

Student Code of Conduct

Due Process

Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students, and the general wellbeing of society. Free inquiry and free expression are indispensable to the attainment of these goals. As members of this academic community, students are encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth.

Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the community. Students should exercise their freedom with responsibility.

As members of the larger community of which the College is a part, students are entitled to all rights and protection accorded them by the laws of that Community.

By the same token, students are also subject to all laws, the enforcement of which is the responsibility of duly constituted authorities. When students violate laws, they may incur penalties prescribed by legal authorities. In such instances, college discipline is initiated when the presence of the students on campus or at college sponsored activities disrupts the educational process of the college, or if college discipline is required by law. When students' violations of the law also adversely affect the college's pursuit of its recognized educational objectives, the College may enforce its own regulations. When students violate college regulations, they are subject to disciplinary action by the College whether or not their conduct violates the law. If students' behavior simultaneously violates both college regulations and the law, the College may take disciplinary action independent of that taken by legal authorities.

Rights

1. All rights and privileges guaranteed to every citizen by the Constitution of the United States and by the state of North Carolina are not denied to students.
2. Students are free to pursue their educational goals. Appropriate opportunities for learning in the classroom and on the campus are provided by the college. Student performance is evaluated solely on an academic basis, not on opinions or conduct in matters unrelated to academic standards.
3. Students have the right to freedom of expression, inquiry, and assembly without restraint or censorship subject to reasonable and non-discriminatory rules and regulations regarding time, place, and manner.
4. Students have the right to inquire about and to propose improvements in policies, regulations, and procedures 317 affecting government procedures, campus committees, and college offices.
5. No disciplinary sanctions other than temporary removal from class or activity (only for duration of said activity) may be imposed upon students without due process. Due process procedures are established to guarantee students respondent of student code of conduct violations the right to a hearing, a presentation of charges; and evidence for charges, the right to present evidence; the right to have witnesses on their behalf and to hear witnesses on behalf of the complainant (s); and the right of appeal.

Student Conduct

Students are expected to conduct themselves in accordance with generally accepted standards, while appropriately incorporating SCC's values of integrity, community, respect and responsibility. The purpose of the Student Code of Conduct is not to restrict student rights but to protect the rights of all students in their academic pursuits. ([Policy 4.05](#))

Southeastern Community College considers the behavior described in the following sub-sections as inappropriate for the SCC community and in opposition to SCC's values of integrity, community, respect, and responsibility. These expectations and rules apply to all students, whether curriculum, continuing education, basic skills, early college, or career and college promise. SCC encourages community members to report to SCC officials all incidents that involve the following actions. Any student found to have committed or to have attempted to commit the following misconduct is subject to sanctions:

Integrity

Southeastern Community College students exemplify honesty, honor, and a respect for the truth in all of their dealings. Behavior that violates this value includes, but is not limited to:

- **Falsification.** Knowingly furnishing or possessing false, falsified or forged materials, documents, accounts, records, identification or financial instruments.
- **Academic Dishonesty.** Acts of academic dishonesty, including but not limited to taking or acquiring possession of any academic material from a member of the college staff or student body without permission or unethically obtained study materials; receiving or giving help during tests; submitting papers or reports that are supposed to be original work but are not entirely the student's own; and not giving credit for others' work, plagiarism.
- **Copyright Infringement.** Unauthorized use of any copyrighted material.
- **Unauthorized Access.** Unauthorized access to any SCC building (i.e. keys, etc.) or unauthorized possession, duplication or use of means of access to any SCC building.
- **Collusion.** Action or inaction with another or others to violate the Code of Student Conduct.
- **Election Tampering.** Tampering with the election of any SCC recognized student organization.
- **Taking of Property.** Intentional and unauthorized taking of SCC property or the personal property of another, including goods, services, and other valuables.
- **Stolen Property.** Knowingly taking or maintaining possession of stolen property

Community

Southeastern Community College students build and enhance their community. Behavior that violates this value includes, but is not limited to:

- **Disruptive Behavior.** Substantial disruption of SCC operations including obstruction of teaching, research, administration, other SCC activities, and/or other authorized non-SCC activities which occur on campus.
- **Rioting.** Causing, inciting or participating in any disturbance that presents a clear and present danger to self or others, causes physical harm to others, or damage and/or destruction of property.
- **Unauthorized Entry.** Misuse of access privileges to SCC premises or unauthorized entry to or use of buildings, including trespassing, propping or unauthorized use of alarmed doors for entry into or exit from an SCC building.
- **Trademark.** Unauthorized use (including misuse) of SCC or organizational names and images.
- **Damage and Destruction.** Intentional, reckless and/or unauthorized damage to or destruction of SCC property or the personal property of another.
- **IT and Acceptable Use.** Violating the SCC Use of Information Systems policy.
- **Gambling.** Gambling as prohibited by the laws of the State of North Carolina. Gambling may include raffles, lotteries, sports pools, and online betting activities.
- **Weapons.** Possession, use, or distribution of explosives (including fireworks and ammunition), guns (including air, BB, paintball, facsimile weapons and pellet guns), or other weapons or dangerous objects such as arrows, axes, machetes, nun-chucks, throwing stars, or knives with a blade of longer than four and a half inches (4 ½"), except as permitted by state law.
- **Tobacco.** Smoking or tobacco, including but not limited to vaping, e-cigarettes, or any other electronic nicotine delivery system, use in any area of campus.
- **Fire Safety.** Violation of local, state, federal or campus fire policies including, but not limited to:
 - Intentionally or recklessly causing a fire which damages SCC or personal property or which causes injury.
 - Failure to evacuate an SCC controlled building during a fire alarm.
 - Improper use of SCC fire safety equipment; or
 - Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on SCC property. Such action may result in a local fine in addition to SCC sanctions.
- **Ineligible Association.** Associating with a student organization without having met eligibility requirements established by SCC.
- **Animals.** Animals, with the exception of animals that provide assistance (e.g. service animals), and pets are not permitted on campus except as permitted by SCC policy.
- **Wheeled Devices.** Skateboards, roller blades, roller skates, bicycles and similar wheeled devices are not permitted inside SCC buildings or on sidewalks. Additionally, skateboards and other wheeled items may not be ridden on railings, curbs, benches, or any such fixtures that may be damaged by these activities, and individuals may be liable for damage to SCC property caused by these activities

Respect

Southeastern Community College students recognize that respecting the dignity of every person is essential for creating and sustaining a flourishing college community. They understand and appreciate how their decisions and actions impact others and are just and equitable in their treatment of all members of the community. They show positive regard for each other and act to discourage and challenge those whose actions may be harmful to and/or diminish the worth of others. Conduct that violates this value includes, but is not limited to:

- **Discrimination.** Any act or failure to act that is based upon an individual or group's actual or perceived status (race, color, religion, national origin, age, sex, pregnancy, citizenship, disability, veteran and genetic information, or other protected status) that is sufficiently severe that it limits or denies the ability to participate in or benefit from SCC's educational program or activities.
- **Harassment.** Any unwelcome conduct based on actual or perceived status including race, color, religion, national origin, age, sex, pregnancy, citizenship, disability, veteran and genetic information, or other protected status. Any unwelcome conduct should be reported to campus officials, who will act to remedy and resolve reported incidents on behalf of the complainant and community.
- **Hostile Environment.** Sanctions can and will be imposed for the creation of a hostile environment only when unwelcome harassment is sufficiently severe, pervasive (or persistent) and objectively offensive that it unreasonably interferes with, limits or denies the ability to participate in or benefit from SCC's educational or employment program or activities.
- **Retaliatory Discrimination or Harassment.** Any intentional, adverse action taken by a responding individual or allied third party, absent legitimate nondiscriminatory purposes, against a participant or supporter of a participant in a civil rights grievance proceeding or other protected activity under this Code.
- **By-standing**
 - Complicity with or failure of any student to appropriately address known or obvious violations of the Code of Student Conduct or law.
 - Complicity with or failure of any organized group to appropriately address known or obvious violations of the Code of Student Conduct or law by its members.
- **Abuse of Conduct Process.** Abuse or interference with, or failure to comply in, SCC processes including conduct and academic integrity hearings including, but not limited to:
 - Falsification, distortion, or misrepresentation of information.
 - Failure to provide, destroying or concealing information during an investigation of an alleged policy violation.
 - Attempting to discourage an individual's proper participation in, or use of, the campus conduct system.
 - Harassment (verbal or physical) and/or intimidation of a member of a campus conduct body prior to, during, and/or following a campus conduct proceeding.
 - Failure to comply with the sanction(s) imposed by the campus conduct system.
 - Influencing, or attempting to influence, another person to commit an abuse of the campus conduct system.
- **Harm to Persons.** Intentionally or recklessly causing physical harm or endangering the health or safety of any person.
- **Threat.** Written or verbal conduct that causes a reasonable expectation of injury to the health or safety of any person or damage to any property.
- **Intimidation.** Intimidation defined as implied threats or acts that cause a reasonable fear of harm in another.
- **Bullying and Cyberbullying.** Bullying and cyberbullying are repeated and/or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally and are not protected by freedom of expression.
- **Hazing.** Defined as an act that endangers the mental or physical health or safety of a student, or that destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. Participation or cooperation by the person(s) being hazed does not excuse the violation. Failing to intervene to prevent and/or failing to discourage and/or failing to report those acts may also violate this policy.
- **Intimate Partner/Relationship Violence.** Violence or abuse by a person in an intimate relationship with another.
- **Stalking.** Stalking is a course of conduct directed at a specific person that is unwelcome and would cause a reasonable person to feel fear.
- **Sexual Misconduct.** Sexual misconduct includes, but is not limited to, sexual harassment, non-consensual sexual contact, non-consensual sexual intercourse, and/or sexual exploitation.
- **Public Exposure.** Includes deliberately and publicly exposing one's intimate body parts, public urination, defecation, and public sex acts.

Responsibility

Southeastern Community College students are given and accept a high level of responsibility to self, to others, and to the community. Behavior that violates this value includes, but is not limited to:

- **Alcohol.** Use, possession, or distribution of alcoholic beverages or paraphernalia except as expressly permitted by law and within the limitations of SCC's [Policy 2.04 Drug and Alcohol Policy](#) and associated procedures.
- **Drugs.** Use, possession or distribution of illegal drugs and other controlled substances or drug paraphernalia except as expressly permitted by law and within the limitations of SCC's [Policy 2.04 Drug and Alcohol Policy](#) and associated procedures.
- **Prescription Medications.** Abuse, misuse, sale, or distribution of prescription or over-the-counter medications;
- **Failure to Comply.** Failure to comply with the reasonable directives of SCC officials or law enforcement officers during the performance of their duties and/or failure to identify oneself to these persons when requested to do so.
- **Financial Responsibilities.** Failure to promptly meet financial responsibilities to the institution.
- **Other Policies.** Violating other published SCC policies or rules, including parking and driving policies and procedures.
- **Health and Safety.** Creation of health and/or safety hazards (driving, dangerous pranks, hanging out of or climbing from/on/in windows, balconies, roofs, etc.)
- **Violations of Law.** Evidence of violation of local, state or federal laws, when substantiated through the SCC's conduct process.

Conduct Procedures

The College reserves the right to maintain a safe and orderly educational environment for students and staff. Therefore, when, in the judgment of college officials, a student's conduct disrupts or threatens to disrupt the college community, appropriate disciplinary action is taken to restore and protect the sanctity of the community.

When a student is alleged to have violated any portion of the Student Code of Conduct, the individual must report the incident to the dean of student services using the college's conduct report within five business days of the incident. However, if an instructor or college official who is considering reporting a student violation believes that the student poses an immediate threat to self or others, he/she should contact campus police.

The dean of student services or a designee will serve as the conduct officer for the investigation. The conduct officer will contact the reporting individual and/or witnesses for additional information, as appropriate.

Within seven (7) working days after the conduct report is submitted, the conduct officer will complete a preliminary investigation of the incident and schedule a meeting with the student in order to determine whether sanctions should be initiated. During the meeting, the conduct officer will advise the student of the allegation(s), explain the student conduct procedures, and clarify the student's rights and responsibilities. The conduct officer will ask the student for his/her perspective regarding the allegation. Following the initial meeting the conduct officer will take one of the following actions:

1. If there is no basis for the allegation or if it does not warrant disciplinary action, the conduct officer will dismiss the allegation.
2. If the conduct officer finds the student responsible, he/she will impose sanctions.
3. If the conduct officer obtains new information from the student, he/she can continue the investigation for an additional seven (7) working days.
4. If the student fails to appear, the conduct officer may find the student responsible and impose sanctions. The student will be notified of the sanction via the postal service. The student will be granted five business days to appeal the sanction.

An advocate of the student's choosing may attend the meeting with the conduct officer. The role of the advocate is to support the student. The advocate may only advise the student, not address the conduct officer. The advocate may be asked to leave if he/she does not adhere to these conditions. To avoid any conflict of interest, employees of the college cannot serve as an advocate.

Interim Suspension

If an act of misconduct threatens the health or well-being of any member of the college community or seriously disrupts the function and good order of the college, a college official may direct students involved to cease and desist such conduct and advise them that failing to cease and desist results in immediate suspension. If students fail to cease and desist, the college official may then suspend them from the class or the college until a resolution of the matter can be made. The college official invoking such suspension must notify the dean of student services in writing of the individuals involved and the nature of the incident as soon as possible but no later than 24 hours after the incident. The dean of student services is responsible for implementing student conduct procedures.

Sanctions

The following disciplinary actions may be imposed by the dean of student services:

1. **Reprimand.** The student receives a written communication, which gives official notice that any subsequent offense against the Student Code of Conduct carries heavier penalties because of this prior infraction. A record of this communication will be maintained.
2. **General Probation.** An individual may be placed on general probation when involved in a substantive disciplinary offense. General probation has two important implications:
 - the individual is given a chance to show capability and willingness to observe the code of student conduct without further penalty
 - if the student errs again, additional sanctions will be imposed for this violation. This probation will be in effect for no more than two (2) semesters.
3. **Restrictive Probation.** Restrictive probation results in loss of good standing, and notation of such is made in the student's conduct record. Restrictive conditions may limit activity in the college community and/or access to specified college facilities. The student will not be eligible for initiation into any local or national organization and may not receive any college award or other honorary recognition. The student may not occupy a position of leadership or responsibility with any college or student organization, publication, or activity. This probation will be in effect for not less than two (2) semesters. Any violation of restrictive probation may result in immediate suspension.
4. **Suspension.** Exclusion from a class, program of the college, or all college activities for a specified period of time. This sanction is reserved for those offenses warranting discipline more severe than probation, or for repeated misconduct. Students who receive this sanction must get specific written permission from the conduct officer before returning.
5. **Expulsion.** Dismissing a student from campus for an indefinite period. The student loses his/her student status. The student may be readmitted to the college only with the approval of the president.
6. **Education Assignments.** Educational sanctions may include work assignments, essays, community service, participation in college-sponsored programs or activities, alcohol and/or drug education and counseling with a certified counselor, and other related educational assignments.
7. **Restitution.** Paying for damaging, misusing, destroying, or losing property belonging to the college, college personnel, students and visitors.
8. **Delayed Registration.** A student may be required to meet with the conduct officer before registering for classes if the student has not complied with a sanction or contacted the conduct officer as required.
9. **Loss of Academic Credit or Grade.** This sanction may be imposed as a result of academic dishonesty or other violation of the Student Code of Conduct which may have impacted the student's academic credit or grade.
10. **Revocation of Admission and/or Degree.** Admission to or a degree awarded from the college may be revoked for fraud, misrepresentation, or other violation of college standards in obtaining the degree, or for other serious violation committed by a student prior to graduation.
11. **Agreed-Upon Behavior Contract.** In situations where a student and the conduct officer can agree on the consequences that should result from the student's code of conduct violation, the agreed-upon consequences can be set out in a document titled "Behavior Contract."
12. **Withholding.** Transcript, diploma, or right to register will be withheld (denied) when financial obligations are not met.
13. **Group Probation.** This is given to a college club or other organized group for a specified period of time. If group violations are repeated during the probationary period, the group's charter may be revoked, or activities restricted.

14. **Group Restriction.** Removing college recognition during the semester in which the offense occurred or for a longer period, usually not more than one additional semester. While under restriction, the group may not seek or add members, hold or sponsor events in the college community, or engage in other activities as specified.
15. **Group Charter Revocation.** Removal of college recognition from a group, club, society, or other organization for a minimum of two years. Re-charter after that time must be approved by the dean of student services.
16. **No Contact.** There is to be no communication with the party or parties by any means, including but not limited to electronic or digital, in person, or through a third party (other than an attorney).

Other than college probation, suspension, expulsion, or the revoking or withholding of a degree, disciplinary sanctions will not be made part of the student's permanent academic record but will become part of the student's disciplinary record maintained by the conduct officer.

Conduct Appeals

A student may appeal the conduct decision and/or sanction by requesting a hearing by the appeals committee in writing within five days of receipt of the sanction letter. The dean of student services will convene the appeals committee.

The only grounds for appeal are the following:

1. A procedural or substantive error occurred that significantly impacted the outcome of the hearing.
2. To consider new evidence, unavailable during the original hearing or investigation that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included.
3. The sanctions imposed are substantially disproportionate to the severity of the violation.

Appeals Committee Membership

The appeals committee is made up of one student from the student learning and innovation division and one student from the business careers and technical programs division appointed by the Student Government Association, one SCC ambassador appointed by the SCC ambassador president, one faculty member appointed by the faculty senate, one student services staff member appointed by the dean of student services or his/her designee. The committee will select one of its members to serve as the chair of the committee.

Procedures for the Conduct Appeals Committee

No one can serve on the conduct appeals committee if he/she has any involvement in the incident. The dean of student services will schedule a hearing within seven business days of receipt of the hearing request. Following the hearing, the committee will communicate the recommendation to the dean of student services. The dean of student services will either accept or deny the committee's recommendation and inform the student of the finding in writing within five business days. The decision of the conduct appeals committee and dean of student services is final. The response will be sent to the student via the postal service. Copies of the decision will be provided to the college president and all individuals involved in the conduct appeals process.

Exceptions

All parties will receive written notification of any deviation from specified time frame.

The NCHERM Group Model Code Project, 2013. The Southeastern Community College Code of Student Conduct is adapted from The NCHERM Group Model Developmental Code of Student Conduct and is used here with permission.