

STUDENT CONDUCT, RIGHTS AND RESPONSIBILITIES

PVCC CODE OF CONDUCT

INTRODUCTION

Piedmont Virginia Community College is an academic community and all members and visitors share the duty and responsibility of securing and maintaining the freedom to learn within that academic college community. Freedom carries responsibilities; chief among these is the respect for the rights and the values of others. In order to provide and preserve this freedom on the college campus and at college sponsored and college-supervised functions, the student code of conduct was developed by a committee of students, faculty, staff, and administrators.

Within the college community, individuals are accorded respect in a learning environment that is free of discrimination on the basis of race, color, religion, gender, sexual orientation, national origin, age, disability or any other characteristics protected by law or by the policies and practices of PVCC. All students are expected to exhibit and practice appropriate behavior when participating in instructional settings, including field experiences, internships, athletic and cultural events, or any other related college endeavor.

The college faculty and staff recognize their role in developing this sense of responsibility through example and guidance. Additionally, every student is presumed to have sufficient maturity, intelligence, and concern for the rights and values of others and to preserve the standards of the academic community. This code enumerates clear expectations of students as members of the college community, the kind of unacceptable behavior that may result in disciplinary action, and sanctions and disciplinary proceedings utilized when the code is not observed. While on college property or at college-sponsored/supervised events, all person, including guests of students, are required to abide by all college policies, procedures, practices, and related rules and regulations.

It is the student's responsibility to become familiar with the PVCC Code of Conduct. Lack of awareness is no excuse for non-compliance with PVCC policies and regulations. Copies of the PVCC Code of Conduct are available in the Welcome Center and from Counseling and Career Services and college receptionist. All new students are oriented to the Code of Conduct in the PVCC Orientation course, and the Code of Conduct is referenced on the course syllabus in all classes. The Code of Conduct also is posted on the college website.

Definitions in the Code of Conduct

1. The term "college" means Piedmont Virginia Community College and, collectively, those responsible for its control and operation.

2. The term “student” includes all persons registered for credit courses and noncredit courses on a full-time or part-time basis.
3. The term “faculty member/instructor” means any person hired by PVCC to conduct educational activities. In certain situations, a person may be both “student” and “faculty member/instructor” and is subject to the rights and responsibilities of both.
4. The term “college official” pertains to all college employees.
5. The term “college community” includes students (credit and noncredit) and all college employees.
6. The term “student club” means a number of persons who have complied with the formal requirements of college recognition.
7. The term “working days” means Monday through Friday of each week when PVCC is open.
8. The term “college premises” includes all land, buildings, facilities, and any other property in the possession of, owned, used, or controlled by PVCC.
9. The “College Hearing Committee” refers to the body authorized to implement the conduct hearing process.
10. The term “policy” includes all written regulations of PVCC as found in, but not limited to, the College Catalog.
11. The term “recommendation” refers to a remedy proposed by the conduct hearing committee. A recommendation is not binding.
12. The term “decision” refers to a determination by the Dean of Student Services or her/his designee, or the President or her/his designee. A decision is binding.
13. The term “advisor” means any college official selected by or designated for the student charged with misconduct.

Judicial Authority

1. The Dean of Student Services or her/his designee is responsible for the administration of the student code of conduct.
2. The College Hearing Committee is the body authorized to implement the conduct hearing process.
3. Any decision(s) made by the Dean of Student Services or her/his designee shall be final unless the student(s) or complainant(s) initiates the appeal process within the specified time frame.

Student Rights and Responsibilities

Each student indicates a willingness to abide by the PVCC Code of Conduct when he or she submits the application for admission and/or registers for courses (credit or noncredit). The following statement of rights and responsibilities is designed to clarify those rights that the student may enjoy as a member of a community college. It also defines the responsibilities and obligations of the student in joining the college community.

Student Rights

- Each student is guaranteed the privilege of exercising his or her rights without fear of prejudice.
- Students are free to pursue their educational goals. Appropriate opportunities for learning in the classroom and on the campus are provided by the college through the curricula offered.
- Students have the right to freedom of expression, inquiry, and assembly, subject to reasonable rules and regulations.
- Students have the right to inquire about and offer suggestions to improve policies, regulations, and procedures that affect their welfare.
- Students are entitled to due process as required by law and by the student Code of Conduct.
- Academic evaluation of student performance shall be fair and not arbitrary or inconsistent.
- The student as a member of the college community has the right to expect safety, protection of property and the continuity of the educational process.
- A student has the right to a college catalog and written Code of Conduct which lists the policies and procedures of the college.
- Each student will be informed at the beginning of each course how the course will be graded. A written syllabus will be provided to the student

Student Responsibilities

- The student has a responsibility to demonstrate respect for self and others in the college community (including faculty, staff, and other students).
- The student has the responsibility to know and abide by the regulations and policies of the college, including registration deadlines, payment of tuition, withdrawal dates, and graduation application deadlines.
- The student has the responsibility to pay all fines and debts (including parking fines incurred at the college).
- The student has the responsibility to maintain academic integrity.

Each student at PVCC is considered a responsible adult and is expected to maintain standards of conduct that are appropriate to membership in the college community. Disorderly conduct threatens a positive learning environment and will not be tolerated. Emphasis is placed on standards of conduct rather than on limits or restrictions of students. Students should be aware that the PVCC Code of Conduct applies to both conduct within the classroom and outside of the classroom.

Conduct in the Classroom

Faculty may establish their own policies addressing attendance and other standards of behavior in the classroom and in labs. Exceeding the allowable number of absences permitted in an instructor's attendance policy may adversely affect the course grade or result in the dismissal from the course, or in extreme

cases, the college. Students are responsible for adhering to the course syllabus which lists the requirements and expectations for the course.

If a student exhibits unruly or disruptive conduct in a classroom or lab, the instructor may ask the student to leave the classroom immediately. It is the student's responsibility to contact the instructor as soon as possible, and at the latest before the next meeting of the class or lab to attempt to reconcile the problem. If not resolved, and/or in the most serious cases, such as when the student has previously been removed from the class or when the behavior is a serious violation of the rights of others (i.e. threats of violence or other or other acts of hostility) the faculty member may prefer to deny the student's return to the course. In these cases the faculty member must file a charge with the Dean of Student Services that proposes the removal of the student from the course. Once a charge is filed, the case will be settled by following the College Disciplinary Process (see below).

Conduct Outside of the Classroom

Appropriate behavior is also expected outside of the classroom on all college premises, such as hallways, offices, all common areas of the college, and the parking lot and grounds. Excessive fines and repeated violations of parking lot regulations may result in a charge of misconduct. In addition, this same Code of Conduct applies to PVCC classes held at off campus sites throughout the service area.

Prohibited Conduct

Generally, college discipline shall be limited to conduct which adversely affects the college community's pursuit of its educational objectives. The following misconduct, which is not all-inclusive, is subject to disciplinary action:

1. Failure to furnish identification upon the request of a college official.
2. Intentionally providing false information on any college application, transcript, or written document.
3. Intentionally making false material statements to the college.
4. Forgery, alteration, or misuse of any college documents, records, equipment, or identification.
5. Obstructing or acting in a manner disruptive or disturbing to the normal educational functions of the college, administration of the college, disciplinary procedure, or other college activities.
6. All forms of violence, threatening behavior, verbal/non-verbal harassment, physical abuse, verbal abuse, stalking, coercion, and/or other conduct that threatens or endangers the health or safety of any person.
7. Obstructing or restraining the movement and passage of persons and/or vehicles.
8. Stealing, concealing, defacing, or damaging college property or the property of a member of the college community or campus visitor.

9. Unauthorized entry to or use of college and off-campus properties, including the failure to leave any of the buildings or grounds after being requested to do so by an authorized employee of PVCC.
10. Attending a course without being properly registered.
11. Bringing unregistered visitors, including children to class without prior approval of the instructor.
12. Leaving a child for whom you are responsible unattended at any time.
13. Possession, consumption, sale, or serving of alcoholic beverages.
14. Sale, distribution, use, or possession of illegal drugs or controlled dangerous substances as defined by Virginia law except as expressly permitted by law.
15. Being under the influence of alcohol or illegal drugs.
16. Gambling, disorderly conduct, or lewd or obscene conduct or expression.
17. Possession or use of firearms, explosives, or any other dangerous or deadly weapons, except as expressly permitted in writing by the college. An instrument designed to look like a weapon, which is used by a student to cause reasonable apprehension or harm, is expressly included within the definition of weapon.
18. Tobacco use inside all college premises or in any other area where tobacco use is prohibited.
19. Use of any sound amplification equipment, system, or device, except as provided for by college regulations or expressly permitted by the college.
20. Failure to comply with PVCC's computer use policies, which are available at the Help Desk.
21. Failure to comply with lawful directions of college officials acting in performance of their duties.
22. Violations of the student code of conduct or of other college policies or regulations, including those concerning the registration of student organizations, the use of college property, or the time, place, and manner of public expression.

Academic Dishonesty

PVCC sets high standards for academic integrity, and takes academic dishonesty very seriously. The following misconduct is considered an honor offense and is subject to disciplinary action:

A. All forms of dishonesty, including cheating, plagiarism, knowingly furnishing false information to the college or instructors, and the forgery, alteration or use of college documents or instruments of identification with the intent to defraud.

1. Plagiarism is the appropriation of passages, either in word or in substance, from the writings of another and the incorporation of those passages as one's own written work offered for credit. It is always assumed that the written work offered for credit is the student's own unless proper credit is given to the original author by the use of quotation marks and footnotes or explanatory inserts.

2. Collaboration with another person in the preparation or editing of notes, themes, reports or other written work offered for credit is prohibited unless such collaboration has been specifically approved in advance by the instructor. Examples of collaboration include extensive use another's idea for preparing a creative assignment and receiving undue assistance in the preparation or editing of written materials.

3. Giving or receiving, offering or soliciting information on any quiz, test, or examination is prohibited; this includes the following:

- copying from another student's paper;
- use of prepared materials during the examination;
- collaboration with another student during the examination;
- buying, selling, stealing, soliciting or transmitting an examination or any material purported to be the unreleased contents of a (coming/pending) examination or the use of any such material;
- substituting for another person during an examination or allowing such a substitution for one's self; and
- bribery of any person to obtain examination information.

4. Knowingly furnishing false information to the college is prohibited.

5. Giving false information as a reason for missing a test or class is prohibited.

6. Forgery, alteration, or misuse of college documents, records, or identification cards is prohibited.

B. In matters of alleged honor violations, the faculty member may at his/her discretion meet in private with the student whose work is in question. The purpose of this meeting will be to allow the instructor to discuss with the student the potential allegation and to allow the student an opportunity to respond. Should the instructor feel the need to pursue the matter further, he/she may exact whatever penalties have been specified in the course syllabus. The instructor may also reserve the right to lodge a formal accusation against the student with the Dean of Student Services.

C. In order to provide an orderly procedure for the handling of honor violations in accordance with due process the college has established procedural rules and regulations. The procedure for handling academic honesty charges follows the College Disciplinary Process (see below).

Disciplinary Hearing Process

Any faculty member or college official may file a charge(s) of misconduct against a student. The charge(s) of misconduct shall be submitted, in writing, to the Dean of Student Services within 10 working days of the point at which the alleged misconduct occurred or within 10 working days of the point at which the alleged misconduct could reasonably have known to occur. An incident report submitted

by a college security officer to the Office of Instruction and Student Services is a written charge of misconduct.

Pending action on any charge of misconduct by the Dean of Student Services or his/her designee, shall not alter the status of a student or his/her right to participate in all class(es), college-sponsored, or college-supervised functions, or be present on any college premises except for reasons relating to the: (a) student's physical or emotional safety, safety and well-being of any other member of the college community, or potential damage to college premises; or (b) the student persistently disrupts or obstructs teaching/learning, or is continuously disrespectful in the classroom.

A. Administrative Process

The purpose of the administrative process is for the Dean of Student Services or his/her designee, to:

1. review the charge(s) of misconduct;
2. investigate the charge(s) of misconduct by interviewing all involved parties; including the student charged with misconduct;
3. decide the appropriate action(s) to be taken next.

If the charge(s) of misconduct involves more than one student, the administrative process may be conducted separately for each student.

1. The Dean of Student Services or his/her designee shall explain to the student(s) charged with misconduct the purpose and ramifications of the administrative process and his/her due process rights.
2. If the charge(s) of misconduct does not violate the student code of conduct or the Dean of Student Services or his/her designee, decides the student charged is not guilty of the violation, there shall be no subsequent proceedings under the student code of conduct policy.
3. If the charge violates another college policy, the student may be charged under that policy.
4. The Dean of Student Services or his/her designee, has the authority to impose minor sanctions, and if imposed such disposition shall be final and there shall be no subsequent proceedings unless the student invokes his/her right to appeal.
5. Any case in which the possibility of a major sanction could be imposed shall be referred to the College Hearing Committee. The hearing shall be convened no later than 10 working days after the Dean of Student Services refers the case.
6. The student may waive the right to a hearing, in which case the Dean of Student Services will impose an appropriate sanction (minor or major). Such disposition shall be final and there shall be no subsequent proceedings unless the student invokes his/her right to appeal. The attempt or administrative disposition shall not exceed 14 calendar days.

B. College Hearing Committee

1. The College Hearing Committee is convened to review and take action on cases referred by the Dean of Student Services or his/her designee, related to student conduct violations.
2. The College Hearing Committee shall be composed of five voting members: two full-time instructional faculty, two students, one administrator, and one staff person. The College Hearing Committee shall elect its own chairperson who must be a college employee.
3. All College Hearing Committee members shall be present to conduct all business.
4. If a College Hearing Committee member will not be available for the entire conduct hearing, then the College Hearing Committee member shall be replaced before the conduct hearing begins.
5. If a College Hearing Committee member becomes ill during the conduct hearing and is able to return within a reasonable time frame, the conduct hearing shall be postponed until the College Hearing Committee member is available.
6. If a College Hearing Committee member becomes ill during the conduct hearing and is unable to return within a reasonable time frame, the conduct hearing board member shall be replaced.

C. College Hearing Process

1. The Vice President of Instruction and Student Services may close the proceedings when the conditions so warrant.
2. The chairperson of the College Hearing Committee shall run the hearing and make evidentiary rulings.
3. The burden of proof will rest upon the person(s) filling the complaint and the Dean of Student Services or his/her designee. All decisions will be based only on evidence presented before the College Hearing Committee.
4. All proceedings under the student code of conduct may be carried out prior to, simultaneously with, or following any civil or criminal proceedings, criminal arrest, or prosecution at the discretion of the Dean of Student Services or his/her designee.
5. The complainant shall proceed first. The respondent shall have the right to respond; the complainant shall have the right to rebuttal.
6. The College Hearing Committee shall have the right to summon witnesses that may have witnessed the reported misconduct.
7. The hearing shall be held within 10 working days after the Dean of Student Services or his/her designee, refers the matter to the College Hearing Committee.

8. The parties shall receive written notice of the date at least five working days in advance of the hearing.

9. The College Hearing Committee chairperson shall fix a schedule of the hearings in disciplinary proceedings. The college and the respondent shall have discretion to alter the schedule for good cause.

10. Hearing(s) shall be conducted in such a manner as to afford due process and shall be private. In hearings involving more than one individual, severance shall be allowed upon request of the respondent.

11. An accused individual has the right to have a support person/advisor with him/her during the proceedings. However the accused is not allowed to have a lawyer present.

12. Due to the confidential nature of the conduct hearing, attendance is limited to the College Hearing Committee, Dean of Student Services or his/her designee, all respondent and complainants directly involved, witness(es), and respondent's advisor.

13. All participants should refrain from discussing the aspects of the charge(s) of misconduct outside the hearing committee.

14. Both the complainant and the respondent are responsible for presenting his or her own case and, therefore, the advisor is not permitted to speak or to participate directly in the hearing.

15. The complainant, the respondent, and the conduct hearing board shall have the privilege of presenting witnesses. Production of records and other exhibits may be required.

16. There shall be a single verbatim record, such as an audiotape recording, of all hearings before the conduct hearing board. The record shall be the property of PVCC. The audio or video recordings and all documents relevant to the concern(s) shall be kept in a confidential file by the Vice President for Finance and Administrative Services for six years from the date of the end of the grievance process after which, the audio or video recordings and all documents shall be destroyed.

17. All procedural questions are subject to the final decision of the chair of the College Hearing Committee.

18. The College Hearing Committee reserves the right to call for executive session, if so warranted.

19. The College Hearing Committee may impose reasonable time limits on all presentations. One College Hearing Committee member shall be appointed to act as timekeeper.

20. Following each presentation the College Hearing Committee may ask questions for clarification.

21. All speakers should address the College Hearing Committee and no other person(s) involved.

22. Following all the presentations, the College Hearing Committee shall go into executive session. The College Hearing Committee shall determine (by majority vote) whether the student has violated each section of the student code of conduct that the student is charged with violating. This determination shall be made on the basis of whether it is more likely than not that the respondent violated the student code.

Once the College Hearing Committee determines that the student violated each section of the student code of conduct that he/she is charged with violating, the College Hearing Committee will (by majority vote) choose one of the four following actions:

- Dismiss the case
- Refer the case back to the Dean of Student Services or his/her designee for assignment of a minor sanction
- Assign the major sanction of suspension
- Assign the major sanction of expulsion.

23. The College Hearing Committee shall submit a decision and any recommendation(s), in writing, to the Dean of Student Services or his/her designee, within two (2) working days after completion of the conduct hearing.

24. The Dean of Student Services or his/her designee, shall render his/her decision, in writing, to implement the recommendation(s) from the hearing board within five (5) working days after receiving the decision/recommendation(s) from the hearing board.

25. If the Dean of Student Services or his/her designee, cannot accept the recommendation(s) from the College Hearing Committee, the Dean of Student Services or his/her designee, shall meet with the College Hearing Committee to discuss his/her concern(s). The College Hearing Committee and the Dean of Student Services or his/her designee, shall try to reach consensus on the recommendation(s).

26. If the student charged with misconduct did violate the student code of conduct, the Dean of Student Services or his/her designee, shall notify the

student(s) of any sanction(s) imposed within five (5) working days after receiving the decision/recommendation(s) of the hearing committee.

27. No imposition of sanctions may be made solely on the failure of the respondent, to answer the charges or appear at the hearings. In such a case, the evidence in support of the charges shall be presented and considered. An appeal of the College Hearing Committee's decision by either party may be, made to the President in writing within ten (10) working days of the decision. An appeal shall be limited to a review of the full report of the conduct hearing board for the purpose of determining whether its decision was supported by the evidence and was not arbitrary. An appeal may not result in a more severe sanction for the respondent. The President shall take one of the three following actions:

- Uphold the sanction
- Revise the sanction
- Dismiss the sanction

29. The decision of the President shall be final.

Procedural Safeguards

The college's disciplinary proceedings are designed to be fundamentally fair. An individual charged with a violation of the Student Code of Conduct has the right to receive written notification of the time, date and place of the hearing, a written statement of the charges and their source, and access to the records of charges and other pertinent papers available to the conduct hearing board. In addition, the respondent:

1. May elect not to appear, but the hearing will be held in his/her absence.
2. May have an individual of his/her choice for support during the hearing.
3. May remain silent.
4. Will speak for himself/herself and/or may present witness (es).
5. Will receive written notification of the conduct hearing board decision.
6. May appeal the College Hearing Committee decision to the President.

Sanctions

The following formal disciplinary actions may be imposed upon students:

A. Minor Sanctions

1. **WARNING:** Notice, orally or in writing, that continuation or repletion of conduct found wrongful, within a period of time stated in the warning, may be cause for more severe disciplinary action.
2. **CAMPUS AND/OR COMMUNITY SERVICE:** his sanction requires a student to perform a specified number of service hours. The Dean of Student Services or his/her designee determines the specific assignment.
3. **RESTITUTION:** Reimbursement for damage to or misappropriation of property.
4. **FINES:** Previously established and published fines may be imposed.

5. **DISCIPLINARY PROBATION:** Written notice that continuation or repetition of conduct found wrongful, during a designated period of time not exceeding one year, will be cause for more severe disciplinary action such as suspension or expulsion.
6. **DISCIPLINARY PROBATION WITH REVOKED PRIVILEGES:** Written notice that continuation or repetition of conduct found wrongful, during a designated period of time not exceeding one year, will be cause for more severe disciplinary action as suspension or expulsion and during the probationary time period, the student is excluded from participation in privileged or extracurricular institutional activities.
7. **SUSPENSION FROM COURSE(S):** Expulsion from participation in particular course(s) for a period of time not to exceed one semester.
8. **INTERIM SUSPENSION:** In case where there is evidence that the continued presence of the student poses a substantial and immediate threat to him/herself or to others, or to the continuance of normal college functions, the Dean of Student Services or his/her designee, may suspend a student from the college on an interim basis pending disciplinary proceedings or medical evaluation. A student placed on interim suspension who is unable to complete course work for the semester in which the interim suspension was issued will be given "W" grades.
9. **MANADATED COUNSELING:** Counseling sessions with a PVCC Counselor or licensed professional counselor in the community to work on inappropriate behavior and promote positive change. Counseling can be mandated as a condition to return to the college.

B. Major Sanctions

1. **SUSPENSION FROM THE COLLEGE:** Exclusion from courses and other privileges or activities as set forth in the notice for a defined period of time not to exceed two years. Whether or not a student may make up missed academic work due to the suspension will be determined as part of this sanction.
2. **EXPULSION FROM THE COLLEGE:** Termination of student status for an indefinite period of time. The conditions for re-admission, if any, shall be stated in the order of expulsion. In cases of expulsion, all documents related to the violation shall be maintained permanently. For all other sanctions, all documents relating to acts of student misconduct shall be maintained in the student's disciplinary file for a period of three years from the date of the incident. Thereafter, the student's disciplinary file shall be purged of all disciplinary documents. More than one of the sanctions above may be imposed for any single violation.

Interpretation and Review

Any questions of interpretation regarding the student code of conduct shall be referred to the Dean of Student Services or his/her designee, for final determination.