may extend the student(s)' suspension until a resolution of the matter is reached by the Campus Disciplinary Officer or, in the case of arrest, until the matter is adjudicated in the courts. If suspension is extended, the student shall be notified in writing, via certified mail, by the administrative officer.

- c). The employee or administrative officer who invoked the suspension shall submit a written report of the incident to the campus Disciplinary Officer immediately, but no later than the next school day. The report should include the name(s) of the student(s) involved; date, time, place, and description of the incident; action taken and employee(s) involved, as well as name(s) of any witness(es) to the incident; and desired resolution(s).
- d) The campus Disciplinary Officer will resolve the matter in a timely manner following the steps outlined below in Standard Procedures.

4. Standard Procedure:

- a. Any college employee, faculty member, other employee, or student may file charges with the campus Disciplinary Officer against any student or student organization for violation of college regulations. The individual(s) making the charge must complete a charge form available from the office of the campus Disciplinary Officer, from department chairs on the Jamestown Campus, and from the administrative office on all other campuses. These forms state the following:
  - 1) Name of the student(s) involved.
  - 2) The alleged violation of the specific Code of Conduct.
  - 3) The immediate place and date of the incident.
  - 4) Name(s) of person(s) directly involved in or witnesses to the infractions.
  - 5) Any action taken that relates to the matter.
  - 6) Desired resolution(s).

The completed charge form should be forwarded directly to the campus Disciplinary Officer immediately.

- b. The student will be allowed to remain in class(es) until the case is finally resolved, unless a suspension has been invoked under emergency procedures.
- c. Within ten (10) school days after the charge is filed, the Disciplinary Officer 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 Disciplinary Officer may:

- 1) Drop the charges.
  - 2) Impose a sanction consistent with those shown in Section 6 below.
  - 3) Refer the student to a college office or community agency for services.
- d. The decision of the Disciplinary Officer 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 Disciplinary Officer or where the student refuses to cooperate, the Disciplinary Officer shall send a certified letter to the student's last known address providing the student with a statement of the charges, the Disciplinary Officer's decision, and instructions governing the appeal process (Section 6).

## 5. Sanctions

- a. **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. b. **Reprimand:** A written communication which gives official notice to the student that any subsequent offense against the Student Conduct Policy will carry heavier penalties because of this prior infraction.
- c. **General Probation:** Appropriate response to a minor disciplinary offense, has two important implications for the individual: (1) the individual is given a chance to show capability and willingness to observe the Student Conduct Policy without further penalty; (2) if the individual errs again, further action will be taken. This probation will be in effect for no more than four (4) terms.
- d. **Restrictive Probation:** Results in loss of good standing and becomes a matter of record. Restrictive conditions may limit activity in the college community. Generally the individual will not be eligible for initiation into any local or national organization, and may not receive any college award or other honorary recognition. The individual may not occupy a position of leadership or responsibility with any college or student organization, publication, or activity. This probation will be in effect for not less than two (2) terms. Any violation of restrictive probation may result in immediate suspension.
- e. **Suspension:** Exclusion from class(es), and/or all other privileges or activities of the college for a specified period of time. Students who

receive this sanction must get specific written permission from the Disciplinary Officer before returning to campus.

- f. 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.
- g. Restitution: Paying for damaging, misusing, destroying or losing property belonging to the college, college personnel, or students.
- h. Loss of Academic Credit or Grade: Imposed for academic dishonesty, which may also result in other additional sanctions.
- i. Withholding Transcript, Diploma, Degree, Certification or the Right to Register or to Participate in Graduation Ceremonies. For example, a student will not be allowed to register until all financial obligations are met.
- j. Group Probation: Given to a college club or other organized group for a specified period of time. If group violations are repeated during the term of the sentence, the group restitution or group charter revocation may be appropriate.
- k. Group Restriction: Removing college recognition during the term in which the offense occurred or for a longer period (usually not more than one additional term). While under restriction, the group may not seek or add members, hold sponsored events in the college community, or engage in other activities as specified.
- l. Group Charter Revocation: Removal of college recognition for a group, club, society, or other organizations for a minimum of two years. Recharter after that time must be approved by the President.

6. Appeals Procedure:

A student who disagrees with the decision of the Disciplinary Officer may request a hearing before the Disciplinary Review Committee. This request must be submitted in writing to the Disciplinary Officer within three (3) school days after receipt of the Disciplinary Officer's decision. The Disciplinary Officer shall refer the matter to the Disciplinary Review 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 Disciplinary Officer's investigation.

- a. Composition of the Disciplinary Review Committee:

Membership shall consist of:

- 1) Three faculty and two professional or classified staff members appointed by the president.
- 2) Three student members appointed by the Student Government Association and approved by the Dean of Student Services.
- 3) One administrator, appointed by the Dean of Student Services to serve as committee Chairperson, who will vote only in case of a tie.
- 4) The Disciplinary Officer as an ex-officio non-voting member.

Committee members will serve one-year appointments beginning with each fall term, with replacements appointed by the appropriate Vice Presidents or by SGA, if necessary.

At least one faculty member, one staff member and two students, plus the chairperson must be present in order for the committee to conduct business in a given case.

b. Procedures for Hearings Before the Disciplinary Review Committee:

- 1) The Disciplinary Review Committee must meet within ten (10) working days of receipt of a request for a hearing (except near the end of summer term when additional time may be needed).
- 2) At least five (5) working days prior to the date set for the hearing, the Disciplinary Officer shall send a certified letter to the student's last known address providing the student 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 the college expects to call. (Any witnesses not listed will not be allowed to testify in the absence of showing of good cause for delay in identification.)
  - e) The composition of the committee.

- f) A copy of the Hearing Rules.
- 3) On written request of the student, the hearing may be held prior to the expiration of the five-day (5) notification period, if the Disciplinary Officer concurs with this change.
- 4) Basic procedural rights of the student 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. (List of witnesses must be provided to the Disciplinary Officer no less than two full working days prior to the hearing. Any witnesses not listed will not be allowed to testify in the absence of a showing of good cause for delay in identification.)
  - c) The right to request, in writing, that the Dean of Student Services disqualify any member of the committee for prejudice or bias. (This request must set forth 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 appropriate Vice President.
  - d) The right to present evidence.
  - e) The right to know the identity of person(s) bringing the charge(s).
  - f) The right to hear witnesses on behalf of the person(s) bringing the charges.
  - g) The right to testify or refuse to testify.
  - h) The right to appeal the decision of the committee to the appropriate Vice 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.
- 5) The committee hearings shall be conducted according to the following rules:

- a) Hearings before the committee shall be confidential and shall be closed to all other persons except the following:
  - (1) The student(s).
  - (2) Counsels.
  - (3) Witnesses who shall give testimony singularly and in the absence of other witnesses and shall leave the committee meeting room immediately upon completion of their testimony.
- b) The hearing will be recorded. The tapes/transcripts of the hearing will become the property of the college, and access to them will be determined by the Vice President, Administrative Services. All transcripts or tapes will be filed in the office of the Disciplinary Officer.
- 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 decision of the Disciplinary Officer and to determine appropriate sanction(s), which are not limited to those imposed or recommended by the Disciplinary Officer. Deliberations of the committee will not be recorded.
- f) Decisions of the committee shall be made by majority vote. Once made, committee decisions will be announced and recorded.
- g) Within two (2) working days after the decision of the committee, the Disciplinary Officer shall send a certified letter to the student's last known address providing the student with the committee's decision.
- h) The college has the right to limit the number of witnesses to be called by both parties.

- c. Appeal to the Appropriate Vice President:
- 1) A Student/Staff/Faculty Member who is not in agreement with the decision of the committee may appeal in writing to the appropriate Vice President within five (5) school days after receipt of the committee's written decision. The only appropriate grounds for such an appeal are: (1) the severity of the penalty; or (2) alleged violation of the college's procedures in the conduct of the hearing or investigation. The appropriate Vice President is defined as the Vice President who has administrative responsibility for the area in which the infraction occurred.
  - 2) The Vice President shall:
    - a) Review the findings and the proceedings of the committee.
    - b) At his/her discretion, hear from the student, the members of the committee, or any other employee who may provide information on the facts, before ruling on an appeal.
    - c) Uphold, modify, or overturn the decision of the committee.
    - d) Inform the student and committee members in writing of the final decision within ten (10) working days of the receipt of the appeal.
  - 3) The decision of the Vice President shall be final.

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