Student Code of Conduct Form

This form is to be utilized when a student has committed an act or behaved in a manner that qualifies as a violation of the College's Campus Code of Conduct. A Student Conduct Officer will review this report upon submission. You will be copied on the initial email to the student, as well as the outcome email to the student once an investigation has been completed.

Student Rights, Responsibilities, and Judicial Procedures

I. Preamble

Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students and the general well-being 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 academic community, students are subject to the obligations which accrue to them by virtue of this membership. 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 instance, college discipline will be initiated only when the presence of the student on campus will disrupt the educational process of the College. However, when a student's violation of the law also adversely affects 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 a student's behavior simultaneously violates both college regulations and the law, the College may take disciplinary action independent of that taken by legal authorities.

II. Student Rights

All rights and privileges guaranteed to every citizen by the Constitution of the United States and by the state of North Carolina shall not be denied any student.

Students are free to pursue their educational goals. Appropriate opportunities for learning in the classroom and on the campus shall be provided for by the College. Student performance will be evaluated solely on an academic basis, not on opinions or conduct in matters unrelated to academic standards.

Students have the right to freedom of expression, inquiry, and assembly without restraint or censorship subject to reasonable and nondiscriminatory rules and regulations regarding time, place and manner.

Students have the right to inquire about and to propose improvements in policies, regulations and procedures affecting the welfare of students through established student government procedures, campus committees and college offices.

Students have the right to due process in conduct cases. Students accused of violating the Student Code of Conduct have the right to receive notice of the allegation, respond, and receive a written decision. An instructor or administrative officer may temporarily remove a student for the remainder of the class session in which the incident occurs, as described in Section IV. A Disciplinary Review Committee hearing is available when a student files a timely written appeal at the Committee stage described in Section VI. At the hearing, students may be advised by counsel, present relevant evidence and witnesses, hear testimony supporting the charges, and submit relevant questions to witnesses through the chair.

III. Student Responsibilities and Student Code of Conduct

It is the responsibility of Mitchell students to be aware of and abide by the Student Code of Conduct. Students are also expected to abide by the verbal or written directives of college administrators, faculty and staff who ensure effective operation of the educational process, and to treat all persons with respect.

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 will be taken to restore and protect the sanctity of the community.

The purpose of this code is not to restrict student rights but to protect the rights of individuals in their academic pursuits.

Violations of the Student Code of Conduct may result in the consequences summarized in Section V. Procedure 5.3.2.1 governs academic-related violations. Procedure 5.3.2.2 governs non-academic violations.

I. Academic-Related Violations

A. Plagiarism – The intentional theft or unacknowledged use of work or ideas of another person or produced by artificial intelligence. Plagiarism includes but is not limited to: a) paraphrasing or summarizing another's words or works without proper acknowledgment; b) using direct quotes of material without proper acknowledgment; or c) purchasing or using a paper or presentation written or produced by another person or by artificial intelligence. If a student is uncertain about what constitutes plagiarism, he/she should discuss with the class instructor.

B. Cheating – Using notes or other material on an exam or class work without permission from the class instructor; receiving information from another student or artificial intelligence during an exam; obtaining a copy of an exam or questions from an exam prior to taking the exam; submitting someone else's work as one's own; or having someone take one's exam and submitting it as his/her own.

C. Aiding Acts of Academic Dishonesty – Providing information to another student and knowing, or reasonably should have known, that the student intends to use the information for cheating or other deceptive purposes.

II. Non-Academic Related Violations

A. Theft and Property Damage – Students shall not steal or damage College property or another individual's property. Students who are caught stealing or damaging said property will be required to make restitution and may be eligible for civil or criminal prosecution as well as College discipline.

B. Trespass to Property – Students are trespassing if in an unauthorized area of the College campus; present on the College campus after closing hours (without permission); or remaining on the College campus after having been directed to leave by a College official.

C. Drugs and Alcohol – Unlawfully possessing, using, being under the influence of, manufacturing, dispensing, selling or distributing alcohol, illegal or unauthorized controlled substances or impairing substances at any College location. For more specific information, see Policy 5.3.5 – Students – Alcohol and Drugs on Campus. In addition, students may not use tobacco of any form or e-cigarettes on campus or at any College-affiliated activities or events.

D. Lewd and Indecent Behavior – Students shall not engage in lewd or indecent behavior, including public physical or verbal action or distribution of obscene material based on reasonable community standards. The conduct must be objectively severe or pervasive enough that a reasonable person would agree that the conduct constitutes lewd and/or indecent behavior.

E. Mental/Physical Abuse – Students shall not mentally or physically abuse any person on the College premises or at a College-supervised function, including verbal or physical actions which threaten or endanger the health or safety of any such persons.

F. Assault – Students shall not assault or threaten to assault another person for any reason whatsoever. Assault includes a demonstration of force, unlawful physical touching or striking.

G. Sexual Harassment and Sexual Violence – Students shall not engage in sexual harassment and/or sexual violence. For more specific information and definitions of prohibited activities, consult Procedure 5.3.4.1 – Sexual Harassment and Sexual Violence.

H. Unlawful Discrimination – Students shall not engage in unlawful discrimination. For more specific information and definitions of prohibited activities, consult Procedure 5.3.4.2 – Unlawful Discrimination and Harassment.

I. Communicating Threats – Students shall not verbally, in writing, through a third party or by any other means threaten to physically injure another person or that person's child, sibling, spouse or dependent, or willfully threaten to damage the property of another.

J. Bullying – Students shall not intimidate or threaten with harm any other individual. Bullying is defined as any pattern of gestures or written, electronic or verbal communications, or any physical act or any threatening communication that takes place on the College premises or at any College sponsored function that: (a) places a person in actual and reasonable fear of harm to his or her property; or (b) creates, or is certain to create, a hostile environment by substantially interfering with or impairing a student's educational performance, opportunities or benefits or a College employee's ability to perform the essential functions of his/her job.

K. Disorderly Conduct and Disruption – Students shall not obstruct or disrupt any teaching, research, administration or disciplinary proceedings, or other College activities, including public service functions, and other duly authorized activities on or off College premises. Students shall not occupy or seize, in any manner, College property, a College facility or any portion thereof for a use inconsistent with prescribed, customary, or authorized use. Students shall not participate in or conduct an assembly, demonstration or

gathering in a manner which threatens or causes injury to person or property; which interferes with free access to, ingress or egress of College facilities; which is harmful, obstructive or disruptive to the educational process or institutional functions of the College; hold rallies, demonstrations, or any other forms of public gathering without prior approval of the College based on reasonable time, place and manner restrictions; remain at the scene of such an assembly after being asked to leave by a representative of the College staff.

L. Possession of Weapons – Students may not have a weapon of any kind, including but not limited to, a knife, stun gun or any firearm in their possession on campus or at any College-affiliated activities or events except handguns as allowed by N.C.G.S. § 14-269.4. Handguns are permitted under these circumstances: a) the person has a concealed handgun permit that is lawfully issued; b) the handgun is in a closed compartment or container within the person's locked vehicle; c) a person may unlock the vehicle to enter or exit the vehicle provided the handgun remains in the closed compartment at all times; and d) the vehicle is locked at all times.

M. Tampering with Fire Alarms – Setting off a fire alarm or using or tampering with any fire safety equipment, except with reasonable belief in the need for such alarm or equipment.

N. Gambling – Students may not gamble on campus or at any College-affiliated activities or events.

O. Traffic Violations – Violation of College regulations regarding the operation and parking of motor vehicles.

P. Providing False Information – Students shall not present to the College or its employees false information as part of an investigation, inquiry, hearing or in other matters related to College activities; neither may a student knowingly withhold information which may have an effect on their enrollment or their status with the College.

Q. Disobedience / Insubordination – Failure to comply with instructions of College officials acting in performance of their duties and failure to adhere to the terms of any disciplinary action.

R. Financial Impropriety – Financial impropriety such as failure to pay College-levied fines, failure to repay College-funded loans, misuse or failure to properly account for club or student organization funds, or the passing of worthless checks, drafts or orders to College officials.

S. Public Laws – Violations of any federal, state or local laws occurring while on campus may lead to legal actions as well as College discipline. Violations of federal, state or local laws occurring off campus may result in disciplinary action if the student's continued presence on campus constitutes a threat to the safety and order of the campus.

T. Failure to Report Criminal Activity – Failure to inform the College, in writing, within five (5) days after he or she is convicted for violation of any federal, state, or local criminal drug statute or alcoholic beverage control statute where such violation occurred while on a College location. For more information, see Policy 5.3.5 – Student Alcohol and Drugs on Campus.

U. Unauthorized Access to College Records – Students may not access, view, copy or change official College records without expressed authority to do so.

V. Animals on Campus – Students may not have an animal of any kind on campus. This includes animals left within a vehicle. Service animals are permitted and any student with a service animal should report the use of a service animal to the College's Disability Services Coordinator. For more information regarding service animals, see Policy 5.4.5 – Service Animals and Other Animals on Campus

W. Improper Use of the College Network/Technology – Students are prohibited from engaging in any activities prohibited under Policy 7.2 – Internet and Network Acceptable Use.

X. Violation of Policies and Procedures – Students are expected to be familiar with the College's policies and procedures. Students may be disciplined for failure to follow the College's policies and procedures.

Y. Violations of Normal Classroom Behavior – Not complying with reasonable rules issued by an instructor, causing disruption in the classroom or being disrespectful to classmates or the instructor. The conduct must be objectively severe or pervasive enough that a reasonable person would agree that the conduct is disruptive or disrespectful not based on content or viewpoint discrimination.

Z. Care Team – Not complying with a recommendation or directive by the Care Team pursuant to Policy 5.3.3 – Care Team

IV. Student Conduct Procedures

Academic-related violations. Your instructor reviews the allegation, gives you an opportunity to respond, and issues the initial written decision. See Procedure 5.3.2.1.

Non-academic violations. The Associate Vice President for Student Services (AVP) reviews the report, gives you an opportunity to respond, and issues the initial written decision. See Procedure 5.3.2.2.

Immediate removal and interim suspension. An instructor or administrative officer may remove you for the remainder of the class session after warning you to stop conduct that threatens someone's health or well-being or seriously disrupts College operations. Under Procedure 5.3.2.2, the AVP may impose an interim suspension beyond the class session. If the AVP is unavailable, the Associate Vice President of Learning may act.

V. Conduct Consequences

For an academic-related violation, your instructor may assign a zero on the affected work. A proposed College-wide sanction goes to the academic dean, who decides whether to refer it to the AVP for a separate written decision. Non-academic sanctions are listed in Procedure 5.3.2.2. The grade consequence or disciplinary sanction takes effect when the written decision imposing it is issued. Filing an appeal does not delay it.

VI. Student Conduct Appeals

Submit each appeal in writing. The deadline starts when you receive the written decision you are appealing.

Academic conduct decision. Appeal the instructor's decision to your academic dean within three working days. To appeal the dean's written decision, submit a written appeal to the AVP within three working days. The AVP forwards a timely appeal to the Disciplinary Review Committee.

College-wide sanction in an academic case. Appeal the AVP's separate written decision to the AVP within three working days. This decision has its own appeal deadline, even if you also appeal the dean's decision.

Non-academic conduct decision. Appeal the AVP's written decision to the AVP within three working days. The AVP forwards a timely appeal to the Disciplinary Review Committee.

Disciplinary Review Committee. The Committee includes three faculty members, three students, and one administrator who serves as chair.

Submit an appeal Student Conduct – Mitchell Community College, Serving Iredell County

After the Committee's decision. You may appeal in writing to the President within five working days after receiving the Committee's written decision. You may then appeal in writing to the Board of Trustees within five working days after receiving the President's written decision.

For a final course grade appeal unrelated to student conduct, see Policy 5.2.5, Grade Appeal. To file a written student grievance, see Section VII.

VII. Student Grievance Procedure

STUDENT GRIEVANCE

POLICY 5.3.6

Board of Trustees Approval Date: 3/25/2025

Revision Date(s):

Revision Responsibility: VP of Student Services

Comments:

I. GRIEVANCE PROCESS OVERVIEW

In order to maintain a harmonious and cooperative environment between and among the College and its students, the College provides for the settlement of problems and differences through an orderly grievance procedure. Every student shall have the right to present his/her problems or grievances free from coercion, restraint, discrimination or reprisal. This Policy provides for prompt and orderly consideration and determination of student problems and grievances by College administrators and ultimately the President.

A grievance is any matter of student concern or dissatisfaction with the College's control except: (a) student discipline matters regarding academic and non-academic violations (Policy 5.3.2 – Student Conduct); (b) discrimination and unlawful harassment, including sexual harassment and sexual violence (Policy 5.3.4 – Discrimination and Unlawful Harassment); (c) a grade appeal (Policy 5.2.5 – Grade Appeal); or (d) any other matter that has a specific grievance process outlined in that policy or procedure.

II. INTERNAL GRIEVANCE PROCESS

1. Informal Grievance – Step One

In the event the alleged grievance lies with an instructor/staff member, the student must first go to that instructor/staff member and attempt to informally resolve the matter. Both the student and instructor/staff member must have an informal conference to discuss the situation and document the attempts taken to resolve the grievance at this level. In the event that the student is unsatisfied with the resolution reached at the informal conference, he/she may proceed to Step Two within five (5) business days after the informal conference. Not proceeding to Step Two within the time period will result in the grievance not being heard and the matter being closed.

If the grievance concerns issues unrelated to a particular instructor/staff member (for example, an issue with College policy), the student can skip the informal process and proceed to Step Two.

2. Formal Grievance – Step Two

If the grievance is not resolved at Step One (or, given the nature of the grievance, Step Two begins the process) the student may file a written grievance with the Vice President for Student Services ("Vice President"). The written grievance must contain, with specificity, the facts supporting the grievance and the attempt, if applicable, to resolve the grievance at the information level.

The Vice President (or, depending on the nature of the grievance, another appropriate Vice President) shall review the written grievance and conduct whatever further investigation, if any, is necessary to determine any additional facts that are needed to resolve the grievance. The Vice President shall provide his/her written decision within ten (10) business days after receipt of the grievance.

The Vice President's decision is final.

III. EXTERNAL GRIEVANCE PROCESS

1. North Carolina Community College System

The College is a member of the North Carolina Community College (NCCC) System. If a student is dissatisfied with the result of a grievance within the College, the student may file a grievance with the NCCC System. The student must exhaust the College's internal grievance process prior to filing a grievance with the NCCC System. The contact information for the NCCC System Office is:

North Carolina Community College System Office

200 West Jones Street

Raleigh, NC 27603

Telephone: 919-807-7100

Website: https://studentcomplaints.northcarolina.edu/form

2. Southern Association of Colleges and Schools Commission on Colleges

The College is accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC). If a student is dissatisfied with the result of a grievance within the College, the student may file a grievance with the SACSCOC. The student must exhaust the College's internal grievance process prior to filing a grievance with the SACSCOC. The contact information for SACSCOC is:

Southern Association of Colleges and Schools Commission on Colleges

(SACSCOC)

1866 Southern Lane

Decatur, GA 30033

Telephone: 404-679-4500

Website: https://sacscoc.org/