

**Tidewater Community College
Code of Student Rights & Responsibilities**

Preamble

The reputation of the college and the college community depends in large part upon the behavior and academic achievement of its students. Students enrolled at the college are expected to conduct themselves in a mature, dignified, and honorable manner.

While enrolled at the college, students are subject to college jurisdiction. The college reserves the right to take disciplinary action against any student whose conduct, in the opinion of college representatives, is not in the best interests of the student, other students, or the college. Students who are disciplined should expect to find their sanctions enforced at all Tidewater Community College campuses. All students are expected to abide by the following college rules of conduct.

TABLE OF CONTENTS

1. Student Rights.....	3
2. Student Responsibilities.....	4
3. Academic Integrity & Academic Misconduct.....	5
4. Behavioral Expectations:	7
5. Sanctions	14
6. Guiding Principles	14
7. Procedures.....	15
8. Sexual Harassment / Sexual Misconduct	15
9. Acknowledgement	16

What Students Can Expect Of TCC

Tidewater Community College is committed to maintaining a social and physical environment conducive to carrying out its educational mission.

TCC is a large and friendly college, providing comprehensive educational programming at a reasonable cost to students of any age.

Students can expect quality instruction and support from caring faculty and staff who put students' needs first.

Students can expect a stimulating environment where students, faculty, and staff enjoy a climate of mutual trust and respect which encourages exciting intellectual pursuits.

1. Student Rights

Students have the right to file a complaint if they believe any of their rights, as defined in this Code, have been violated by a member of the college community.

A student making a complaint under the provisions of this Code should expect that the college will make a good faith attempt to determine the validity of the complaint.

An alleged offender, complainant, or victim is not entitled to be present while the individuals who are responsible for determining the merits of the complaint are deliberating the merits of the complaint.

Rights of a victim include:

1. The student has the option of being present in all aspects of a proceeding in which witnesses provide evidence relating to the charge.
2. The college will disclose the final results of any disciplinary proceeding to complainants as permitted by the provisions of state and federal laws. Specifically, victims of crimes that involve violence or a sex offense will be notified of disciplinary proceeding outcomes. In cases in which the victim is deceased because of the alleged crime, the victim's next of kin will be notified of the disciplinary proceeding outcomes.

Rights of the student charged & Due Process:

1. A student charged with violating this Code has the right to a fair and reasonable process for handling the charges.
2. The student has the right to be informed of the procedures that will be used in adjudicating the charges against him/her, including but not limited to, notice of the

charges, deadlines associated with stages of the process, the kinds of evidence that may be submitted at each stage, and the availability of appeals processes, if any.

3. The student has the right to be present during those portions of any hearing or proceeding in which witnesses provide evidence relating to the charge.
4. The student who is participating in a hearing or proceeding at which evidence may be submitted is entitled to request the college make a good faith attempt to compel the attendance of witnesses, compel the production of documents, and provide a reasonable time period within which requests for witnesses and documents can be submitted and acted upon.

2. Student Responsibilities

Just as students have rights, they also have responsibilities. Tidewater Community College will expect students to demonstrate personal and academic integrity, to be open to new ideas, and to share in a community where individuals from diverse backgrounds and cultures help one another grow intellectually, socially, and personally.

Tidewater Community College expects students to work to their fullest potential in order to achieve academic success and reach for their fullest potential. And while many caring and talented faculty and staff are here to help, students must take responsibility for their own learning. Students should strive for a high level of academic performance and to be responsible, contributing citizens within the college and outside communities. Above all, Tidewater Community College wants students to develop a love of learning that will last a lifetime, along with a life-long interest in maintaining emotional and physical wellness.

Expectations for Civility and Safety

Civility

- Be moderate in speaking. Loud, obscene, argumentative, or threatening speech is disruptive to teaching and learning and is offensive to others. It has no place in an academic setting.
- Resolve any disagreements in a positive, non-combative manner. Request the assistance of college authorities if needed.
- Show respect for the comfort of others in an educational setting by observing acceptable standards for personal cleanliness and dress.
- Unless authorized by the college, do not solicit for money or sell items or services on campus.
- Post only materials that have been approved by college authorities.

- Handle only your own possessions. Turn in any lost items or money to college authorities.

Safety

- Keep halls and walkways clear and fully accessible at all times.
- Weapons and other hazardous items are not permitted on college grounds and must be left elsewhere.
- In emergency instances, comply promptly with directions given by college authorities. Activate emergency signals, such as fire alarms, only for genuine cause.
- Observe restrictions and regulations for the possession and use of tobacco, alcohol, and drugs.

All members of the college community and visitors to campus must comply with applicable federal, state, and local laws. Direct any questions to the campus Provost or Campus Dean of Student Services.

Tidewater Community College recognizes its responsibility to support and uphold the basic freedoms and citizenship rights of all students, and it expects students to be responsible for the following:

1. Uphold and follow all codes of conduct, including this Code, relevant codes and bulletins of respective schools, professional programs or professional societies, and all rules applicable to conduct in class environments, including distance education courses and programs and college-sponsored activities, including off-campus clinical, field, internships, athletics, in-service experiences, activities utilizing college technology or other college approved activities.
2. Obey all applicable college policies and procedures and all local, state, and federal laws.
3. Use college property and facilities in support of their education while being mindful of the rights of others to use college property and facilities.
4. Uphold and maintain personal honesty and integrity.
5. Be responsible for their behavior, and respect the rights and dignity of others both within and outside of the college community.

3. Academic Integrity & Academic Misconduct

Tidewater Community College recognizes academic integrity as a fundamental principle of collegiate life. The credibility of the college's educational programs rests upon the foundation of student learning and integrity. Students who misrepresent their academic work, violate the rights

of their fellow students and undermine the faculty members' authority and ability to assess learning.

The following behaviors and actions undermine academic integrity and are forms of academic misconduct:

3.1.1 Cheating: Unauthorized use of notes or study aides, or acquiring information from another student's papers, on an examination; obtaining a copy of an examination or questions from an exam prior to taking the exam; altering graded work with the intent to deceive, using another person work and then submitting as one's own name; allowing another to take an examination in one's name; submitting identical or similar papers for credit in more than one course without obtaining permission from the instructors of all the courses involved.

3.1.2 Aiding Cheating or Other Acts of Academic Dishonesty: Providing materials or information to another student with the knowledge that this material or information will be used to deceive faculty.

3.1.3 Plagiarism: Presenting within one's own work the ideas, representations, or words of another person without customary and proper acknowledgement of that person's authorship is considered plagiarism. Students who are unsure of what constitutes plagiarism should consult with their instructors.

3.1.4 Data Misrepresentation: Fabricating data; deliberately presenting assignment data that were not gathered in accordance with assigned guidelines or are deliberately fabricated; or providing an inaccurate account of the method by which the data were gathered and generated.

3.1.5 Falsification of Academic Records or Documents: Falsification of academic records or documents includes, but is not limited to, altering any documents affecting academic records; forging signatures or falsifying information of an official academic document such as a grade report, ID card, library card, or any other official college letter or communication.

3.1.6 Unauthorized Access to Computerized Academic or Administrative Records or Systems: Unauthorized access to computerized academic or administrative records or systems means viewing or altering the college's computer records without authorization; copying or modifying the college's computer programs or systems without authorization; releasing or dispensing information gained through unauthorized access; or interfering with the use or availability of computer systems or information. Also, when college-sponsored activities are held at locations owned or managed by other institutions or organizations, the unauthorized use, viewing, copying or altering of those institutions' computer records, systems, or programs would similarly constitute a violation of academic integrity.

3.1.7 Unprofessional or Inappropriate Behavior within a Clinical, Field, or Internship Experience: Conduct that is considered to be lewd, indecent, obscene, inappropriate, and/or non-compliant with professional or accreditation standards; or a violation of clinical or other affiliated site expectations or guidelines; or a violation of federal or state laws.

Faculty members who have reliable evidence of academic misconduct will (1) investigate the matter, and (2) review the facts of the matter and the proposed penalty with the appropriate academic dean. They may then take one or more of the following actions:

- Require the work be accomplished again
- Give no credit for the test, paper or exercise
- Assign a grade of W or F for the course
- Refer the matter to the campus dean for student services or designee for possible disciplinary sanction through the college's disciplinary procedure.

If the faculty member chooses to refer the matter to the campus dean for student services or designee for disposition, the Plenary Disciplinary Procedures shall be followed, and dismissal from the college is possible.

Students may appeal a faculty penalty through the Student Final Grade Appeal Procedure when a final course grade is involved, or through the Student Disciplinary Procedures for sanctions not involving final course grades.

4. Behavioral Expectations:

Tidewater Community College may sanction students who have been found in violation of the following behavior expectations utilizing the procedures delineated in the TCC's student disciplinary procedures. Below are the college's expectations for student behavior

Personal Misconduct Involving Computers/Technology

4.1.1 Network Files: Tidewater Community College provides students with network files for academic purposes. These files are not private and may be inspected by authorized college personnel to ensure compliance with the terms outlined in the college's acceptable use of technology policies.

4.1.2 Unauthorized Use of Computers and Technology: Theft or other abuse of computers or computer lab facilitates or technology resources including; but not limited to:

- a. Unauthorized entry into a file, to use, read or change the contents, or for any other purpose.
- b. Unauthorized transfer of a file; including peer-to-peer file sharing.

- c. Use of another individual's identification and/or password.
- d. Use of computing facilities and resources to interfere with the work of another student, faculty member, and/or college official.
- e. Use of computing facilities and resources to send obscene or abusive messages.
- f. Use of computing facilities and resources to view, download, print, send or seek out obscenities or sexually explicit materials, except in the context of a bona fide college activity.
- g. Use of computing facilities and resources to interfere with normal operations of the college's computing system.
- h. Use of computing facilities and resources in violation of copyright laws.
- i. Any violation of the college's computer use policy.

Personal Misconduct on College Property

4.2.1. **Dishonesty:** Dishonest conduct including, but not limited to, false accusation of misconduct; forgery, alteration, or misuse of any college document, record, or identification; and give to a college official information know to be false.

4.2.2. **Falsification of Identity:** Assuming another person's identity or role through deception or without proper authorization. Communicating or acting under the guise, name, identification, e-mail address, signature, or other indications of another person or group without proper authorization or authority

4.2.3. **Falsification of Information:** Knowingly initiating, transmitting, filing, or circulating a false report or warning concerning an impending bombing, fire, or other emergency or catastrophe; or transmitting such a report to an official or an official agency.

4.2.4. **Unauthorized use of College Resources:** Unauthorized release or use of any college access codes for computer systems, duplicating systems, and other college equipment.

4.2.5. **Inappropriate Conduct:** Conduct that is considered to be lewd, indecent, obscene or inappropriate.

4.2.6. **Disorderly Conduct:** Conduct that is considered to be obstructive or disruptive that interferes with teaching, research, administration, or other college or college-authorized activities.

4.2.7. **Copyright Infringement:** Conduct or activities that violate federal copyright laws including, but not limited to, the piracy of written or electronic media, are not permitted.

4.2.8. **Endangerment:** Actions that endanger one's self or others in the college community or the academic process.

4.2.9. Failure to Comply: Failure to comply with the directions of authorized college officials in the performance of their duties, including failure to identify oneself when requested to do so; failure to comply with the terms of a disciplinary sanction; refusal to vacate a college facility when directed to do so.

4.2.10. Unauthorized use of College Facilities: Unauthorized entry, use, or occupancy of college facilities.

4.2.11. Unauthorized use of College Property: Unauthorized taking, possession, or use of college property, services, or the property or services of others.

4.2.12. Damage to Property: Damage to or destruction of college property or the property belonging to others.

4.2.13. Fire/Safety Equipment: Unauthorized setting of fires on college property; unauthorized use of or interference with fire equipment and emergency personnel.

4.2.14. Explosive Devices: Unauthorized possession, use, manufacture, distribution, or sale of illegal fireworks, incendiary devices, or other dangerous explosives.

4.2.15. Possession of Firearms: Students are prohibited from possession or carrying a weapon while on college property, in a college vehicle, or while attending or participating in a college-sponsored event. These prohibitions shall not apply to possession of a lawfully owned handgun, rifle, or shotgun when stored securely inside the student's vehicle. If a student desires to store a handgun in a vehicle, he/she must hold a current, valid concealed handgun permit. Any firearm stored in a vehicle under this exception shall be unloaded and secured in a locked container, which may include the vehicle's glove compartment or trunk.

4.2.16. Sale/Distribution of Firearms/Controlled Substances: Sale of any firearms from college property or using college facilities, including computer accounts and telephones; intentional possession of a dangerous article or substance as a potential weapon.

4.2.17. Violence: The use against any person of any mental, physical, written, or verbal abuse that threatens, is perceived as threatening or endangers the health, safety, and wellness, or promotes hatred or prejudice towards others is prohibited. This also includes domestic violence; fighting and/or other disruptive behavior, which includes any action or threat of action which endangers the peace, safety, or orderly function of the college, its

facilities, sponsored events on or off-campus, or individuals engaged in any approved activity.

4.2.18. **Sexual Violence:** Acts of sexual violence include, but are not limited to sexual assault; attempted sexual assault; threats of sexual violence; other sexual acts including touching that may involve force or coercion; voyeurism; taking nude photographs of others without consent; and intentional exposure of genitals.

4.2.19. **Sexual Misconduct:** Acts include but are not limited to unwelcomed sexual advances; request for sexual favors; and verbal, non-verbal, or written communications that are sexual in nature that are intimidating, hostile, offensive, or harassing.

4.2.20. **Aiding/Participating in a Riot:** Aiding, encouraging, or participating in a riot.

4.2.21. **Harassment:** Harassment based race, sex, color, national origin, religion, sexual orientation, gender identity, age, veteran status, political affiliation, genetics, or disability will not be tolerated.

4.2.22. **Stalking/Hazing/Cyber-bullying:** Stalking, hazing, or cyber-bullying of any kind whether the behavior is carried out verbally, physically, electronically, or in written form.

- a. Stalking is defined as repeated, unwanted contact in the forms of, including but not limited to, phone calls, e-mail, physical presence, postal mail, and social networking media.
- b. Hazing is defined as any conduct that subjects another person, whether physically, mentally, emotionally, or psychologically, to anything that may endanger, abuse, degrade, humiliate, or intimidate the person as a condition of association with a group or organization, regardless of the person's consent or lack of consent.
- c. Cyber-Bullying is defined as any conduct that subjects another person, whether physically, mentally, emotionally, or psychologically, to anything that may endanger, abuse, degrade, humiliate, or intimidate the person through the use of electronic or digital media.

4.2.23. **Physical Abuse:** Physical abuse of any person, including the following:

- a. The use of physical force or violence to restrict the freedom, action, or movement of another person or to endanger the health or safety of another person;
- b. Physical behavior that involves an express or implied threat to interfere with an individual's personal safety, academic efforts, employment, or participation in college-sponsored extracurricular activities or causes the

- person to have a reasonable apprehension that such harm is about to occur; or
- c. Physical behavior that has the purpose or reasonably foreseeable effect of interfering with an individual's personal safety, academic efforts, employment, or participation in college-sponsored extracurricular activities or causes the person to have a reasonable apprehension that such harm is about to occur;
 - d. Sexual assault, including while any party involved is in an impaired state;
 - e. Sexual contact with another person without consent, including while any party involved is in an impaired state.

4.2.24. Verbal Abuse: Verbal abuse of another person, including the following:

- a. An expressed or implied threat to:
 - 1. Interfere with an individual's personal safety, academic efforts, employment, or participation in college-sponsored activities and that under the circumstances causes the person to have a reasonable apprehension that such harm is about to occur; or
 - 2. Injure that person, or damage his/her property; or
- b. "Fighting words" that are spoken face-to-face as a personal insult to the listener or listeners in personally abusive language inherently likely to provoke a violent reaction by the listener or listeners to the speaker.

4.2.25. Possession/Distribution/Consumption of Alcohol: Unauthorized possession, use, or supplying alcoholic beverages to others contrary to law or college policy.

- a. Tidewater Community College prohibits:
 - 1. Public intoxication, use, or possession of alcoholic beverages on college property;
 - 2. Providing or possessing alcohol contrary to law.
- b. Student organizations that serve or permit possession of alcoholic beverages at student organization functions, on or off campus, may be disciplined if violations of alcoholic beverage laws or of college regulations occur. Individual students who plan, sponsor, or direct such functions also may be subject to sanctions.

4.2.26. Possession/Distribution/Use of Illegal Drugs or Controlled Substances:

Unauthorized possession, manufacture, sale, distribution, or use of illegal drugs, any controlled substance, or drug paraphernalia. This may also include being under the influence of illegal drugs or unauthorized controlled substances.

4.2.27. Obstruction: Intentionally obstructing or blocking access to college facilities, property, or programs.

4.2.28. **Interference with Dissemination of Information:** Interfering with the dissemination of other college regulations, policies, or rules. Examples of such regulations include, but are not limited to, college computing policies, registration policies, etc.

4.2.29. **Violation of State or Federal Law:** A violation of any state or federal criminal law.

4.2.30. **Threatening or Intimidating Behavior:** Engaging in or encouraging any behavior or activity that threatens or intimidates.

4.2.31. **Minors on Campus:** Minors are not permitted to be on Tidewater Community College property without direct supervision by a parent or guardian, with the exception of college sponsored childcare centers, minors who are enrolled in Tidewater Community College courses or other approved activities. Minors are not permitted in classrooms at any time unless enrolled in the course or approved by the course faculty member or by administrative staff.

4.2.32. **Committing College Funds:** Committing college funding, including student clubs or organizations, without written approval, will result in the student's being responsible for the money owed, the student's being removed from the club or organization, and disciplinary action being taken. No student shall enter into a contract with an outside agency using the name of the college. Contracts entered into in violation of this rule shall be the personal responsibility of the student.

4.2.33. **Solicitation:** College policy requires that individuals or organizations seeking the use of campus facilities or scheduling activities to solicit funds must first obtain written approval from the appropriate college official. College rules and regulations govern fundraising activities, the money collected, and the use of the money collected by the fundraising activities. Misrepresentation or misuse will result in the student being responsible for the money owed to an institution or individual, the student's being removed from the club or organization, and the student's facing disciplinary action. The student is also accountable for compliance with state and federal laws and regulations.

4.2.34. **Parking:** Students are expected to comply with parking regulations. Parking spaces for persons with disabilities and visitors' areas are reserved for those purposes. Vehicles improperly parked in those areas may be ticketed or towed at the owner's expense.

4.2.35 Tobacco/Smokeless Tobacco/E-Cigarettes: Smoking or inhaling any substance, by any method, including but not limited to tobacco products, e-cigarettes, and aromatic smoking products, such as clove, herbal cigarettes, etc., and using/consuming any type of tobacco products, including but not limited to chewing tobacco and snuff, is prohibited: inside all college-owned and managed facilities, including parking garages, covered walkways, temporary enclosed structures, trailers, and tents as well as structures placed on college property by contractors or vendors; in college-owned or leased/rented vehicles; within interior spaces on-board college-owned or leased vessels – smoking may be permitted on exterior decks as designated by the vessel’s master; on loading docks at college facilities; within 25 feet of all entries, outdoor air intakes, and operable windows of college-owned or managed buildings; and in outdoor areas during a college event or activity scheduled in the area, such as at student activities or athletic events.

4.2.36 Bomb Threat, Fire Alarm: Students who activate a fire alarm, make a threat to damage of bomb college property, or encourage, incite, entice, or solicit any person to commit such a threat, shall be disciplined by the college and recommended for criminal prosecution to the full extent of the law.

4.2.37 Gambling: Engaging in gambling which is unauthorized by law, unless exempted by a special permit.

Personal Misconduct Not on College Property

The college may sanction a student for **acts of personal misconduct or criminal acts that are not committed on college property** if the acts arise from college activities that are being conducted off the college’s campuses, or if the misconduct undermines the security of the college community or the integrity of the educational process or poses a serious threat to self or others.

4.3.1. Personal Misconduct or Criminal Acts Not on College Property: Tidewater Community College regards off-campus activity, including but not limited to, college-sponsored events, as an integral part of a student’s academic, personal, and professional growth. Thus, the college recognizes the right of all students to expect that the college will subject individuals to the same responsibilities and disciplinary procedures when conduct:

- a. Adversely impacts the college’s mission, or the tenets of this Code, such as altering academic transcripts, harassment of any kind, trafficking of academic works, use of a computer or other electronic device to obtain unauthorized access to information;
- b. Presents a clear danger to the personal safety of any person or the protection of any person’s property, such as alcohol and drug offenses,

arson, battery, fraud, hazing, participation in group violence, rape, sexual assault, stalking, or theft;

- c. Violates policies of an academic program and related facilities, including but not limited to, an off-campus clinical, field, internship, or in-service experience, or an overseas study program.

5. Sanctions

The following sanctions may be imposed by the college, should a student be found in violation of college policy:

1. Dismissal from the college;
2. Disciplinary suspension for a specified period of time;
3. Disciplinary probation which may or may not be recorded on the student's personal record;
4. Administrative reprimand or admonition;
5. Restitution for damages;
6. Withhold the transcript or degree;
7. Bar against readmission;
8. Suspension of eligibility for college activities;
9. Suspension from a specific class or campus activity, or the use of specific offices or services;
10. Such other penalty or penalties as may be mutually determined.

6. Guiding Principles

1. The college intends that proceedings under the code not only resolve charges of misconduct, but also have educational benefit for the students involved. Accordingly, every effort will be made to ensure that students are encouraged to speak for themselves throughout the process of addressing alleged Code violations. Students may have advisors, including at their own expense attorneys, who accompany them at any or all stages of the process. A student with a disability substantially affecting communication or a student who cannot effectively communicate in the English language may seek a reasonable accommodation from the Office of the Campus Dean of Student Services to allow an advisor or interpreter to present or translate the proceedings.
2. Except when a student poses serious and substantial risk of harm to self, to others, to property, or to the continuing function of a program or the college and as outlined in the Summary Action section of this document, no sanctions shall become effective until after opportunities for appeal under the Code have been exhausted. Coursework performed while misconduct proceedings are underway, however, shall be considered conditional.

Conditional work may be affected or eliminated based on a final finding of misconduct or sanction imposed. This may result in loss of course credit, a delay in the awarding of a degree, or revocation of a degree that was awarded prior to a final decision in the misconduct proceedings.

3. In instances when the student poses serious and substantial risk of harm to self, to others, to property, or to the continuing function of a program or the college, the faculty member in charge may remove a student from an on-campus or off-campus activity or program. Off-campus activities and programs include, but are not limited to: clinical, field, internship, athletic, international study programs, and in-service experiences. In these instances, the college will utilize the procedures outlined in this Code to determine whether a violation of college policy occurred.

Removal from an academic activity or program on-campus or off-campus becomes part of the student's disciplinary record only after a final determination under these procedures that the student engaged in personal misconduct.

4. The college strives to provide an educational and professional environment that allows individuals to engage in their daily activities in a safe, healthy, and secure manner. Local, state, or federal law enforcement officials will be notified of anyone violating local, state, or federal laws. Violators shall be subject to prosecution by the appropriate law enforcement officials. Anyone found in violation of college regulations shall be subject to disciplinary action by the college through due process procedures for student conduct violations.

7. Procedures

For complete and detailed information regarding student rights and the college's procedures for the student discipline, please refer to TCC's student disciplinary procedures.

8. Sexual Harassment / Sexual Misconduct

Tidewater Community College is committed to providing a safe and secure learning environment free from sexual harassment or other forms of inappropriate behavior. Examples of sexual harassment include, but are not limited to sexual harassment, sexual misconduct, and sexual violence as delineated in section three (3) of the *Code of Student Rights and Responsibilities*. As a result of this commitment, Tidewater Community College will investigate all reports of sexual harassment or sexual misconduct. Reported cases of sexual harassment or sexual misconduct will be adjudicated in accordance with the TCC's student disciplinary procedures. Incidents of

alleged sexual harassment and/or sexual misconduct should be reported to the local campus dean of student services or to college's Title IX Coordinator.

As a recipient of federal funds, Tidewater Community College is required to comply with Title IX of the Higher Education Amendments of 1972, 20 U.S.C. § 1681 et seq. ("Title IX"), which prohibits discrimination on the basis of sex in educational programs or activities, admission and employment. Under certain circumstances, sexual misconduct, sexual harassment, and similar conduct constitutes sexual discrimination prohibited by Title IX. Inquiries concerning the application of Title IX may be referred to the College's Title IX Coordinator or to the U.S. Department of Education's Office for Civil Rights. **The Title IX Coordinator is Dr. Jeanne Natali, whose office is located at 1700 College Crescent Drive, Princess Anne Building, Room 115, Virginia Beach, VA 23453, and may be contacted by phone at 757-822-7296 or by email at jnatali@tcc.com**

9. Acknowledgement

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