



College of The Albemarle Policy

Policy Number: 5.3.2

Pages: 1 of 9

Title: Student Code of Conduct

Related Policy and Procedures: Policy 2.1.6 Weapons on Campus; Policy 2.2.1 Tobacco Free Campus; Policy 2.34 Traffic Regulations; Procedure 5.3.2.1 Discipline and Appeals for Academic Violations; Procedure 5.3.2.2 Discipline and Appeals for Non-Academic Violations; Policy 5.3.3 Student Threat Assessment; Policy 5.3.4 Discrimination and Harassment; Procedure 5.3.4.1 Title IX Sexual Harassment and Sexual Violence; Procedure 5.4.3.2 Discrimination and Harassment; Policy 5.3.5 Student Alcohol and Drugs on Campus; Policy 5.4.5 Service Animals and Other Animals on Campus; Policy 7.2 Internet and Network Acceptable Use

Division of Responsibility: Student Success and Enrollment Management

Students assume an obligation to conduct themselves in a manner compatible with College of The Albemarle's (College) function as an educational institution. The College has adopted basic standards of student conduct. These standards apply to the College campus, College activities including public service functions and other duly authorized or College sponsored activities, either on or off the College premises. When these standards are violated, penalties may be incurred. Consequences for violations include, but are not limited to: warnings, reprimands, restitution, loss of privileges or access to campus resources, probation, suspension or dismissal.

For purposes of this Policy, "student" means any person who has been issued a student identification number at the College 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- withdrawn from a specific course, program, or the College after allegedly violating the Student Code of Conduct.

If a student's behavior simultaneously violates both College regulation and federal, state and/or local laws, the College may take disciplinary action independent of that taken by legal authorities.

The following regulation sets forth offenses for which disciplinary proceedings may be initiated. Violation of one or more of the following code provisions may result in one of the sanctions described in Procedure 5.3.2.1 – Discipline and Appeals Procedures for Academic-Related Violations and/or Procedure 5.3.2.2 – Discipline and Appeals Procedures for Non-Academic Related Violations.



College of The Albemarle Policy

Policy Number: 5.3.2

Pages: 2 of 9

I. ACADEMIC-RELATED VIOLATIONS

A student who violates academic honesty, either directly or indirectly, is immediately responsible to the instructor of the course. The following terms are defined:

- a. **Plagiarism** - The intentional theft or unacknowledged use of another source, person or organization's work or ideas without proper attribution. Plagiarism includes, but is not limited to: (a) paraphrasing or summarizing another's words or works without proper acknowledgement; (b) using direct quotes of material without proper acknowledgment; (c) purchasing or using a paper or presentation written or produced by another person; or (d) using information that is not common knowledge. If a student is uncertain about what constitutes plagiarism, he/she should discuss this with the class instructor.
- b. **Cheating** – Using unauthorized notes, electronic equipment, artificial intelligence or other material on an exam or class work without permission from the class instructor; receiving information from another student during an exam; obtaining a copy of an exam or questions from an exam prior to taking the exam; submitting someone else's work as one's own; having someone take one's exam and submitting it as his/her own; submitting academic work previously submitted in another course without authorization; and altering or tampering with grades. Cheating also includes creating, falsifying or misrepresenting any data in connection with a seated (traditional) class, lab or online class or the act of giving any unauthorized assistance or collaboration in a learning environment.
- c. **Aiding Acts of Academic Dishonesty** – Providing information to another student and knowing, or reasonably should have known, that the student intends to use the information for cheating or other deceptive purposes.
- d. **Online Identity** - Any student registered in an online/hybrid course(s) will be the same student who participates in and completes the course or program and receives the credit for the online/hybrid course. Further, any student who allows his/her unique username and password to be used by another individual to complete an assignment or participation within the course will be in violation of this policy.
- e. **Other Examples of Academic Dishonesty** - 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 an instructor or College official in an effort to receive a postponement or an extension on a test or other assignment; accessing computerized College records or systems without authorization; recording, reproducing, retransmitting or redistributing course materials without authorization; or using solutions manuals, test bank or test bank materials for homework or exams without authorization.



College of The Albemarle Policy

Policy Number: 5.3.2

Pages: 3 of 9

The acts of academic-related violations shall encompass, but shall not be limited to the examples or context cited above.

II. NON-ACADEMIC RELATED VIOLATIONS

Types of non-academic related student conduct for which disciplinary proceedings may be initiated include but are not limited to the following:

- a. **Theft and Property Damage** – Students shall not steal or damage College property or another individual's property. Students who are caught stealing, destroying, damaging or littering said property will be required to make restitution and may be eligible for civil or criminal prosecution as well as College discipline.
- b. **Trespass to Property** – Students are trespassing if accessing or entering College buildings, structures or facilities information systems, or obtaining or providing to another person the means for such unauthorized access; possessing, duplicating or using keys or access codes for unauthorized access to any College property; or continuing to occupy any College facility and/or event after being requested to leave by a College employee, official or designee acting in the performance of their duties.
- c. **Drugs and Alcohol** – Unlawfully possessing, using, being under the influence of, manufacturing, dispensing, selling or distributing alcohol, illegal or unauthorized controlled substances or impairing substances at any College location or at any College-affiliated activities or events. For more specific information, see Policy 5.3.5 – Students – Alcohol and Drugs on Campus.
- d. **Tobacco Free Campus** - Students may not use tobacco of any form or e-cigarettes on campus or at any College-affiliated activities or events. For more specific information, see Policy 2.2.1 Tobacco Free Campus.
- e. **Lewd and Indecent Behavior** – Students shall not engage in lewd or indecent behavior, including public physical or verbal action or distribution of obscene material based on reasonable community standards. The conduct must be objectively severe or pervasive enough that a reasonable person would agree that the conduct constitutes lewd and/or indecent behavior. Prohibited behavior includes, but is not limited to, indecent exposure, urinating or defecating in public, outward displays of sexual activity, voyeurism, etc.
- f. **Mental/Physical Abuse** – Students shall not mentally or physically abuse any person on the College premises or at a College-supervised function, including verbal or physical actions which threaten or endanger the health or safety of any such persons.



College of The Albemarle Policy

Policy Number: 5.3.2

Pages: 4 of 9

- g. **Assault** – Students shall not assault or threaten to assault another person for any reason whatsoever. Assault includes a demonstration of force, unlawful physical touching or striking.
- h. **Sexual Harassment and Sexual Violence** - Students shall not engage in sexual harassment and/or sexual violence. For more specific information and definitions of prohibited activities, consult Procedure 5.3.4.1 Sexual Harassment and Sexual Violence.
- i. **Unlawful Discrimination and Harassment** - Students shall not engage in unlawful discrimination and/or harassment. For more specific information and definitions of prohibited activities, consult Procedure 5.4.3.2 Discrimination and Harassment.
- j. **Communicating Threats** – Students shall not verbally, in writing, electronically, through a third party, by conduct/gesture, or any other means threaten to physically injure themselves, another person or that person’s child, sibling, spouse or dependent, or willfully threaten to damage the property of another. Threatening behavior includes 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.

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.

- k. **Bullying** – Students shall not intimidate or threaten with harm any other individual. Bullying is defined as any pattern of gestures or written, electronic or verbal communications, or any physical act or any threatening communication that takes place on the College premises or at any College sponsored function that: (a) places a person in actual and reasonable fear of harm to his or her property; or (b) creates, or is certain to create, a hostile environment by substantially interfering with or impairing a student’s educational performance, opportunities or benefits or a College’s employee’s ability to perform the essential functions of his/her job. Hostile environment means that the victim subjectively views the conduct as bullying and the conduct is objectively severe or pervasive enough that a reasonable person would agree that it is bullying. A hostile environment may be created through pervasive or persistent misbehavior or a single incident if sufficiently severe.
- l. **Demonstration, Disorderly Conduct and Disruption** – Students shall not obstruct or disrupt any teaching, research, administration or disciplinary proceedings, or other College activities, including public service functions, and other duly authorized activities on or off College premises. Students shall not occupy or seize, in any manner, College



College of The Albemarle Policy

Policy Number: 5.3.2

Pages: 5 of 9

property, a College facility or any portion thereof for a use inconsistent with prescribed, customary, or authorized use. Students shall not participate in or conduct an assembly, demonstration or gathering in a manner which threatens or causes injury to person or property; which interferes with free access to, ingress or egress of College facilities and/or emergency services; which is harmful, obstructive or disruptive to the educational process or institutional functions of the College; hold rallies, demonstrations, or any other forms of public gathering without prior approval of the College based on reasonable time, place and manner restrictions; remain at the scene of such an assembly after being asked to leave by a representative of the College staff. Students shall not engage in or incite others to engage in harmful or destructive behavior in the context of an assembly of persons disturbing the peace on campus or at College-affiliated activities/events. For more information, see Policy 2.3.5 Campus Free Speech, Distribution of Material and Assembly.

- m. **Possession of Weapons** – Students may not have a weapon of any kind, including but not limited to, knives, stun guns, pellet guns, explosives, dangerous chemicals, brass knuckles or any firearms in their possession on campus or at any College-affiliated activities or events except handguns as allowed by N.C.G.S. § 14-269.4. Handguns are permitted under these circumstances: (a) the person has a concealed handgun permit that is lawfully issued; (b) the handgun is in a closed compartment or container within the person’s locked vehicle; (c) a person may unlock the vehicle to enter or exit the vehicle provided the handgun remains in the closed compartment at all times; and (d) the vehicle is locked at all times. For more information regarding possession of weapons on campus, see Policy 2.1.6 Weapons on Campus.
- n. **Tampering with Fire Alarms** - 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.
- o. **Gambling** – Students may not gamble on campus or at any College-affiliated activities or events.
- p. **Traffic Violations** - Violation of College regulations regarding the operation and parking of motor vehicles. For more information, see Policy 2.3.4 Traffic Regulations.
- q. **Providing False Information** – Students shall not present to the College or its employees false information as part of an investigation, inquiry, hearing or in other matters related to College activities; neither may a student knowingly withhold information which may have an effect on their enrollment or their status with the College.
- r. **Disobedience/Insubordination and Refusal to Identify** - Failure to comply with instructions of College officials acting in performance of their duties and failure to adhere to the terms of any discipline action. Students are required to produce identification for a College official when asked, specifically their student ID card.



College of The Albemarle Policy

Policy Number: 5.3.2

Pages: 6 of 9

- s. **Financial Impropriety** – Financial impropriety such as failure to pay College-levied fines, failure to repay College-funded loans, misuse or failure to properly account for club or student organization funds, or the passing of worthless checks, drafts or orders to College officials.
- t. **Local, State or Federal Laws** – Violations of any federal, state or local laws occurring while on campus may lead to legal actions as well as College discipline. Violations of federal, state or local laws occurring off campus may result in disciplinary action if the student's continued presence on campus constitutes a threat to the safety and order of the campus. Students under 18 years of age who are involved in acts of violence, drugs, and alcohol or sexual assault violations may have their parents or legal guardians notified by the vice president of student success and enrollment management, or designee. Career and College Promise students including Early College may have their originating high school notified.
- u. **Failure to Report Criminal Activity** - Failure to inform the College, in writing, within five (5) calendar days after he or she is convicted for violation of any federal, state, or local criminal drug statute or alcoholic beverage control statute where such violation occurred while on a College location or at a College-affiliated event or activity. For more information, see Policy 5.3.5 Student Alcohol and Drugs on Campus.
- v. **Unauthorized Access to College Records** – Students may not access, view, copy or change official College records without expressed authority to do so.
- w. **Animals on Campus** – Students may not have an animal of any kind on campus. This includes animals left within a vehicle. Service animals are permitted and any student with a service animal should report the use of a service animal to the College's Accessibility and Student Conduct Coordinator. For more information regarding service animals, see Policy 5.4.5 Service Animals and Other Animals on Campus.
- x. **Improper Use of the College Network/Technology** – Students are prohibited from engaging in any activities prohibited under Policy 7.2 Internet and Network Acceptable Use. For all issues related to the use of College network/technology, see Policy 7.2 Internet and Network Acceptable Use.
- y. **Violation of Policies and Procedures** – Students are expected to be familiar with the College's policies and procedures. Students may be disciplined for failure to follow the College's policies and procedures.
- z. **Violations of Normal Classroom Behavior** – Not complying with reasonable rules issued by an instructor, causing disruption in the classroom or being disrespectful to classmates or the instructor. The conduct must be objectively severe or pervasive enough that a reasonable person would agree that the conduct is disruptive or disrespectful not based on content or viewpoint discrimination.



College of The Albemarle Policy

Policy Number: 5.3.2

Pages: 7 of 9

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.

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.

Certain College programs may have academic and non-academic related conduct and sanction requirements in addition to those listed here.

- aa. **CARE Team** – Not complying with a recommendation or directive by the CARE Team pursuant to Policy 5.3.3 Student Threat Assessment.
- bb. **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 activities or 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.
- cc. **Hazing** - Hazing is prohibited and means any act committed on College property or in connection with any College 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. In response to



College of The Albemarle Policy

Policy Number: 5.3.2

Pages: 8 of 9

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; and, (3) the conduct was not required as a condition of membership in the organization.

- dd. **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.
- ee. **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 College activity, function, or event.

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 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 for student success and enrollment management, or designee.

- ff. **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; and, (7) influencing or attempting to influence another person to commit an abuse of the conduct process.



College of The Albemarle Policy

Policy Number: 5.3.2

Pages: 9 of 9

June 13, 2023

June 13, 2023

N/A

Date Approved by Board of Trustees

Date of Last Review

Date of Last Revision