

# Asheville-Buncombe Technical Community College

# (A-B Tech) Procedure

## Procedure 804: Code of Student Conduct

A-B Tech strives to maintain a safe, nurturing, and orderly learning environment that supports the students, faculty, and staff. Each student shall be responsible for their conduct from the time of admissions through the actual awarding of a credential. The Code of Student Conduct applies throughout the academic year as well as before classes begin or after classes end for the semester, and during periods of time between actual enrollment. The Code of Student Conduct shall apply to a student’s conduct even if the student withdraws from classes while a disciplinary matter is pending. When, in the judgment of College officials, the student’s conduct disrupts or threatens to disrupt the College community, appropriate disciplinary action will be administered. Students have the rights of Due Process when accused of a violation of the Code of Student Conduct (please reference Student Due Process policy 823). All matters related to alleged sexual misconduct shall be referred to the College’s Title IX Coordinator and governed pursuant to the Sexual Misconduct Policy 112. For matters regarding alleged discrimination and harassment, please refer to the Non-Discrimination and Harassment Policy 111.

A student who is in possible violation of the Code of Student Conduct will be referred to the Vice President for Student Services or designee. If the Vice President of Student Services or designee determines the student’s alleged actions are egregious and/or potentially threatening to the learning environment or to campus safety, the student may be immediately suspended for up to ten College business days, pending a due process hearing or Threat Assessment review under the Threat Assessment Policy (please reference Threat Assessment Policy 819).

Students who have been found responsible of a violation of the Code of Student Conduct may be assigned consequences based upon the seriousness of the offense. Sanctions for violations may include but not be limited to: verbal warning, written warning, a failing grade for an assignment, examination, or course, administrative withdrawal from courses or academic program, restitution for damages, probation including mandatory periodic progress reports, consequences adapted to the specific violation, suspension, or expulsion. The President shall have final approval in the expulsion of a student.

Jurisdiction of the Code of Student Conduct is in effect on College premises, in online classes conducted by the College, on property owned or leased by the College and at functions sponsored by or participated in by the College regardless of the locations. Violations of any federal, state or local laws 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. If a student is charged with a felony that may compromise the safety and order of campus, then the College has the right to suspend the student pending the final outcome of the criminal charges. If the student is convicted, then the student may be limited in class location and course delivery options, and/or recommended for suspension or expulsion.

High School students who are dually enrolled at the College are also subject to the Code of Student Conduct. Students are expected to follow the behavior guidelines for their high school as well as the College. Therefore, high school students shall conduct themselves in accordance with the Code of Student Conduct of their school system as well as those rules and regulations set for in the College Code of Student Conduct and published annually on the College website, in the Catalog, and Student Handbook.

## Violations for which disciplinary proceedings may be initiated are as follows:

Academic Dishonesty: Academic Dishonesty includes, but is not limited to, submitting someone else’s work as one’s own; using notes or other material without permission from the faculty on an exam, homework, or other assignments; receiving information from another student during an exam; obtaining a copy of an exam or questions from an exam prior to taking the exam; having someone else take one’s exam and submitting it as their own, or using a commercial online learning platform to produce work and then submitting it as your own; submitting work produced using generative artificial intelligence without faculty permission. Academic dishonesty includes any student who has someone else use an account and password for the purpose of submitting work as one’s own. Academic dishonesty also includes plagiarism, the intentional theft or unacknowledged use of another’s words or ideas. Plagiarism includes but is not limited to paraphrasing or summarizing another’s words or works without proper acknowledgement; using direct quotes of material without proper acknowledgement; or purchasing or using a paper or presentation written or produced by another. If a student is uncertain about what constitutes plagiarism, he or she should discuss this with the class instructor. Submission of previously used work as an original work on subsequent assignments or in multiple courses is not acceptable unless the resubmitted work is substantially different and appropriately cited as previous work.

Aiding Acts of Academic Dishonesty: Providing information to another student with the awareness that the student intends to use it for deceptive purposes. Students are prohibited from sharing, distributing, uploading, or downloading course materials, including outlines, teaching materials, labs, videos, lectures, tests, exams, or other course material including note sharing or commercial study prep services without the permission of the instructor.

Alcoholic Beverages: Students may not possess or use alcoholic beverages on campus. Students may not be under the influence of alcoholic beverages on campus or at College-affiliated activities or events (please reference Drug and Alcohol Policy 113).

Animals: Students may not have an animal of any kind on campus, or at any College affiliated activities, sites or events. This includes animals left within a vehicle. Limited exceptions to this code may be found in the Animals on Campus Procedure (please reference Animals on Campus Policy 802).

Assault: Students may not assault or threaten to assault another person for any reason whatsoever. Assault may include a demonstration of force, unlawful physical touching, or striking.

Bullying: Students may 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 College premises or at any College sponsored function that: (a) places a person in actual and reasonable fear of harm to his or her person or damage 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 or her job.”

Communicating Threats: Students may 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.

Copyright Infringement and Peer-to-Peer File Sharing: Students may not violate the College’s Copyright Infringement and Peer-to-Peer File Sharing Policy through the act of violating, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement (please reference Copyright and Fair Use Policy 215 and Peer to Peer File Sharing Policy 1006).

Damage to Property: Students may not damage property of the College or of any other person working at or attending the College.

Disorderly Conduct: Students may not conduct themselves in a way which will interrupt the academic mission of the College or which will disturb the peace of the College.

Disrespect: Students are expected to treat all College employees with respect and courtesy, particularly when and if disagreements arise.

Disruption: Students may not disrupt the normal activities of the College by physically or verbally interfering with instruction, meetings, traffic, or scheduled administrative functions.

Drugs: Students may not possess, use, or be under the influence of any narcotic or illegal drugs on campus or at any College-affiliated activities or event. This is in violation of the laws of the state of North Carolina of the United States (please reference Drug and Alcohol Policy 113).

Failure to Comply: Students must comply with the directives of College officials or law enforcement officers during the performance of their duties. Students must identify themselves to these persons when requested to do so. Failure to respond to notifications of conduct charges is also prohibited.

False Information: Students may not present to the College or its employees false information; neither may they knowingly withhold information which may have an effect on their enrollment or their status in the institution and which is properly and legally requested by the College.

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

Internet and Campus Network Acceptable Use: The College has an extensive policy for appropriate use of the Internet. Users of the College computers acknowledge the policy whenever they sign on. Students may not use the College’s access to the Internet for access to sexually explicit material or for downloading music. Email accounts are provided for student use; however, no right of privacy exists for use of email (please reference Acceptable Use Policy 1003). Students may not share their account and password nor may they access another student’s account.

Possession of Weapons: Students may not have a weapon of any kind, including 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 NC GS §14-269.2(k). Handguns are permitted under these circumstances:

* The person has a concealed handgun permit that is lawfully issued.
* The handgun is in a closed compartment or container within the person's locked vehicle.
* The handgun is in a locked container securely affixed to the person's vehicle.
* A person may unlock the vehicle to enter or exit the vehicle provided the handgun remains in the closed compartment at all times.
* The vehicle is locked immediately following the entrance or exit.

Law enforcement officers are exempt from this prohibition. This includes facsimiles of weapons (please reference Weapons on Campus Policy 305).

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.

Retaliation: Retaliation against any person submitting a report of possible violation(s) of the Code of Student Conduct against another person is strictly prohibited. Retaliation includes, but is not limited to, any form of intimidation, punitive actions from authority figure or peers, reprisal (acts of vengeance) or harassment. Retaliation is a serious violation and should be reported immediately. The College will take appropriate disciplinary action against students found to have retaliated against another.

Skate Boards, Hover Boards, and Roller Skates: Skate boards, hover boards, and roller skates are not permitted to be used on campus outside College sanctioned events

Theft: Students may not steal the property of another individual or of the College. Students who are caught stealing will be required to make restitution and may be eligible for civil or criminal prosecution as well as College discipline.

Threats: Students may not engage in any behavior that constitutes a clear and present danger to the physical and/or emotion well-being of the student and/or other students, faculty and staff.

Trespass: Students are trespassing if in an unauthorized area of the College campus or remain on the College campus after having been directed to leave by a College official.

Vaping, E-cigarettes and Tobacco: Students may not use vaporizing devices, e-cigarettes, or tobacco of any form, on campus or at any College-affiliated activity, sites, or events (please reference Tobacco Free Campus Policy 306).

Unauthorized Access to Records: Students may not access, view, copy or change official College records without official authorization to do so.

Use of Social Media: Students should obey their social media platforms terms’ of use. Students may not make, or cause to be made, communications (including electronically or through social media) to another person in any manner likely to seriously annoy or cause alarm. Social media may not be used to breech privacy, discriminate or harass. Students may not make, transmit, or attempt to transmit audio or video of any person(s) on College property where there is an explicit expectation of privacy. Any posts or tweets deemed inappropriate on an A-B Tech social web site or blog will be deleted immediately and may result in having access to the site blocked permanently.

Violations of Expected Classroom or Learning Environment Behaviors: May include, but not limited to, being disobedient, disrespectful, disruptive to the classroom or learning environment, or not abiding by professional conduct standards.

## Threat Assessment

A-B Tech is committed to providing a safe learning and working environment. As such, the College utilizes a threat assessment process to determine whether or not a student's behavior constitutes a potential safety risk to the individual or others. Matters that rise to the level of a potential threat will be handled under the Threat Assessment Policy. If the potential violation of this procedure includes other behaviors or conduct that may also violate the Code of Student Conduct, the violations will also be handled through the Threat Assessment procedure.

Student Rights of Due Process Policy (please reference Student Due Process Policy 823)

Threat Assessment Policy (please reference Threat Assessment Policy 819)

## Definitions:

Professional Conduct: Some curricula have specific codes of professional conduct for which students may be held accountable. This information is provided in course syllabi provided to students enrolled in these curricula.

Suspension: Complete withdrawal from the College with option for future re-enrollment after a specified period. Pursuant to Board policy, Chapter 800, Section 804, this procedure must be followed when addressing issues associated with the Code of Student Conduct.

Owner: Vice President Student Services

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