



COLLEGE OF
THE
ALBEMARLE



2022-2023 STUDENT CODE OF CONDUCT, CIVILITY & ACADEMIC INTEGRITY HANDBOOK

For clarification or any type of assistance regarding this Handbook, please contact any member of the Student Success & Enrollment Management Team.



College of The Albemarle is an Affirmative Action/Equal Opportunity Institution and complies with all requirements of the Americans With Disabilities Act.

STUDENT CONDUCT & CIVILITY

We strive to resolve all allegations of Student Misconduct under the Student Code of Conduct & Academic Integrity policy in a way that promotes fairness, consistency and accountability. Each student is treated as an individual and each case is considered on its individual circumstances. The needs of the college community will also be considered in determining the best response to violations.

All students are expected to follow the Student Code of Conduct, Civility & Academic Integrity Handbook, which explains the expectation for student behavior at the college.

College of The Albemarle strives to:

- Promote a campus climate of respect and civility
- Educate students, faculty and staff on conduct expectations
- Administer statements of good standing for transfer students
- Receive, review and resolve allegations of student misconduct
- Issue sanctions for violations and monitor their compliance

Emergency Situations and Student Code of Conduct and Academic Integrity Handbook

In the event of force majeure, the College reserves the right to implement and enforce temporary rights and responsibilities and expectations until further notice.

“Force Majeure” shall include, but is not limited to the following situations: fire, earthquake, hurricanes, flooding, civil disturbances, and pandemics.

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1. STUDENT CODE OF CONDUCT AND ACADEMIC INTEGRITY POLICY

A. Introduction and Purpose

The students of the College of The Albemarle (COA) are viewed as adults and are expected to conduct themselves accordingly. The nature of the college environment requires various rules and regulations to support it. As adults, COA students are responsible, not only to avoid harming the College community, but also to improve, support and encourage its growth.

This Student Code of Conduct and Academic Integrity Policy reflects the general principles of behavior accepted by society and by institutions of higher education. It also describes conduct about which COA has made specific statements, rules and regulations.

All COA students (including those involved in Career and College Promise, Early College, Distance Learning, the Adult High School, or the High School Equivalency program) are responsible for knowing and following the Student Code of Conduct and all other regulations which are outlined in this document and the College Catalog. The Student Code of Conduct and Academic Integrity Handbook is available online on COA's website. Specific sections included in the handbook are distributed to students during orientation, Welcome Back student events and/or via email. The College Catalog is also available on the college website.

NOTE: Certain programs at COA may have conduct and academic integrity or sanction requirements in addition to those listed here. Please consult your program handbook for more information.

1. Safety Exception to Open Door Admissions

COA is an open door community college with the following safety exception: Pursuant to 23 SBCC 02C.0301(e) and (f), entitled to Admission to College, COA will refuse admission/readmission to any applicant during the time period prior to being admitted to the College if there is an articulable, imminent and significant threat to the safety of the applicant and/or another individual. The College defines "admitted" as the end of the application process, which begins with an application and ends when a student attends his/her first class. Once the application process is completed and a student is attending one or more classes, the Student Code of Conduct will apply. To deny admission based on a safety threat, the College must document detailed facts supporting the rationale for denying admission.

If admission is refused on the basis of a safety threat the following must be documented:

- Detailed facts supporting the rationale for denying admission.
- The time period within which the refusal to admit shall be applicable and the supporting rationale for the designated time period.
- The conditions upon which the applicant that is refused would be eligible to be admitted.

2. Jeanne Clery Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act is the federal law, originally known as the Campus Security Act, which requires colleges and universities across the United States to disclose information about crime on and around their campuses. The campus crime log can be found at the Office of the Director of Campus Safety and Security's (C135) or online under the Campus Safety and Security tab.

3. Violations

Violations of the Student Code of Conduct will be handled directly by the Vice President, Student Success and Enrollment Management, or designee. Certain faculty and/or staff members may immediately restrict access to the College or to certain areas for infractions of the Student Code of Conduct. Such events will be reported via Maxient as soon as practical.

Should a student's presence on campus create a threat to the safety or well-being of other members of the COA community, the College reserves the right to immediately remove that student from campus.

Instances of academic dishonesty will be handled by faculty members in accordance with policies set forth in their syllabi and the Academic Integrity Policy in this handbook or the College Catalog. Students wishing to appeal academic integrity violation decisions made by faculty members should consult the Academic Integrity Policy section of this handbook or the College Catalog for guidelines.

4. Jurisdiction

This Code applies to:

- A. The on-campus conduct of all students and registered student organizations.
- B. The off-campus conduct of students and registered student organizations in direct connection with the use of college resources, including the campus intranet or internet network; academic course requirements, such as internships, field trips or experiential learning activities; any activity supporting the pursuit of a certificate or degree; any activity sponsored, conducted or authorized by COA or any registered student organization.

- C. Off-campus conduct that negatively impacts the college, including via social media, such as threats of violence or physical harm, unlawful harassment or other conduct which may have a negative impact or may place its community (inclusive of students and staff) at risk.
- D. Any activity that causes substantial risk of destruction of property belonging to COA or causes serious risk of harm or endangers the health or safety of members of the COA community, including students, staff and members of the public when participating in COA events or activities.
- E. Any conduct that may create a disruption of the educational environment.

B. Student's Rights & Responsibilities

1. Rights

Students at the COA are afforded various rights along with their responsibilities. Students at COA have the same rights and protections under the Constitutions of the United States and the State of North Carolina as other citizens. These rights are protected regardless of age, race, color, religion, sex (including pregnancy), national origin, disability, political affiliation and/or any other legally protected class not heretofore mentioned as set forth in COA's Civil Rights/Non-Discrimination Policy.

Additionally, students have the following rights:

The right to access education and campus facilities.

- The right to be informed about classroom requirements and college policies and procedures.
- The right to consistent academic evaluation in relation to other students.
- Students, official clubs and organizations may use available college facilities according to college policy and procedures.
- The right to due process in regards to disciplinary concerns, as well as a fair and balanced system for other complaint resolution.

The right to confidentiality of student records.

- The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their educational records, as outlined on the Student Records web page:
www.albemarle.edu/studen-resources/academic-support/ferpa

The right to freedom of expression, association and assembly.

- Students may express their views on college policy or matters of general interest, and may support causes by any orderly means that do not disrupt the operation of the college.

- In the classroom, students are free to take reasoned exception to the data or views offered and to reserve judgment about matters of opinion, but they are responsible for learning the content of the course.
- The right to participate in self-governing student bodies which provide channels of communication and means for using democratic processes to solve problems.
- Students have the right to participate in the institutional governance and policy formation as defined by the appropriate governing body.

2. Responsibilities

The College expects all students to conduct themselves as responsible citizens and members of the academic community. It is the responsibility of each student to know, observe, abide by and adhere to COA's Student Code of Conduct, rules and regulations. Additionally, students are to abide by all rules applicable to conduct in a classroom environment and at College-sponsored activities. Students, by enrolling in the College, are automatically placed under the rules and regulations established by the College. Therefore it is the students' responsibility to familiarize themselves the rules and regulations affecting them.

3. Terms

1. Accused Student: Any student accused of violating the Student Code of Conduct.
2. Business days: Monday through Friday, excluding days when the College is not open.
3. College officials: Senior Administrators and their designees.
4. Complainant: Any person who submits charges alleging a violation of the Student Code of Conduct or who believes s/he has been a victim of the misconduct.
5. Criminal activity: Any violation of local, state or federal laws.
6. Online classes: Classes which utilize COA resources including faculty, internet or intranet services whether or not directly operated by COA, including Hybrid classes.
7. On-campus: All real property and vehicles owned, operated, maintained, controlled or leased by COA.
8. Property belonging to COA: All land, buildings, facilities or other grounds or structures, or any item in possession of or owned, used, loaned, leased, maintained or controlled by COA or funded by COA budgets, including computers and network systems, library materials, classrooms and laboratories used for COA purposes.
9. Student: The term "student" means any person who has been issued a student identification number at COA and is:
 - currently enrolled, or
 - admitted and shown intent to enroll, or
 - withdrawn from a specific course, program, or the College after allegedly violating the Student Code
10. Student Group or Organization: A group of students who have been recognized by the College as having a specific affiliation (such as student clubs and organizations, athletic teams, etc.)

C. Code of Conduct Expectations

All COA students are expected to respect and value the rights of others and conduct themselves as responsible citizens. Choosing to join the COA community obligates each student to abide by a code of civilized behavior. The following personal actions on COA property, as defined herein, at official College functions, or which place students, faculty or staff at risk are prohibited. This following list is not intended to be exhaustive, and the College reserves the right to impose sanctions on students for personal actions which may not be expressly identified.

NOTE: Certain programs at COA may have conduct and academic integrity or sanction requirements in addition to those listed here. Please consult your program handbook for more information.

1. Code of Conduct Violations

A. Attempts to Defraud

Dishonesty, fraudulent conduct intended to mislead others is prohibited. This includes any activity intended to misrepresent any official document or identification used by or issued by the College.

B. Bullying

Bullying is the systematic intentional behavior that may take many forms, including but not limited to, repeated unwanted physical, verbal or written acts which are hostile or offensive, targeted at an individual or group and creates an intimidating and/or threatening environment which produces a risk of psychological and/or physical harm. Bullying may manifest as cyber stalking or cyber bullying, as well as excluding behaviors such as ignoring or dismissing individuals or groups. See the Unlawful Harassment Policy for complete details.

Bullying based on gender may be adjudicated under our Title IX Policy (2-37)

- Hostile behaviors include, but are not limited to, inappropriate behaviors that are harmful or damaging to an individual and/or property. Behaviors that are intimidating, threatening, disruptive, humiliating, sarcastic or vicious may also constitute hostile behavior.
- Offensive behaviors may include, but are not limited to, inappropriate behaviors such as abusive language, derogatory remarks, insults or epithets. Other offensive behaviors may include the use of condescending, humiliating or vulgar language, swearing, shouting or use of unsuitable language, use of obscene gestures, or mocking. To be bullying, the speech must be severe and pervasive, or have the potential to create a hostile environment which a reasonable individual would perceive as deleterious to the victim's academic goals.

C. Classroom Misconduct

All students have the right to learn without interference from others. Faculty members have the authority to protect this right by creating and maintaining an environment that is conducive to learning. Towards this end COA has developed the following Code of Classroom Conduct.

Classroom misconduct is any behavior which disrupts or interferes with the learning experience. Students are required and expected to conduct themselves in a mature and considerate manner. Students should conduct and express themselves in a way that is respectful to all individuals. This includes respecting the rights of others to comment and participate fully in class.

NOTE: Certain programs at COA may have conduct and academic integrity or sanction requirements in addition to those listed here. Please consult your program handbook for more information.

Examples of Classroom Misconduct include, but are not limited to, the following:

- Engaging in behavior that disrupts or interferes with the learning experience. Behavior such as, but not limited to, talking in class while the faculty member or other students are speaking, using hate speech or threatening speech, or speech which otherwise causes a disturbance, creating distractions or disturbances, sleeping, reading unrelated materials, and moving about the classroom is, in many situations, considered disruptive behavior to the learning process.
- Using cell phones or other electronic devices that disrupt the learning process or teaching environment is not allowed under most circumstances. The use of personal laptop computers, phones, etc., may be acceptable in some classes; however they must be used only for note taking or activities in direct support of the course objectives. Faculty members have the right to ask students to shut down any electronic devices.
- Entering the classroom late or leaving the classroom prior to the end of class is considered a disruption to the learning process and must be avoided unless exceptional circumstances arise.

D. Complicity in Violating the Student Code of Conduct

Prohibited conduct includes attempting, aiding, abetting, conspiring, hiring or being an accessory to any act prohibited by this Code. If a student has knowledge of another student, individual or group committing or attempting to commit a violation of this Code, he or she is required to remove him or herself from the situation and report it to the College.

E. Copyright Infringement

Students must respect copyright laws that protect software owners, artists and writers. Plagiarism in any form will not be tolerated. The use of College resources to infringe upon copyright laws (print, digital and Internet) is prohibited. This applies to all forms of electronic media including, but not limited to, software, electronic encyclopedias, image files, video files and sound files.

- F. **Cyber Stalking**
Engaging in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at or about a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.
- G. **Cyber Bullying**
The willful and repeated harassment and intimidation of a person through the use of electronic or digital technologies, including, but not limited to, email, blogs, texting on cell phones, social websites (e.g., Instagram, Facebook, Twitter, etc.), chat rooms, "sexting", instant messaging or video voyeurism.
- H. **Demonstrations and Disruptive Conduct**
The First Amendment protects the right to assemble and to petition, but it requires that the right be peaceably exercised in accordance with the law. This right may be exercised by the use of written or spoken words, by acts such as picketing and by "peaceable" mass assemblies and demonstrations, subject to College regulations on time, place and manner of such activity. The College will not tolerate the deliberate, material or substantial disruptions of the classroom, college operations work environment or movement of others, nor will it condone violence or physical interference with the facilities or functions of the campus. If protesters (or anti protesters) resort to the use of violence or physical interference, College officials may, without delay, invoke the use of legitimate authority to remove all violators. Disruption may include: disorderly conduct, lewd or indecent behavior, breach of peace, or aiding, abetting or procuring another person to breach the peace on College premises or at functions sponsored by or participated in by the College.
- I. **Discrimination**
Engaging in discrimination against other students, faculty or staff, College officials, or guests on the basis of age, race, color, religion, sex (including pregnancy), national origin, disability, political affiliation and/or any other legally protected class not heretofore mentioned as set forth in COA's Civil Rights/Non-Discrimination policy is prohibited in all programs, activities, services, employment and advancement including admissions to, access to, treatment in, or compensation in employment as required by state and federal law.
- J. **Dress Code**
The college expects all students to dress in a manner in keeping with the serious academic mission of the college. Students will not be permitted to dress in a manner which disrupts the educational environment. For campus security, students are not permitted to wear clothing or accessories which obscure, conceal, or distort the student's identity, such as masks, hoods, disguises, etc. Shirts and shoes are required at all times while the student is on campus or while attending a COA activity, function, or event off the COA campus.

Certain technical or vocational curricula may require special attire. Students enrolled in certain programs must follow the applicable Program Handbook. A student may not attend classes or laboratory work if such student is in violation of the dress codes for specialty programs that follow a program handbook guidelines.

Exceptions may be made when necessary to accommodate genuinely held religious beliefs or as necessary to accommodate students with disabilities. Such requests should be made to the Vice President, Student Success and Enrollment Management.

K. Ethical and Acceptable Use of Technology

The use of COA Instructional Technology resources is subject to all federal, state and local laws, and to the College's applicable policies and guidelines, as outlined in the COA Policy for Responsible Use of Technology Resources.

The following are considered engaging in acts of theft or abuse of computer time or information and are prohibited including but not limited to:

1. Unauthorized entry into a file to use, read or change its contents.
2. Unauthorized transfer of a file or files.
3. Unauthorized use of another person's identification and/or password.
4. Use of computing facilities to interfere with the work of another student, faculty or College member.
5. Use of computing facilities to view or send obscene materials.
6. Use of computing facilities to interfere with the normal operation of the College computing system.
7. Releasing or exchanging of information and/or codes that are detrimental to the COA environment, equipment and/or property.
8. Violation of technology usage policies/procedures (published and/or electronically posted).

L. Gambling

Wagering on the outcome of a contest of others, sporting events or games of chance while on college property or at college sponsored events is prohibited.

M. Gang Activity

Involvement in gang-related activities is prohibited. This includes, but is not limited to, the display of gang symbols, gang paraphernalia, colors, signs or graffiti. A gang is defined as a group of individuals with identifiable leadership that conspires and acts in concert, mainly for criminal purposes. Behavior on or about College premises or at College-sponsored events that creates conflict or an atmosphere of intimidation, or creates a clear and present danger to life or property, or disrupts orderly operation is prohibited.

N. Unlawful Harassment

Harassment is repeated, malicious mistreatment, verbal abuse, or conduct that is threatening, intimidating, humiliating, insulting, isolates people, or undermines their reputation through verbal or non-verbal communications. Harassment is prohibited.

COA creates an inclusive learning and working environment that recognizes the value and dignity of each person. It is the policy and practice of COA to provide equal educational and employment opportunities regardless of age, race, color, religion, sex/gender, pregnancy, sexual orientation, national origin, disability or political affiliation in all programs, activities, services, employment and advancement including admissions to, access to, treatment in, or compensation in employment as required by state and federal law.

See the Unlawful Harassment Policy for complete details.

O. Hazing

Hazing means any act committed on COA property or in connection with any COA related group or activity that endangers the mental or physical health or safety of an individual (including, without limitation, an act intended to cause degradation, cruelty, or humiliation), or that destroys or removes public or private property, for the purpose of initiation in, admission to, affiliation with, or as a condition for continued membership in a group or organization. Hazing is prohibited by the College.

In response to allegations of hazing under this regulation, it is not a defense that:

1. The victim gave consent to the conduct.
2. The conduct was not part of an official organizational event or sanctioned or approved by the organization.
3. The conduct was not required as a condition of membership in the organization.

P. Illegal or Unauthorized Possession/Use of Alcohol and Drugs

The unauthorized use, possession, manufacturing or distribution of illegal drugs, controlled substances, look-alike drugs, narcotics, medical marijuana or alcoholic beverages or being under the influence of the same on campus is prohibited. Prohibited conduct includes the use of a prescription drug if the prescription was not issued to the student, and sniffing toxic vapors.

See Substance Abuse Policy for complete details and definitions.

Q. Illegal or Unauthorized Possession/Use of Weapons

Possession, use, control or distribution of any weapons, including but not limited to, firearms, pellet guns, air pistols/rifles, explosives, dangerous chemicals, knives, stiletos, dirks, brass knuckles, licensed weapons (except as allowed under North Carolina law with a concealed carry permit),

objects or instruments possessed for use as a weapon or for direct or indirect delivery to another person for use as a weapon is prohibited.

R. Indecent or Obscene Behavior

Prohibited behavior includes, but is not limited to, indecent exposure, urinating or defecating in public, outward displays of sexual activity, voyeurism, etc.

S. Misrepresentation

Students are prohibited from representing or acting on behalf of the College or another individual when not authorized to do so.

T. Misuse or Unauthorized Possession or Use of Public or Private Property

Prohibited conduct includes, but is not limited to:

1. Theft or the taking or unauthorized use or possession of public or private property or unauthorized use or acquisition of services.
2. Destroying, damaging or littering of any property, conduct that defaces, destroys, damages or litters any property of the College or any property of an individual or group whether on campus or at a College function.

U. Obstruction/Abuse of Student Conduct Process

Students shall not disrupt, interfere with or abuse the student conduct process.

Prohibited conduct includes, but is not limited to:

1. Failure to comply with a summons of the Student Code of Conduct Process.
2. Falsification, distortion or misrepresentation of information.
3. Disruption or interference with the orderly process of a discipline hearing.
4. Attempting to discourage an individual's proper participation in or use of the Student Disciplinary Appeal process.
5. Attempting to influence the impartiality of a conduct officer or a member of the Student Disciplinary Appeals Committee prior to and/or after a student disciplinary appeal.
6. Verbal or physical harassment and/or intimidation of a conduct officer or a member of Student Disciplinary Appeals Committee, failure to comply with decisions, recommendations or sanctions imposed.
7. Influencing or attempting to influence another person to commit an abuse of the conduct process.

V. Refusal to Identify and/or Comply

Includes disobedience or insubordination toward College officials or designees acting in the performance of their duties. Students are required to produce identification for a College official when asked, specifically their student ID card.

W. Rioting

Rioting disrupts the educational process, constitutes criminal activity and is prohibited. Rioting is defined as engaging in, or inciting others to engage in, harmful or destructive behavior in the context of an assembly of persons disturbing the peace on campus, in areas proximate to campus, or in any location when the riot occurs in connection with or in response to a COA sponsored event. Rioting includes, but is not limited to, such conduct as using or threatening violence to others, damaging or destroying property, impeding or impairing fire or other emergency services, or refusing the direction of authorized personnel.

X. Safety Violations

Engaging in unsafe conduct or compromising the safety of others is prohibited.

Prohibited conduct which endangers the health or safety of any person(s), includes, but is not limited to:

1. Intentionally or recklessly starting a fire or causing an explosion.
2. Misusing fire safety equipment, fire escapes or elevators.
3. Intentionally or recklessly endangering the welfare of any individual.
4. Intentionally or recklessly obstructing fire, police or emergency services.
5. Using, possessing or storing dangerous chemical, fireworks or explosives.
6. Using, possessing or storing any object classified as a weapon by the State of North Carolina on college property, except as allowed under North Carolina law with a concealed carry permit.
7. Utilizing any instrument in a manner that endangers or tends to endanger any person.
8. Obstructing the free flow of pedestrian or vehicular traffic.
9. The use of skateboards, rollerblades or other similar devices on the campus is prohibited.
10. Failing to comply with the reasonable and lawful directions of COA officials and COA Campus Security.
11. Falsely alerting others about an emergency.

Y. Sexual Misconduct

Sexual misconduct includes but is not limited to sexual violence including sexual harassment, dating violence, domestic violence, stalking, sexual assault, and sexual exploitation.

See the Title IX Policy for complete details and definitions.

Z. Stalking

A course of conduct directed at a specific person that would cause a reasonable person to fear for her, his or others' safety, or to suffer substantial emotional distress is prohibited.

See the Title IX Policy for complete details and definitions.

AA. Threatening Behavior

Prohibited conduct includes, but is not limited to:

1. Any written or oral communication, conduct or gesture, that is directed toward any member of the COA community including but not limited to students, faculty, staff, vendors, customers or guests, including to oneself, that causes a reasonable apprehension of physical harm to a person or property.
2. Interference by force, threat, harassment or duress with personal safety, academic efforts, employment and/or participation in College-sponsored activities.
3. Includes any conduct that threatens or causes physical injury or endangers another person's or one's own health or safety including, but not limited to: physical violence, assault or the threat to use physical violence; use or possession of fireworks, gunpowder, dangerous chemicals or explosive materials; and blocking or preventing the use of or access to fire exit doors and building hallways.

Note: A student can be guilty of threatening behavior even if the person who is the object of the threat does not observe or receive it, so long as a reasonable person would interpret the maker's statement, communication, conduct or gesture as a serious expression of intent to physically harm.

BB. Violation of the Tobacco Free Campus Policy

According to the Tobacco Free Campus policy, students shall not use, chew, smoke or sell tobacco products, e-cigarettes and medical marijuana, at any time while subject to the jurisdiction of the COA Student Code of Conduct or in any place on COA properties, including sidewalks within the boundaries of any COA campus. The policy shall extend to all properties owned, operated, leased or maintained by COA.

See the Tobacco Free Campus Policy for complete details.

CC. Unauthorized Access and Use of Facilities and Services

Prohibited conduct includes, but is not limited to:

1. Unauthorized access or entry to College buildings, structures or facilities information systems, or obtaining or providing to another person the means of such unauthorized access.
2. Unauthorized possession, duplication or use of keys or access codes for any College property.
3. Continued occupation of any College facility after being requested to leave by a College employee, official or designee acting in the performance of their duties.

DD. Violations of College Rules, Procedures and Policies

Students are responsible for making themselves aware of and complying with College policies and guidelines, which can be found in the student handbook.

EE. Violation of Local, State or Federal Laws

All students must comply with applicable law. Students shall not engage in conduct that violates any municipal or county ordinance, federal or state law, including, but not limited to, laws governing alcoholic beverages, drugs, gambling, sex offenses, indecent conduct, arson, copyright laws, etc. The disciplinary process may be instituted without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Sanctions imposed as a part of this process shall not be subject to change based on the outcome of any criminal process.

Note: Students under 18 years of age who are involved in acts of violence, drugs, and alcohol or sexual assault violations may have their parents notified by VP, Student Success and Enrollment Management, or designee. CCP/Early College Students may have their originating High School notified.

2. Code of Conduct Sanctions

A. Definition of Sanctions

Sanctions are disciplinary penalties that may be imposed on a student following a determination that the student has engaged in one or more Code violations.

B. Sanctions Determined on a Case-by-Case Basis

The determination of what sanctions may be warranted in a given situation will be based on the specifics of that situation and the student's prior disciplinary record.

C. Employees Authorized to Impose Sanctions

Employees authorized to impose sanctions include, and are limited to, the following:

1. An instructor may impose academic ethics sanctions for an academic ethics violation involving the instructor's course.
2. An instructor may also impose an immediate suspension, not to exceed two class days, for classroom misconduct. This sanction must be immediately reported to the instructor's supervisor, VP (SSEM) and Campus Security.
3. A Campus Dean/Administrator may also impose an immediate suspension, not to exceed two class days. This sanction must be immediately reported to the Vice President of Student Success and Enrollment Management and Campus Security.
4. The Vice President, Student Success and Enrollment Management (SSEM) or his/her designee may impose sanctions other than academic ethics sanctions.
5. A College Campus Security Officer may impose a temporary suspension (no longer than 2 days), which will be immediately reported to the Director of Campus Safety and Security.

D. Code of Conduct Sanctions

Sanctions other than academic sanctions mean any one or more of the sanctions set out below. Where appropriate, a student may be subject to more than one sanction. For example a student may be on probation, have an obligation to pay restitution, and be on a behavior contract at the same time.

E. Reprimand

A reprimand admonishes a student for a Code of Conduct violation and warns the student not to commit further violations. A reprimand must be in writing and becomes part of the student's permanent discipline record.

F. Probation

Probation is a written directive to comply strictly with the Code of Conduct for a specified period of time. A student on probation is permitted to continue with his or her coursework and attend College events and activities, but is warned that any further Code violation may result in the imposition of more severe sanctions, including possible suspension or expulsion.

G. Interim Suspension

An interim suspension is a suspension imposed by a the VP, SSEM or Director of Campus Safety and Security on a student prior to the student's receipt of due process procedures.

H. Mandated Withdrawal

A mandated withdrawal is a sanction where the student is withdrawn from a class or classes or from a College program. Withdrawal of a student from a College program can be for a specified amount of time.

I. Suspension

Suspension is a sanction that, for a specified period of time, (a) requires a student not to be on any College campus or property; (b) excludes the student from all College academic courses and activities; and (c) prohibits the student from attending or participating in any College event or activity, regardless of location. A suspension shall not exceed five years in length. In appropriate situations, a limited suspension may be imposed. A limited suspension is one that restricts a student from some, but not all, academic classes. A suspension is a limited suspension only if it is expressly referenced as such in the decision that imposes the suspension. A student's readmission following a suspension may be conditioned on compliance with specified conditions.

J. Dismissal

Dismissal is the permanent exclusion of a student from (a) all College campuses and property; (b) all academic courses and activities of the College; and (c) the right to attend or participate in any College function or activity, regardless of location.

K. Restitution

Restitution involves the payment of monies to the College or to one or more persons, groups or organizations to compensate the person(s), group(s) or organization(s) for damage to property or costs incurred as a result of the student's Code violation. Before requiring restitution in a Code matter that also involves separate criminal charges, the Director of Campus Safety and Security shall consult with the local police.

L. Access Restrictions

Access Restrictions are restrictions on a student's ability to attend or access specific services, facilities, and/or extracurricular activities or events. An access restriction shall not include prohibiting a student from attending a class or classes in which the student is enrolled.

M. Service and Related Activities

A student may be required to complete an educational program at the student's expense, write a paper or letter of apology, or engage in educational or community service appropriate to a specific Code violation.

N. Administrative Hold

An administrative hold is a sanction that precludes a student from registering, receiving transcripts or graduating until clearance has been received from the college President or VP, SSEM based on the student's completion of specified conditions, such as the return of property, completion of community service obligations, payment of restitution, etc. An administrative hold may only be imposed on a student when the student has received one of the following disciplinary sanctions:

- a suspension
- mandated withdrawal of the student from a class or classes, or from a College program,
- a dismissal
- restitution requirements, or
- service related activities requirements

D. Academic Integrity Expectations

1. Academic Integrity Violations

The development, understanding and practice of integrity and academic honesty are expected of all students at COA. Personal integrity is important in all aspects of life, and students are expected to conduct themselves with honesty and integrity, both in and out of the classroom. Acts of academic dishonesty will not be tolerated, and students engaging in such conduct may be subject to classroom and/or institutional disciplinary actions.

Academic dishonesty is any form of cheating and/or plagiarism which results in students giving or receiving unauthorized assistance in an academic exercise or receiving credit for work which is not their own.

A. Cheating

Cheating includes, but is not limited to the following:

- Using any sources not authorized by the faculty member (textbooks, notes, websites, the work of other students) to complete examinations or other assignments.
- Giving or receiving content information relating to assignments/quizzes/test/examinations to/from others unless authorized by the instructor.
- Using unauthorized electronic equipment.
- Submitting academic work previously submitted in another course without authorization.
- Altering or tampering with grades.

B. Plagiarism

Plagiarism is intentional or unintentional use of the intellectual creations of another source, person or organization without proper attribution. Credit must be given for every direct quotation, for paraphrasing or summarizing a work (in whole, or in part, in one's own words), and for information that is not common knowledge. Plagiarism may take two main forms, which are clearly related:

- Stealing or passing off as one's own the ideas or words, images or other creative works of another.
- Using a creative production without crediting the source, even if only minimal information is available to identify it for citation.

C. Fabrication

Fabrication is defined as intentionally falsifying or inventing any information or citation on any academic exercise. Therefore:

- "Invented" information may not be used in any laboratory experiment or academic exercise.
- One should acknowledge the actual source from which cited information is obtained.
- Students must not change or resubmit previous academic work without prior permission of the instructor.

D. Other Examples of Academic Dishonesty

- Allowing another student to copy during a test
- Giving homework, term paper or other academic work to another student to plagiarize
- Submitting any work that is not one's own
- Falsifying information to a faculty member or College official
- Altering a graded work after it has been returned, then submitting the work for re-grading without the instructor's knowledge/approval
- Stealing tests or other assessment items
- Forging signatures on College documentation

- Giving false or misleading information to a faculty member in an effort to receive a postponement or an extension on a test or other assignment
- Accessing computerized College records or systems without authorization
- Providing material or information to another person with knowledge that such aid could be used in any of the violations stated above
- Unauthorized recording, reproduction, retransmission or redistribution of course materials (e.g. lectures, handouts, podcasts, exams, student projects, group work, online material, etc.)
- Unauthorized use of solutions manuals, test bank or test bank materials for homework or exams

2. Academic Integrity Sanctions

A. Employees Authorized to Impose Academic Sanctions

Employees authorized to impose sanctions include, and are limited to, the following:

- An instructor may impose academic ethics sanctions for an academic ethics violation involving the instructor's course.

B. Academic Ethics Sanctions

Academic ethics sanctions mean any of the following:

- **Warning:** A warning admonishes a student for an academic ethics violation and warns the student not to commit further violations. A warning must be in writing but does not become part of the student's permanent record.
- **Loss of Credit or Grade Reduction on an Assignment:** A student may be given a lowered or failing grade (including a grade of zero or no credit) on an assignment, test/quiz or project which was the subject of an academic ethics violation.
- **Loss of Credit or Withdrawal from the course:** a student may lose credit for the course or be withdrawn, depending on the severity of an academic ethics violation.

C. Appeals Process

See section II of this handbook for appeal policy details.

NOTE: Multiple Academic Integrity violations may be referred to the Vice President, Student Success Enrollment Management (SSEM) and may result in additional Code of Conduct and Civility Violations.

2. STUDENT APPEALS PROCESS

Code of Conduct and Academic Integrity Appeals Process

A. Informal

The VPSSEM or designee will make every effort to resolve the complaint on an informal basis. If an informal resolution is not possible, the student has the right to due process through a formal appeal process.

B. Formal

1. Requesting a Hearing

A student may appeal a disciplinary sanction to the Student Disciplinary Appeals committee. The appeal must be made in writing to the VP, SSEM or designee.

The appeal must be received within three college working days after the student's notification of the disciplinary sanction.

Hearing Committee Make-up:

The VP, SSEM or designee will notify the Chairperson of the Student Disciplinary Appeals committee to convene members to hear the student appeal. The purpose of the Student Disciplinary Appeals committee is to hear appeals of disciplinary actions and to uphold, modify or reverse a disciplinary action (sanction) against a student. The following process will be initiated after a written appeal is made.

2. Notice of Hearing

The committee Chair will notify committee members, the student making the appeal and the complainant of the hearing date and time.

The hearing shall be held within three college business days following receipt of the appeal from the student except in unusual circumstances or with the consent of the student. The committee Chair must be notified, in advance, if any party is unable to appear at the scheduled meeting for a valid reason and the hearing may be re-scheduled.

3. Rules and Regulations

A. The committee Chair shall distribute copies of the appeal to committee members. A copy of the incident report, documented investigative reports relevant to the case and the appeal document will be forwarded to the committee Chair.

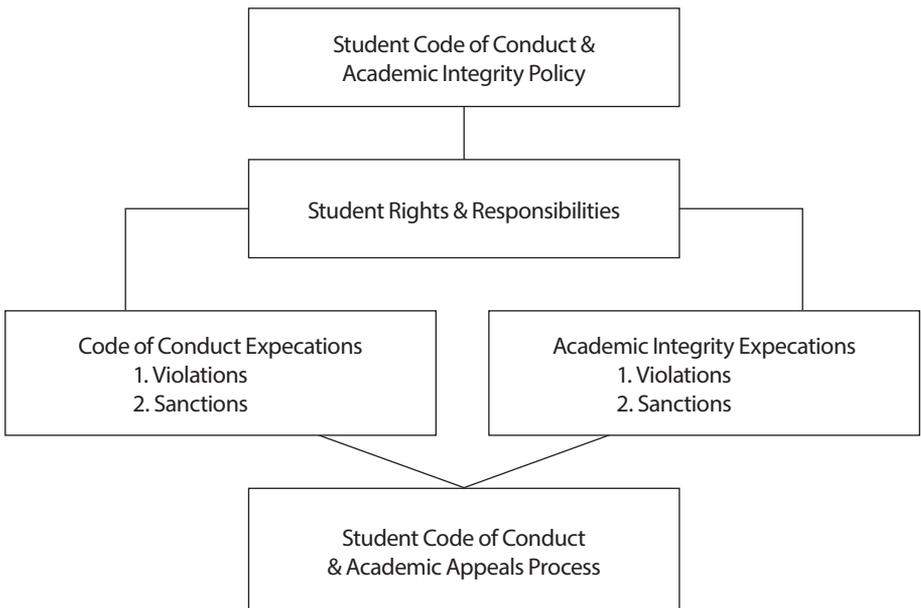
B. If any party fails to appear at the scheduled hearing without a valid reason, the committee may make its decision based upon any information received from parties or witnesses appearing at the hearing and/or the written documentation submitted prior to the hearing.

C. No one who has been involved in the investigation of the case or who may have some other interest in the case that may affect their impartiality shall serve on the committee.

- D. The committee Chair shall preside over the hearing and shall:
- Determine who will be allowed to attend the hearing.
 - Establish the order in which the sides shall present their information and establish time frames.
 - Make a recording of the hearing (no other recording is permissible).
The recording will be accessible only to the members of the committee participating in the hearing, Vice President, Student Success and Enrollment Management, and the President of the college. The deliberations and voting of the individual committee members will not be recorded.
 - Report, or select a committee member to report, the committee's decision.
 - Decide whether to have an attorney present to advise the committee.
 - Decide on ways to enhance the orderly presentation of evidence.
 - Control the conduct, language, volume and actions of the parties to prevent harassment or intimidation of the participants.
- E. The student making the appeal and the complainant, will each present their own case and may present documents or other tangible evidence and call witnesses that have been approved prior to the hearing by the committee Chair. The student may have an attorney present but they may serve only as an advisor to the student, and may not serve as a participant in the hearing. In the event the student chooses to have an attorney present, advance notice must be given to the committee Chair at least 36 hours before the hearing so that the committee and/or complainant may have legal counsel present to advise them, if desired. Failure of a student to give advance notice that they will be represented by legal counsel may result in a rescheduling of the hearing until the committee and/or complainant can arrange to have counsel present.
- F. The student has a right to be present when all information is presented to the committee. The student shall receive copies of all documents submitted to the committee. The committee Chair has the authority to exclude the identity of any student witnesses identified on documents in order to protect the student witness from harassment, reprisal or danger. Where practical, all documents that are submitted to the committee should be exchanged between the parties in advance. This means that the student and complainant must exchange with each other any documents they intend to use at the hearing. The student may be allowed to question any witness who appears before the committee. Alternatively, the student may elect to respond to the information provided by any witness. The committee Chair may exclude any information that is considered irrelevant, redundant, immaterial, unreliable or unduly prejudicial.
- G. Hearings before the committee are not legal proceedings. Formal rules of evidence are not applied. The committee or its Chair, may decide to admit any evidence that is considered to be generally reliable and

competent, as well as what weight to give to any evidence. Decisions will be based on a preponderance of the evidence.

- H. Members of the committee shall have the right to call other persons to appear and to question anyone present.
- I. Copies of the committee's case summary shall be kept permanently in the Office of the VP, SSEM or a designated area to be retained in files separate from the student's permanent academic files. A notification of the committee's decision shall be mailed by certified mail to the student and/or hand delivered with a staff member witnessing the act.
- J. The decision of the Student Disciplinary Appeals Committee may be appealed by the student in writing to the college President by 4:30 p.m. on the next college business day after the student's notification of the appeal. The President's decision is final.
- K. An appeal of the Student Disciplinary Appeals Committee decision may only be made if (a) new or additional evidence is discovered or (b) a violation of the hearing process negatively impacted the student's case.
- L. A campus security officer will attend the hearing if there are possible safety and/or security concerns or if the parties feel the proceedings may become contentious.
- M. Unless the law requires, the hearings are not open to the public.



NOTE: Title IX violations and appeals will be handled in accordance with policy 2-37. Please refer to the policy for more information.

3. STUDENT GRIEVANCE PROCEDURE

I. Purpose

The purpose of the student grievance procedure is to provide students a fair and balanced system for initiating general complaints or grievances relating to decisions made or actions taken by a college employee that involves misapplication of the college's policies, procedures, or regulations.

This procedure may not be used for the following instances:

1. Discrimination or harassment, including sexual harassment and violence or any Title IX related offenses (see COA Policy 2-37)
2. Discrimination because of race, color, religion, sex, sexual orientation, national origin, age, disability, genetic information, gender, veteran status, pregnancy, childbirth, other categories protected by applicable law (See COA Policy 4-2)
3. Instructional or academic matters such as grade appeals (see COA Policy 3-21)
4. Claims against a college employee for any matter unrelated to the employee's role or position at the college
5. Decisions in which other grievance or appeal procedures exist (e.g., appeals for disciplinary cases, residency and financial aid, FERPA grievances, transfer credit evaluations)

II. Definitions

The following definitions shall apply to this procedure.

- A. Approved Method of Notification – Any communication from college personnel through a communication channel to which the student has consented or which confirms receipt of the communication by the student, such as a hand-delivered letter, restricted mail delivery services, or email. A student who communicates with the college via email or otherwise provides an email address in connection with communications relating to a grievance thereby consents to the service of documents and all other correspondence associated with the grievance by email, and the date and time of such email(s) shall be deemed the date and time of service.
- B. College – College of The Albemarle
- C. Informal Complaint – An attempt initiated by the student to resolve the complaint with the college employee prior to filing a formal written grievance. Informal resolution is not a requirement.

- D. Informal Resolution – A resolution reached due to an informal meeting or discussion between the student and employee.
- E. Written Student Complaint – is any complaint which:
 - is submitted by a COA student electronically via the online Student Complaint Form or in writing to the VP of Student Success and Enrollment Management.
 - documents the student’s concern that a COA employee has misapplied or misinterpreted any college policy, procedure or regulation
 - is submitted before the expiration of any applicable deadlines

III. GRIEVANCE PROCESS

A. Initiating an Informal Complaint

This procedure must be initiated by the student within ten (10) calendar days of becoming aware of the decision, action or event giving rise to the complaint. Students are encouraged to informally resolve an alleged complaint with a college employee. In many instances, college personnel may be able to resolve issues without a formal procedure. Informal resolution is not a requirement.

B. Filing a Written Grievance

Students may proceed with the written grievance without seeking informal resolution within ten (10) calendar days of the action(s) giving rise to the complaint. The formal student grievance process is not initiated until the student submits the written complaint.

Written grievances should be submitted via the Student Complaint Form or in writing according to the definition listed above. Written grievances will be reviewed and forwarded to the appropriate department/supervisor. The written complaint should describe the decision or action that is being grieved, the date of the decision or action, and the college employee(s) involved in the decision or action.

1. Written complaints about alleged discrimination or harassment on the basis of race, color, religion, sex, sexual orientation, national origin, age, disability, genetic information, gender, veteran status, pregnancy, childbirth, other categories protected by applicable law and written complaints about alleged sexual harassment or violence shall be submitted in accordance to the COA Civil Rights/Nondiscrimination Policy 2-2, Unlawful Harassment Policy 2-26 and Title IX Policy 2-37.
2. Written complaints about decisions and actions not related to discrimination on the basis of race, color, religion, sex, sexual orientation, national origin, age, disability, genetic information, gender, veteran status, pregnancy, childbirth, other categories protected by applicable law or sexual harassment shall be submitted to the Vice President of Student Success and Enrollment Management.

- C. Preliminary Investigation and Findings
Formal complaints submitted via the Student Complaint Form or in writing will be forwarded to the immediate supervisor of the employee named in the complaint no later than two (2) calendar days after the complaint has been received.

The student submitting the written complaint will receive written acknowledgement via the student's college email account no later than three (3) calendar days after submitting the written complaint.

In an effort to resolve the matter, the supervisor will consult, as needed, with the employee named in the complaint, the student filing the complaint, the Vice President of the division or other area concerned, and any other parties relevant to the resolution of the complaint.

- D. Notification of Results
The supervisor shall respond in writing to the student within ten (10) calendar days of receipt of the complaint. The response, sent through an approved method of notification, shall include a summary of findings and, as needed, propose the steps that shall be taken to resolve the complaint. If the student does not agree with the proposed resolution, the student may request to have the complaint heard by the Student Grievance Committee.

IV. GRIEVANCE APPEALS

- A. Request a Hearing
A student who does not agree with the proposed resolution must submit a written request for a Grievance Hearing to the Vice President of Student Success and Enrollment Management within three (3) calendar days after receiving the supervisor's response.

In the event, the student does not submit the written request for a hearing within three (3) calendar days after receiving the supervisor's written response, and the student can demonstrate that extenuating circumstances resulted in the failure to meet this deadline, the Vice President for Student Success and Enrollment Management may proceed with a hearing.

The request must be related to the original complaint, and include a statement describing why the supervisor's response was unsatisfactory.

Upon receipt of the written request, the Vice President of Student Success

and Enrollment Management has two (2) calendar days to notify the College President about the need to convene a Student Grievance Committee. The Student Grievance Committee will hear specific complaints and a new committee may be formed each time a grievance covered by this procedure is submitted.

B. Student Grievance Committee Members

The college President must approve all recommended members. The Committee shall be composed of the following:

1. Two students recommended by the governing body of the student body
2. One faculty member recommended by the Vice President of Learning
3. One Student Services staff member recommended by the Vice President of Student Success and Enrollment Management
4. One administrator, other than the Vice President of Student Success and Enrollment Management, to serve as the Committee's chairperson
5. The Vice President of Student Success and Enrollment Management, or designee, who serves as ex-officio, non-voting member of the committee.

C. Notice of Hearing

The Vice President of Student Success and Enrollment Management will notify Committee members, the student making the appeal, and the employee of the hearing date and time. The hearing shall be held within ten (10) calendar days following the date of the request except in unusual circumstances or with the consent of the student. The Committee Chair must be notified, in advance, if any party is unable to appear at the scheduled meeting for a valid reason and the hearing may be rescheduled within ten (10) calendar days of the date of the previously scheduled hearing.

The Vice President of Student Success and Enrollment Management or designee will send an approved method of notification to the student filing the complaint and the employee(s) named in the complaint at least five (5) calendar days before the scheduled hearing. The notification may include:

1. A brief description of the complaint, including the name of the person filing the complaint
2. The date, time, and location of the hearing
3. The name of the person(s) who might be called as witnesses
4. A list of the student's procedural rights. These rights follow:

- a. The right to review all available evidence, documents or exhibits that each party may present at the hearing. This review must take place under the supervision of the Vice President of Student Success and Enrollment Management or designee.
- b. The right to appear before the Hearing Committee and to present information and additional evidence, subject to the Committee's judgment that the evidence is relevant to the hearing.
- c. The right to consult with counsel. This person serving as counsel may not address the committee, question the employee(s) named in the complaint, or any witnesses. The student will be responsible for paying any fees charged by the counsel.
- d. The right to present witnesses who have information relating to the complaint. Witnesses will be dismissed after presenting the information and responding to questions posed by the Committee, the student filing the complaint, and the employee(s) named in the complaint.

D. Rules and Regulations

1. The employee against whom the grievance was filed has an opportunity to submit a response to the request for a hearing to the Committee prior to the hearing.
2. The Student Grievance Committee's hearing shall be conducted within ten (10) calendar days following the date of the request. If any party fails to appear at the scheduled hearing without a valid reason, the Committee may make its decision based upon any information received from parties or witnesses appearing at the hearing and/or the written documentation submitted prior to the hearing.
3. No one who has been involved in the investigation of the case or who may have some other interest in the case that may affect their impartiality shall serve on the Committee.

The Committee Chair shall preside over the hearing and shall:

- A. Determine who will be allowed to attend the hearing
- B. Establish the order in which both sides shall present their information and establish time frames
- C. Record the hearing (no other recording is permissible). The recording will be accessible only to the members of the Committee participating in the hearing, the Vice President for Student Success and Enrollment Management, and the President of the college. The deliberations and voting of the individual committee members will not be recorded.
- D. Report or select a committee member to report the committee's decision.

- E. Decide whether to have an attorney present to advise the committee.
 - F. Decide on ways to enhance the orderly presentation of evidence.
 - G. Control the conduct, language, volume and actions of the parties to prevent harassment or intimidation of the participants.
4. Witnesses shall be called in one at a time to make a statement and to respond to questions, as permitted by the Chair.
 5. The student requesting the hearing and the employee, will each present their own case and may present documents or other tangible evidence and call witnesses that have been approved prior to the hearing by the committee Chair.
 7. Hearings before the committee are not legal proceedings. Formal rules of evidence are not applied. The committee or its Chair, may decide to admit any evidence that is considered to be generally reliable and competent, as well as what weight to give any evidence. Decisions will be based on the preponderance of the evidence.
 8. Members of the committee shall have the right to call other persons to appear and to question anyone present.
 9. After the portion of the hearing concludes in which all pertinent information has been received, everyone other than the committee will be excused and its deliberations will begin. The "preponderance of the evidence" standard shall apply to the deliberations, which means that the Committee members must determine if the information presented at the hearing leads them to conclude that it is more likely than not the violation(s) occurred as alleged. The Committee members will determine by majority vote whether the violation(s) occurred and, if so, the Committee members will decide upon the appropriate sanction(s) by majority. In case of a tie, the chairperson may vote.
 10. The Chair of the committee will send an approved method of notification to the student and employee's addresses of record within three (3) calendar days of the committee's decision. The letter shall inform both parties of the Committee's decision, the date of the decision, any sanction(s) imposed, and the appeal process.
 11. Copies of the committee's case summary shall be kept permanently in the office of the Vice President of Student Success and Enrollment Management or the designated area to be retained in files separate from the student's permanent academic files.

V. FINAL APPEALS

The decision of the Student Grievance Committee may be appealed by the student in writing to the college President within three (3) calendar days after the student's notification of the Committee's decision. The written appeal must include a statement indicating why the person was not satisfied with the Committee's decision. Appeals of the committee's decision may only be made if new evidence is discovered or a violation of the hearing process negatively impacted the student's case.

The college President shall review the Committee's findings, conduct whatever additional inquiries are deemed necessary and render a decision within ten (10) calendar days of receipt of the appeal. The college President will notify both parties of his decision through an approved method of notification.

The President's decision is final.

COA Media Release/Opt Out Information for Faculty, Staff and Students

College of The Albemarle (COA) uses faculty, staff and student names and/or writings, photographs, video and voice recordings for promotional purposes. Materials may appear in print or digital format on the COA website or in various other media formats, and/or in presentations, videos, social media, and/or the news media. Permission is granted, unless an individual opts out by contacting the COA Director of Communications and Marketing at 252.335.0821 ext 2420 or tammy_sawyer32@albemarle.edu, to allow COA the unlimited right to use and/or reproduce individual photographs and/or videos, interviews, likenesses or the voice of faculty, staff and students in any manner consistent with COA's mission and for the internal or external promotional and informational activities of COA. The request to opt out must be received within the first ten (10) days of the semester or within the first ten (10) days of enrollment or employment.

I understand and agree, unless an individual opts out by contacting the COA Director of Communications and Marketing at 252.335.0821 ext 2420 or tammy_sawyer32@albemarle.edu, that I waive any and all present or future compensation rights to the use of any of the above stated material(s) including, print, digital, electronic and online media.

Students under the age of 18 are also provided parental permission forms to sign indicating the option to opt out for media release. Forms will be sent via mail and student email. For those wishing to opt out for their student under the age of 18, a completed and signed form must be received within the first ten (10) days of the semester or within the first ten (10) days of enrollment. Failure to provide a signed form will be considered as permission granted for the purposes as stated in this notice.

*SPECIAL NOTE: Anyone attending public events held at the college or on behalf of the college, may be photographed, videoed, and/or live-streamed at these events as they are open to the public. Event examples include, but are not limited to, COA digital or live-stream broadcasts such as graduations, concerts, special events, recognitions, award programs, etc.

NOTE: Faculty, staff and students of the college should not have an expectation of privacy in classrooms or public spaces/labs. COA utilizes video surveillance cameras for safety and security purposes only. In addition, courses that are offered via WebEx, video cart and in hybrid format may be recorded for educational purposes. Some courses record speeches and/or class discussions.



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COA – Edenton-Chowan
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COA – Elizabeth City
1208 N Road Street | Elizabeth City | 252-335-0821

www.albemarle.edu

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