

IV-3.1 Non-Academic Issues

IV-3.1.1 Student Code of Conduct

Students may not violate the Student Code of Conduct on Guilford Technical Community College premises or at GTCC sponsored classes or events that occur off-campus. Students who violate the Student Code of Conduct will be subject to disciplinary action under this policy.

The college reserves the right to review and apply appropriate sanctions for conduct violations that occur off-campus if they are likely to impact the educational environment. Students have the right to appeal disciplinary actions under this policy. Student complaints are separate from the conduct process and are addressed in policy *IV-1.1.8 Student Complaint*.

Procedure

This procedure's purpose is to set clear behavioral expectations for students in the GTCC community. We affirm that clear communication of our standards is our best tool for promoting safety, health, and comprehensive learning to include developing respect and civil engagement. Students are reminded of the requirement to always obey federal, state, and municipal laws in addition to abiding by college conduct requirements. Sanctioning guidelines are available on the college's Community Standards webpage to help students understand the college's general response to first-time, single-allegation situations. The college has sole discretion in determining the applicability of these guidelines as well as outcomes for repeat violations or multiple allegations in a single case.

1. **Appropriate Behavior and Misconduct**

As GTCC Titans, we affirm that students have a duty to conduct themselves with civility and respect toward one another at all times. Appropriate conduct is described and prohibited conduct is defined in the following sections.

A. Controlled Substances

Students are expected to conduct their business with the college without being inappropriately influenced by alcohol, non-prescription drugs, or other controlled pharmaceuticals. They are expected to abstain from smoking and related behaviors while on college property or at college-sponsored events. Substance-related violations of this code include the following items:

- 1) Alcohol — Possessing, manufacturing, using, distributing, selling or being under the influence of alcohol on college premises, at any college-sponsored activity, or in college-owned vehicles.
- 2) Drugs — Possessing, manufacturing, using, distributing, selling or being under the influence of any controlled substance in violation of any local, state, or federal law on college premises, at any college-sponsored activity (to include athletic events), or in college-owned vehicles. Controlled substances include but are not limited to heroin, marijuana, hallucinogens, cocaine, PCP, methamphetamine, and prescription drugs not prescribed for the individual by a licensed physician or not taken as prescribed. See *I-2.1.3 Drug-Free Workplace*.
- 3) Smoking — Smoking, vaping, or using any form of tobacco/nicotine product on any GTCC campus. See *I.1.1.3 Smoking and Tobacco Use*.

B. Failure to Meet Expected Standards

Students are expected to demonstrate honesty in all dealings at the college. They are expected to comply with reasonable directions from college officials and to contribute to the success of college activities. Students are expected to resolve disagreements amicably, with assistance from college officials if needed. Students who come to the college with a history of disciplinary or court-mandated probation should be prepared to report it to the college and to understand what behavior(s) will violate it.

Behavioral violations of this code include the following items:

- 1) Failure to Comply— Failure to comply with the instructions or directions of college employees acting in the performance of their duties. Failure to comply with academic program handbook requirements or syllabus directives.
- 2) Failure to Disclose Prior Conduct — Failure to disclose findings of responsibility for a policy violation as a student at another institution when applying to the college. Failure to provide timely disclosure to the college in writing of one’s status on an offender registry. Failure to provide timely disclosure to the college in writing of a restraining order or other legal restriction, such as probation, that may affect one’s ability to participate in college activities. “Timely” in this paragraph shall mean at the time of enrollment for existing circumstances or during the semester in which subsequent circumstances occur.
- 3) Probation Violation — Violation of the terms of disciplinary probation during the period of probation.

C. Disruption of College Processes or Services

Students are expected to demonstrate respect for the college’s physical environment—the buildings, open spaces, and infrastructure. This means abiding by hours of operation and closure notices as well as helping to ensure that facilities are accessible for their intended use during operating hours. Students are expected to treat college resources such as books and equipment in ways which do not cause physical damage, and to immediately report damaged items to area officials.

- 1) Abuse of Facilities — Occupation or seizure in any manner of college buildings, a college facility, or any portion thereof for a use inconsistent with those that are prescribed or authorized. See *I-1.1.5 Free Speech and Public Assembly*.
- 2) Computer or Network Misconduct — Misuse of college computer time or equipment including, but not limited to, unauthorized entry into a file; unauthorized transfer of a file; unauthorized use of another’s identification or 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. See *II-2.1.2 Internet Acceptable Use*.
- 3) Deception — Forgery, alteration, or misuse of college documents, records, or instruments of identification. Providing false information to any college official via such means. Lying to a college official to acquire a positive outcome or to avoid a negative outcome. Creating unauthorized copies of any document used for student assessment.

- 4) Trespass — Unauthorized entry upon the property of the college or into a college facility or portion thereof which has been restricted (i.e. placed off limits); unauthorized presence in a college facility outside of operational hours.
- 5) Aiding Others' Misconduct — Assisting other students in violating the student code of conduct is a violation of the student code of conduct.
- 6) Disruption or Obstruction — Interfering with, halting, blocking, or in any way delaying study, teaching, research, administration, disciplinary proceedings, or other college activities including public service functions and other duly authorized events on college premises. Possession of fake or toy weapons (squirt guns, nerf guns, etc.).
- 7) Gambling — Charging college community members money to participate in a game of chance where the only goal is personal enrichment. Attempting to run a betting pool or gaming book as an on-campus enterprise. Full details on statewide gambling restrictions can be found in [Subchapter XI, Article 37 of the NC General Statutes \(§14-292, §14-309.15\)](#).
- 8) Academic Misconduct — A pattern of academic dishonesty or a referral of academic misconduct from instructional personnel. While instructors of record will most often be considered the instructional personnel, other employees such as librarians and Testing Center facilitators may be considered instructional personnel in certain situations. See *IV-1.1.3 Student Academic Integrity*.

Directors of the college's academic programs may specify via their program handbooks additional conduct that is prohibited within a program. Instructors of record for each course may specify via their syllabi additional conduct that is prohibited in instructional spaces during instructional time to fulfill specific health, safety, and regulatory requirements.

Students found responsible for academic misconduct under the Student Code of Conduct will face academic sanction as described in section 5 of this document.

D. Targeted Harm or Disrespect

Students are expected to respect their peers' persons, rights, and wishes as much as is possible and practical. Students are expected to refrain from unprotected speech and expression such as defamation, incitement, and harassment. Students are expected to respect others' physical space and person without resorting to acts of physical violence.

1. Property Misconduct — Theft, misuse, damage, or defacement of college property, property of a member of the college community; or property of a campus visitor on college premises or at college functions.
2. Threats (Not Sex-Based) — Communicating a non-sexual threat to any member of the college community, including verbal or written statements which threaten or endanger the health or safety of any such persons. See *I-2.1.4 Anti-violence and Threat Assessment*.
3. Assault — Assault on any member of the college community, including physical actions which threaten or endanger the health or safety of any such persons. See *I-2.1.4 Anti-violence and Threat Assessment* policy. Assault may be non-sex-related

or it may be unwanted sex-based behavior that does not meet the Title IX criteria for sexual assault, dating violence, domestic violence, or stalking. See *I-2.1.6 Sexual Harassment, Sexual Violence and Anti-Harassment*.

4. Harassment — Unsolicited or unwelcome acts, comments, or retaliatory behaviors which interfere or are intended to interfere with a member of the college community's involvement in an aspect of the college environment. Harassment may be non-sex related or it may be unwanted sex-based behavior that does not rise to the threshold of being so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an educational program or activity. See *I-2.1.6 Sexual Harassment, Sexual Violence and Anti-Harassment*.
5. Hazing — per the Stop Campus Hazing Act, hazing is any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or person to participate, that is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in a student organization, and that causes or creates a risk of physical or psychological injury above the reasonable risk encountered in the course of participation at the institution or in the organization. For examples of hazing behavior, please consult Public Law 118-173 (4)(II) items (aa) through (gg).

E. Campus Safety

Students are expected to act in ways that improve the safety and foster the health of the college community. This means abiding by safety requirements in various areas and coming to campus and to sponsored events without weapons. Health and Safety violations of this code include the following items:

- 1) Fire Alarm or Fire Equipment Misuse — 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.
- 2) Bomb Threats — Issuing a bomb threat.
- 3) Cars — Violation of college regulations regarding the operation and parking of motor vehicles. Full details of parking regulations at GTCC can be found on the 'Traffic and Parking Information' page of the college's public website: GTCC >> Student Life >> Campus Safety and Police >> Transportation and Parking Information.
- 4) Group Disorderly Conduct — Participating in or conducting an assembly, demonstration, or gathering in a manner which threatens or causes injury to people or property; which interferes with free access to college facilities; or 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 will be considered participation. See *I-1.1.5 Free Speech and Public Assembly*.
- 5) Illegal Acts — Violation of local, state, or federal criminal law on college premises, at college-sponsored events, or that may directly impact the college environment regardless of location can be considered a violation of this code of conduct.
- 6) Lewd or Indecent Conduct — Physical or verbal action; distribution of obscene

or libelous material; or behavior which may cause a material and substantial disruption of school activities based on indecent content.

- 7) Safety Violation — Behavior which conflicts with the safety of others or which conflicts with safety rules for the area in a class, lab, shop, or other educational setting. The use of chemical irritants such as mace or pepper spray may be considered a safety violation depending on the circumstances of a situation.
- 8) Weapons — Possession of a weapon on-campus in violation of the law. Weapons, whether carried openly or concealed, are not permitted on GTCC property. A “weapon” includes firearms, explosives, BB guns, stun guns or tasers, air rifles or pistols, and certain types of knives or other sharp instruments per N.C.G.S. § 14-269.2. Fake weapons (e.g. squirt guns and toy swords) will be considered a disruption of the college environment under definition C6 of this policy. Fake weapons which appear real or which cause a real panic by their presence on campus or at a college-sponsored event may be addressed under other allegations.

The General Assembly has enacted a limited exception to the general prohibition on firearms for law enforcement officers (<https://www.ncleg.net/Sessions/2013/Bills/House/PDF/H937v6.pdf>). A firearm is permissible on a community college campus only under the following limited circumstances: the firearm is a handgun; AND the individual has a valid concealed handgun permit or is exempt from the law requiring a permit; AND the handgun remains in either: a closed compartment or container within the individual with the permit’s locked vehicle; or a locked container securely affixed to the individual with the permit’s locked vehicle; AND the vehicle is only unlocked when the individual with the permit is entering or exiting the vehicle; AND the firearm remains in the closed compartment at all times.

2. **Oversight of the College’s Student Conduct Processes**

The college affirms the power of instructors to apply corrective action to students during active instruction to foster a positive learning environment that supports the learning outcomes. This action may include directing students to cease disruptive speech or behaviors, directing them to modify their location or situation within the class, and requiring them to leave the class for the remainder of that class period. The college further affirms the power of department chairs and deans to receive behavioral referrals from instructors and to engage in developmental conversations with students.

To accept conduct referrals for behaviors that exceed an individual employee’s ability to respond to, or that clearly requires a formal investigation, the college maintains a Student Conduct and Community Standards Office (SCCSO). For conduct matters resulting in formal reviews, this office shall be responsible for receiving allegations of Student Code of Conduct violations; for assigning primary investigators to all such cases; for ensuring that reviews are conducted in compliance with this policy; and for coordinating equivalent support resources at all spaces used by the college. The Community Standards personnel (direct office workers and others such as campus

managers when acting in their student conduct capacities) provide oversight and assistance to other campus officers and will serve as primary investigators when needed. The Assistant Director of the K-12 Partnerships Office and any relevant middle college administrators will be involved appropriately when a case involves a secondary student enrolled in a college curriculum course.

In addition to the college-wide code of conduct pertaining to all GTCC students, individual programs and service areas may maintain their own program handbooks with policies and procedures that extend the list of proscribed conduct, that tailor response protocols to program regulatory requirements, or that empower deans, department chairs, and program directors to apply population-specific interim measures to secure situations in consultation with the Community Standards Office.

If the Director of Student Conduct and Community Standards is either implicated in a situation or is the reporting party, the Associate Vice President (AVP) of Student Services shall coordinate the office's oversight and assignment actions.

3. **Emergency Response Procedures and Interim Sanctions**

When behavior presents an immediate threat to health and safety or disrupts the function and good order of the college, policies such as *I-2.1.4 Anti-violence and Threat Assessment* and Campus Police protocols will take precedence over this Student Code of Conduct. In such situations, college employees are encouraged to alert police by dialing 911 or the Campus Police response line on a campus phone. This will automatically notify Campus Police. Once police have been alerted to the situation college employees should notify the Community Standards Office of the situation via [a formal student conduct report](#), which can be found on the office's public webpage in the consolidated reporting portal.

When appropriate, the Director of Student Conduct and Community Standards will recommend interim sanctions for students during a conduct review. The Student Services Associate Vice Presidents or Vice President for Student Services will vet any such sanctions before they are applied, and when necessary, prior guidance will also be sought from the Chief of Police and the Director of Counseling and DisAbility Access Services. Interim sanctions include, but are not limited to suspension, mutual no contact orders, and restrictions on student movement or campus access. Interim sanctions are not meant to be punitive or permanent – interim sanctions will be replaced at the conclusion of a conduct review with permanent sanctions if students are found responsible for a conduct code violation. If students are found not responsible for a conduct code violation, any interim sanctions applied to them will cease. A student who is placed on interim suspension may be denied access to all or part of the college environment during that period, either as part of the interim sanction or separately by Campus Police or the threat assessment team.

The Director of Student Conduct and Community Standards is charged with considering how likely a finding of responsibility is based on initial evidence when considering whether to apply interim sanctions; the college will have a reasonable responsibility to

help students to make up for lost educational opportunities as the result of interim sanctions when a formal conduct review finds them not responsible for a policy violation.

4. **Standard Response Procedures and Investigative Steps**

Providing for the welfare of others is a moral obligation. In recognition of this, the college will not automatically open a conduct review when the college becomes aware of a conduct code violation from a student report of a medical emergency. In order to avoid potential or additional conduct code violations, students must report the emergency in a timely manner, remain with the student in distress until help arrives, and cooperate with emergency response personnel at the scene. Protection from law enforcement consequences cannot be guaranteed.

Any member of the college community can report alleged misconduct to the Community Standards Office. This online report is available on the Student Conduct and Community Standards page of the college's public website. Urgent matters that threaten health, safety, or normal college operation should be reported to Campus Police using the emergency procedure outlined above. Within two (2) business days of receiving a report the Community Standards Office will review it and determine whether it needs to be referred to a different office, logged as an information report, or turned into an open case for conduct review. Cases will be opened and assigned an investigator within the two (2) business day time period.

A SCCSO designee will seek to conduct the full conduct review within ten (10) business days from the date the case was created. Extensions to this timeframe may be approved by a Student Services Vice President or Associate Vice President due to mitigating factors such as a delayed ability to obtain evidence. The following steps comprise a conduct review:

- 1) Notice and Initial Meeting—notify the respondent(s) in writing of a scheduled meeting in which they will be able to respond to the allegations. The format of the meeting (in-person vs. virtual) is at the discretion of the SCCS designee. If a student is receiving interim sanctions under the emergency procedures section of this policy the notification letter will explain this. Meet with the respondent(s) to hear their version of events and to get their response to any evidence received.
- 2) Additional Evidence Collection—pursue additional physical evidence that may reasonably be expected to exist. Meet with other named parties (complainants, witnesses, instructors, etc.) to interview them about the situation.
- 3) Outcome Determination and Notice—determine whether a preponderance of evidence (more likely than not) exists to find the respondent(s) responsible for any conduct code violations. A pattern of relevant prior allegations against the respondent may be considered when determining preponderance of evidence. When a preponderance of evidence does exist, assign appropriate sanctions. Notify the respondents(s) in writing of the outcomes and of their appeal options.

Students who receive a notification of alleged misconduct but fail to attend or to reschedule their conference may be found responsible for failure to comply with

directions under the Student Code in addition to any other violations which are being considered. The conduct review will continue with or without a participant's input.

5. Sanctioning for Students Found Responsible for a Violation

Students found responsible for a violation of the Student Code of Conduct will receive a combination of formal sanctions from the primary investigator, within the sanctioning guidelines outlined on the college's SCCS webpage. These include:

- a. Written reprimand
- b. Disciplinary probation
- c. Suspension from the college
- d. Expulsion from the college
- e. Loss of privileges
- f. No contact order
- g. Financial restitution
- h. Letter of apology
- i. Community service
- j. Mandated professional referral
- k. Personal reflection essay
- l. Completion of an educational experience
- m. Creation of an educational resource
- n. Academic sanctions (for student found responsible for academic misconduct)
 - 1) Required resubmission of an academic assignment
 - 2) Reduced academic assignment grade
 - 3) Reduced academic course grade
 - 4) Removal from an academic course
 - 5) Removal from an academic program of study

6. Applications of Holds to Student Accounts

Employees of the Student Conduct and Community Standards Office shall have the power to apply holds to student accounts in the college's student record software. These holds prevent enrollment into new academic courses but do not interfere with other college business (e.g. receiving transcripts or paying outstanding balances). Such holds may be placed on a student account when a student does not participate in a conduct review, when a student who has been found responsible for a conduct violation fails to complete the resulting assigned sanctions within the specified timeframe, and when a student is suspended or expelled for a period of time. A hold may also be applied to a new student's account if the student does not provide appropriate documentation for a disclosed prior conduct history at a previous institution.

A hold will remain active on a student's account until they have discharged their obligations to the office.

7. Appeal Procedure

Students can appeal the decision of their initial conduct conference. There are three grounds for appeal:

- a) New and relevant evidence that could not have been known at the initial conduct hearing/conference that would have changed the outcome.
- b) Sanctions were applied that are not aligned with the published sanction guidelines.
- c) There was a procedural error during the investigation.

To request an appeal, a student must submit in writing their intent to appeal within 5 business days of the date of the investigator's outcome letter. All appeals should be directed to the Student Conduct and Community Standards office email at sccs@gtcc.edu. The request to appeal is reviewed by a SCCS staff member or branch campus manager within five (5) business days to affirm and/or deny the request to appeal.

The appeal request must include:

- a) Which of the three (3) ground(s) they are appealing,
- b) A written summary of why the appeal is warranted with any accompanying evidence

If the appeal request is granted, the appeal is forwarded to the student conduct hearing board. The student conduct board is approved and cycled out in accordance with section IV of the College Organization policy. The board is composed of 6 members: three serve on the hearing board and three serve as alternates. Board members include faculty, students, and staff who meet in a small group setting to discuss the appeal, decide the outcome, and (re)assign sanctions. All board members receive training prior to the hearing.

Other participants on the hearing board are non-voting members including the primary investigator, who answers questions from the board members, and an Associative Vice President or Campus Manager, who facilitates the meetings. The board members shall have the power to call for additional witnesses or other participants whose input is deemed necessary for making a fair decision. The board members shall have the power to review any available records or materials deemed relevant to making a fair decision. The board must meet within ten (10) business days of receipt of a complete appeal request, except within the last two weeks of a term when additional time may be needed and shall be agreed upon between the parties.

At least five (5) days prior to the board meeting, the board members will receive the evidence packet to review from the initial investigation. Board members who have prior knowledge of the case and/or believe they may be biased in the process due to previous interactions with the student are asked to voluntarily recuse themselves from the process. The board shall meet in executive session on a predetermined date to determine the outcome. Deliberations of the committee will not be recorded, and decisions of the committee shall be made by majority vote based on preponderance of evidence. The committee's decisions will be announced and recorded. Within three (3) business days of the decision, the student who appealed will receive an email to their college email address (or the student's primary listed email address in Colleague for students who do not receive a GTCC).

The decision of the board is final and without further avenues to appeal.

8. **Conduct Records Expungement**

Students who have been found responsible for a conduct violation that did not result in expulsion may apply in writing to the college's Vice President for Student Services or a designee (the reviewer) to have their conduct record expunged after one calendar year. A complete expungement application will include a summary of what happened, a summary of the actions the student has taken since that time to reflect on the matter and prevent its reoccurrence, and a statement of what the student hopes to accomplish in having the record expunged. Supporting documentation may be included with the written application.

The reviewer will review complete applications and may choose to speak with the student in a live interview and will decide to grant or deny the request. The reviewer will notify the student and the Community Standards Office in writing of the decision. Once expunged, student conduct record information will not be disclosed to third party agencies and institutions. The college may still share details of how the expungement process works with a requesting body. Student conduct records which are not expunged will be disclosable to other institutions and to potential employers under the same privacy guidelines as all other parts of a student's educational record.

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