

Student Rights, Responsibilities, and Due Process

STUDENT RIGHTS AND RESPONSIBILITIES

Richmond Community College's (RCC) students possess all of the rights and freedoms conferred on them by the constitutions of the United States and the State of N. C. In addition, RCC recognizes the following specific rights and responsibilities of students:

A. Rights

1. The right to the opportunity for an education.
2. The right to participate in any club or organization chartered or recognized by RCC regardless of race, color, sex, religion, national origin, age, handicap, marital or veterans' status.
3. The right to know all RCC rules, regulations, and policies by which students are governed.
4. The right to due process in all student disciplinary proceedings as defined by the constitutions of the State of North Carolina and of the United States.
5. The right to be accompanied by an advisor of the student's choice during all stages of the formal disciplinary process set forth herein.
6. The right to use the appeals procedure set forth herein when disciplinary action adversely affects the student.
7. The right to confidentiality of educational records consistent with 20 USC & 1232g; 34CFR Part 99.

B. Responsibilities

Membership in the RCC community carries with it certain responsibilities and an obligation to abide by the policies, rules, regulations and standards of RCC. No student is compelled to be a participant in the College community; each does so voluntarily. Each student shall abide by the laws of the United States and the State of North Carolina, all local laws and ordinances, and all policies, regulations and rules of RCC. Any student who violates any of these may be subject to disciplinary sanctions under the Code. Specific responsibilities include the following:

1. Learning and complying with all policies, rules, regulations, and standards of RCC related to student conduct and College activities.
2. Respecting the right and freedoms of others.
3. Maintaining personal and academic integrity, thus contributing to the integrity of the College community.
4. Using RCC facilities and property in ways that are not damaging to the facilities and property.
5. Exhibiting behavior that is consistent with generally accepted standards of conduct.

C. Expected Classroom Conduct

In an educational environment, each instructor has the responsibility to maintain a classroom climate conducive to student learning. The instructor also has the authority to dismiss from class or have removed any element that disrupts that climate or interferes with the rights of other members to learn. The instructor does have an obligation to make students aware of rules for the class and to inform students if they are violating any class rules. Students are encouraged to express their opinions and ideas in class in an orderly manner since a free exchange of views enhances the learning process. However, verbal combat and abuse between students and instructors is not condoned and is unacceptable in the teaching/learning situation.

RCC is an institution for adult learning. It is a partnership between instructors with the desire to teach and students with the desire to learn. In order to create an appropriate environment for teaching and learning, students must show respect for their instructors and fellow students. Listed below are guidelines for classroom behavior, which the College has established to ensure that the learning environment is not compromised.

1. Curriculum and Continuing Education Students

- a. Attendance: You are expected to be in class the entire class time. Do not enter late or leave early. Rare exceptions may be made, particularly in emergency situations, but you should be prepared to explain to the instructor before class.
- b. Absences: Inform the instructor in advance if you know you are going to miss a class. Also, take responsibility for getting missed assignments from other students. Do not expect that you will be allowed to make up work, such as unannounced quizzes or tests, after an absence. Instructors are not responsible for re-teaching the material you missed due to an absence.
- c. Conversation: Do not carry on side conversations in class.
- d. Other Activities: You may not work on other activities while in class. This includes homework for other courses or other personal activities.

- e. Internet: In classes where internet access is provided, you may use the internet for valid academic purposes only. You may not use it for open access to other non-academic sites unrelated to the course.
- f. Sleep: Do not sleep in class.
- g. Attitude: You are expected to maintain a civil attitude in class. You may not use inappropriate or offensive commentary or body language to show your attitude regarding the course, the instructor, assignments, or fellow students.
- h. Profanity and Offensive Language: You may not use profanity or offensive language in class.
- i. Cell phones and pagers: You may not receive or send telephone calls, text messages, or pages during class. You are responsible for turning off all electronic devices upon entering class.
- j. Guests and Children: You may not bring friends or children to class. The Board of Trustees of RCC approved the following Children on Campus Policy: RCC welcomes visitors and students to its campus. To avoid disruption and to insure the safety of young visitors, all children (under sixteen) must be under the direct supervision of an adult. Under no circumstances are children to be taken to class or left unattended anywhere on campus. RCC assumes no responsibility for children left without direct supervision. Students who violate this regulation are subject to disciplinary action.
- k. Food, Drink, Tobacco Products: You may not have food or drink in class. All RCC sites became tobacco-free as of January 1, 2010. While parking lots are considered tobacco-free, this policy will not adhere to a person's tobacco use inside a personally-owned vehicle.
- l. Personal Business: You may need to transact personal business with the instructor, asking him or her to sign forms. Plan to do this before class begins or after class.
- m. Animals/Pets on Campus: Animals may not be brought on the RCC campus. Exceptions are made for animals used in class demonstrations or for class research with the instructor's approval.
 - (1) Service animals are exempt from this policy provided they meet all the following guidelines:
 - (a) The person bringing the animal on campus qualifies for accommodations under the Americans with Disabilities Act.
 - (b) The animal is individually trained.
 - (c) The animal is trained to do specific work or tasks.
 - (d) The work or tasks that the animal is trained to perform are for the benefit of an individual with a disability.

Anyone with questions regarding this policy should see the Vice President for Student Development.

2. Continuing Education Students Only

- a. Appearance: You are expected to dress appropriately for the classroom environment. Sagging pants, clothing/jewelry with drug related signs, low cut tops, see thru garments, short skirts, halter tops, short midriff tops are not acceptable. No hats or head gear are allowed in the classroom. No gang affiliation is to be displayed. The instructor will notify any student if he/she is inappropriately dressed.
- b. Headphones, CD Players, iPods, and all other music devices: Are not allowed. The instructor has the authority to remove the element that

- disrupts the instruction process or interferes with the rights of other students to learn.
- c. Book Bags: Are not allowed.
- d. Breaks: Are set by the instructor and/or Continuing Education Directors. Noise, both inside and outside the building, should be kept to a minimum during breaks.
- e. Parking Lot/Loitering: Loitering is not allowed in the parking area.
- f. Early Arrivals: Students who arrive early for class must wait in the lobby area of the building.

D. Student Conduct

RCC reserves the right, in the interest of all its students, to reprimand, place on probation, suspend, expel, or require the withdrawal of a student for just cause when it is deemed to be in the best interest of the College. Procedural due process will be adhered to in all cases. Students are expected to conduct themselves in accordance with generally accepted standards of conduct and to fulfill the responsibilities of their particular roles within the college community.

College students have a legal and moral right to know the specific areas of prohibited conduct and to be judged as to charges of commission of such conduct by a fair and impartial hearing. Set forth below are school regulations prohibiting certain types of student conduct and constitute offenses against the college community.

1. These regulations are applicable to Curriculum and Continuing Education students.
 - a. Academic dishonesty or any form of cheating.
 - b. Stealing property; knowingly possessing, receiving, or selling stolen property on campus or at any off-campus College-sponsored function.
 - c. Behaving in an abusive, obscene, violent, excessively noisy, or drunken manner on College property or at a College-sponsored function or activity.
 - d. Damaging or destroying College property or property belonging to a member of the College community.
 - e. Intentionally causing or attempting to cause physical injury to an employee, a student, or guest. Behaving in such a manner that could reasonably be interpreted as possibly leading to the physical injury of a college employee, student, or guest.
 - f. Deliberately and knowingly passing a worthless check or money order in payment of any financial obligation to the College.
 - g. Violation of College regulations regarding the operation and parking of motor vehicles.
 - h. Misusing student status or right to use College property to commit, or induce another student to commit, a serious violation of local, state, or federal laws, or any College regulation.
 - i. Engaging in any conduct that causes any material disruption of any lawful function or activity of the College, engaging in conduct in which disruption is reasonably certain to result or urging others to engage in conduct where disruption occurs or is reasonably certain to occur.
 - j. Unauthorized entry into any office or building on College property or property used by the College.
 - k. Bringing or using firearms, fireworks, explosives, incendiaries, and all other type of weapons on College property or at any College function,

except on-duty law enforcement personnel or upon prior approval of the President of the College.

- l. Failing to comply with the lawful directions of instructors, administrators, or any other authorized College personnel during any period of time when he/she is under the authority of College personnel. This includes Early College High School faculty and staff.
- m. Hazing or harassing any student, staff member, or guest of the College.
- n. Possessing, using, transmitting, or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, marijuana, alcoholic beverage, or intoxicant of any kind on College property or at any College-sponsored function at any time. Using legally prescribed drugs is not a violation.
- o. Violation of probation requirements.

2. Curriculum Students

If the student is found guilty of violation of any of the above regulations, the RCC Discipline Committee may impose any one or combination of the following penalties: (e.g. 1 semester suspension and 1 year probation)

- a. Re-enrollment prohibited—(Not being allowed to return to RCC)
- b. Suspension—(Not being allowed to return to RCC for a specified amount of time)
- c. Restitution—(Repayment for damages)
- d. Probation—(Behavior while at RCC under close supervision of Vice President for Student Development for a specified amount of time; student will be allowed to stay in College as long as appropriate behavior is observed)
- e. Reprimand—(A severe or formal reproof)
- f. Grade Change (Cases involving academic dishonesty)

3. Continuing Education Students

If the student is found guilty of violation of any of the above regulations, the Continuing Education Discipline Committee may impose any one, or combination of, the following penalties:

- a. Re-enrollment prohibited—(Not being allowed to return to RCC)
- b. Suspension—(Not being allowed to return to RCC for a specified amount of time)
- c. Restitution—(Repayment for damages)
- d. Probation—(Behavior while at RCC under close supervision of Director of Basic Skills for a specified amount of time; student will be allowed to stay in college as long as appropriate behavior is observed)
- e. Reprimand—(A severe or formal reproof)

RCC is committed to providing due process protection for its students. To ensure due process, all RCC policies, rules, regulations, and standards are described in properly promulgated documents. All regulations affecting conduct of students and sanctions for misconduct by students are based on the principle of equal treatment, including like sanctions for like violations, without regard to race, color, religion, sex, national origin, age, disability, or marital or veteran's status.

This Code of Conduct is RCC's basic policy statement regarding student conduct and discipline. No disciplinary sanction may be imposed upon a student by RCC except in accordance with the provisions of this Code. A student accused of violating any RCC rule, regulation or policy will have the accusation(s) adjudicated in accordance with the provisions of this Code. Any sanction imposed by RCC must be consistent with provisions in this Code. This does not preclude a student's voluntary acceptance of divisional or administrative discipline in the alternative to formal disciplinary sanctions or proceedings pursuant to this Code.

PROCEDURES FOR CHARGES, HEARINGS, AND APPEALS

CURRICULUM STUDENTS

Any student or College employee may initiate disciplinary action against any student observed violating regulations of the College on campus or at any officially sponsored College function away from the campus. Such charges must be submitted in writing to the Vice President for Student Development. Upon receipt of the charges, the Vice President for Student Development will be responsible for investigating and determining whether there is probable cause that a regulation of the College has been violated.

The Vice President for Student Development shall notify the student in writing of the charges against him/her and shall schedule a hearing before the Curriculum Discipline Committee. The notice shall contain the following:

1. The regulation alleged to have been violated by the student.
2. The witnesses for the College.
3. The penalties which might be imposed.
4. The time, place, and date of the hearing.
5. That the student may present evidence and witnesses in his/her defense.
6. That the student may be represented by counsel at his/her expense.
7. The hearing will be recorded. The student may have a copy of the recording.

The Vice President for Student Development shall hand deliver or mail the notice to the student at his/her most recent address on file at the College. The Vice President for Student Development may suspend a student prior to the full hearing upon a determination from the facts that the student's continued presence on the campus constitutes a danger to the normal functions of the institution, to property, to the student himself/herself, or to others.

The student shall be provided a preliminary hearing unless it can be shown that it is impossible or unreasonably difficult to provide it.

The Vice President for Student Development shall notify the student, in writing, of the reasons for the interim suspension. This notice shall also inform the student of (1) the date, time, and place of the preliminary hearing, and (2) that the student may show why his continued presence on the campus does not constitute a danger to the normal functions of the institution, to property, to the student himself/herself, or to others. The Curriculum Discipline Committee may convene to hear the case no earlier than the third full business day after the student has received written notification of the charges against him/her.

If a student fails to appear before the Curriculum Discipline Committee and fails to notify the Vice President for Student Development, he/she forfeits his/her right to the hearing and will not be allowed to re-enroll at the College. If there are mitigating circumstances for missing the hearing, as determined by the Vice President for Student Development, the hearing will be rescheduled. The Discipline Committee shall render a decision based solely on the facts presented at the hearing.

If the student is found guilty of a violation of a student regulation, he/she may appeal the Discipline Committee's decision in writing to the President of the College. After the appeal is filed, the student, accompanied by counsel if he/she so desires, will meet with the College President. This appeal must be filed within seven days of the date of the decision of the Curriculum Discipline Committee. The student will be permitted to speak on his/her behalf. The decision of the President will be final.

If the student appeals a penalty of suspension or expulsion, the student may request the right to continue class attendance until a final disposition is made of his/her case. This request must be in writing to the College President. The President may approve or deny this request at his/her discretion.

CONTINUING EDUCATION STUDENTS

If a student is found guilty of violation of RCC's Continuing Education Student Conduct policy, he/she may appeal the decision in writing to the Vice President of Continuing Education at RCC, PO Box 1189, Hamlet, NC 28345. An appeal in writing must be filed within seven days of the date of the decision of the Continuing Education Discipline Committee. A hearing will be scheduled within seven days upon receiving the student's written appeal. The student will be notified by mail of the date, time, and place of the scheduled hearing. The student will be permitted to speak in his/her behalf. The Vice President of Continuing Education, after hearing all testimonies, will evaluate the evidence presented and determine a decision. The student will then be informed of the Vice President's decision. The decision of the Vice President of Continuing Education will be final.

GRADE APPEAL PROCESS

A student at RCC has the right to appeal a grade assigned to him/her. The following procedure will be used by the student who desires to appeal a grade:

1. The student must schedule an appointment with the instructor who has assigned the grade, discuss the matter with him/her and ask for a review of the basis for assigning the grade. If the disagreement about the grade is resolved at this time, the instructor will submit a "Request for Change of Grade" form.
2. If the disagreement is not resolved through discussion with the instructor, the student must, within ten days of notification of the instructor's decision, submit a written appeal to the appropriate department chair stating reasons for appealing the grade. (The student may consult with a counselor or his/her academic advisor for assistance in developing the written appeal.) If the disagreement about the grade is resolved at this time, the instructor will submit a "Request for Change of Grade" form.
3. If the disagreement is still not resolved, the student must schedule an appointment with the division chair, discuss the matter with him/her and ask for a review of the basis for assigning the grade. If the disagreement about the grade is resolved at this time, the instructor will submit a "Request for Change of Grade" form.
4. If the disagreement is still not resolved, the student should schedule an appointment with the Vice President for Instruction to discuss the appeal. The decision of the Vice President for Instruction is final.
5. The right to appeal a grade expires at the end of the semester following the one in which the grade is assigned. When a student appeals a grade assigned by an instructor no longer employed by the college, the student should initiate the process by notifying the appropriate department chair.

CHEATING

Academic cheating or dishonesty may result in grade reduction, failure of test, failure of class, or loss of credit for assignments. The course instructor will decide what punishment is appropriate unless a student's infraction could lead to dismissal from school, change in status, or dismissal from a program. Under those circumstances, the violation will be heard by the Curriculum or Continuing Education Discipline Committee. In all circumstances, the student has the right to dispute an instructor's decision and have his/her case heard before the Curriculum or Continuing Education Discipline Committee.

1. Giving or receiving information about the content of quizzes, examinations (including make-up exams), classroom, shop, or lab work, or other assignments

without instructor permission. Possessing any paper, writing or device not specifically authorized by the instructor or test administrator.

2. Copying or using unauthorized information or materials on quizzes, examinations, or other assignments.
3. Selling, buying, or otherwise obtaining a copy of a test, quiz, or examination without instructor approval.
4. Collaborating with another person or persons during quizzes, examinations or other assignments except as authorized by instructor.
5. Working with another person or persons during or prior to a make-up examination unless authorized by instructor.
6. Substituting for another person during a quiz or examination or allowing a person to substitute for you during a quiz or examination.
7. Buying or selling a report, term paper, manuscript, project, etc., to meet the requirements of an assignment.
8. Plagiarism: Using partially or totally the ideas or words of another person or persons in written assignments without crediting the source(s) of the ideas or words.
9. Failing to follow "test-taking" procedures established by instructor or staff member, such as not covering one's paper to allow someone else to see one's paper.

GRIEVANCE PROCEDURE

Any student who has a complaint or dispute about any aspect of his or her treatment (except for grades) by the College or the manner in which such person has been treated by any other college student or employee is urged to seek resolution of such complaint or dispute through the grievance procedure contained in this section. To the extent permitted by law, compliance with the grievance procedure contained in this section is required before any person may institute litigation against the College or any of the College's employees acting in their official capacities on behalf of the College.

Prior to initiating a grievance as outlined in this procedure, students should use the identified organizational levels of management of supervision to resolve their concerns. Current and former students and student applicants are expected to communicate their complaints or concerns first to their instructor and then, if the matter remains unresolved, to the department head. The College understands, however, that there are circumstances where it is appropriate for a party to skip a level in the aforementioned chain of command and present the grievance at a higher level.

Each grievance should be put in writing (preferably typed or printed) and should contain a sufficiently detailed statement of all circumstances or events as will permit understanding of the grievance to all individuals reviewing the grievance at every stage of the grievance process. If there are documents in existence that relate to the substance of the grievance or that would facilitate communication or understanding of the grievance, these should be attached to the grievance. Grievances of students should be submitted to the Vice President for Student Development. To preserve his or her entitlement to have a grievance reviewed under this grievance procedure, an individual must submit the grievance and all supporting documentation to the Vice President for Student Development within thirty (30) days after the action, incident, or conduct upon which the grievance is founded, occurred, or was first brought to the individual's attention.

Upon receipt of the grievance containing the information required above, the Vice President of Student Development will expeditiously take action on the grievance in cooperation with other individuals within the College and will submit a written

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report to the grievance. In the event the action taken by the Vice President for Student Development is deemed unsatisfactory to the grievant, the grievant may submit in writing to the President a request for review of the action taken by the Vice President for Student Development. A written request for review must be received by the President within thirty (30) days after the date that the report of the Vice President for Student Development was mailed to the grievant. Along with the grievant's written request for review, the grievant should submit to the President a copy of the written report received by the Vice President for Student Development along with a copy of the original grievance and related documents that the grievant submitted to the Vice President for Student Development.

The President shall act within 30 days to render a written decision on the grievance and a copy of this written decision will be mailed to the grievant. The decision of the President shall be final. All grievance matters are handled confidentially.