

**General Information**

**COLLEGE POLICIES AND REGULATIONS**

**NOTICE OF AVAILABLE ACCOMMODATIONS FOR STUDENTS, EMPLOYEES, AND APPLICANTS WITH DISABILITIES.**

Calhoun Community College does not discriminate on the basis of disability in admitting students to, providing access to, or in the operations of its programs, services, or activities, or in its hiring or employment practices.

Questions, concerns, complaints, requests for information, or requests for the provision of reasonable accommodations to persons with disabilities should be directed to Calhoun Community College's ADA Compliance Coordinator, whose name, address, and phone number are shown below:

Dr. Kermit Carter  
Assistant Dean for Student Affairs  
Wallace Administration Building, Room A101  
P.O. Box 2216  
Decatur, Alabama 35609-2216  
Phone: (256) 306-2613  
Fax Number: (256) 306-2885  
Office Hours: 7:45 a.m. - 4:15 p.m., Monday-Friday

Students who need auxiliary aids for effective communication in participating in the programs and services of Calhoun Community College should make these needs known to the ADA Compliance Coordinator or designee.

This notice is provided pursuant to the requirements of the Americans with Disabilities Act of 1990. It is also available in larger print, on audio tape, and in braille from the ADA Compliance Coordinator.

**Student Code of Conduct and Disciplinary Procedures**

**STUDENT RESPONSIBILITIES**

**Conduct Expectations**

The College assumes that entering students are adults who have developed mature behavior patterns, positive attitudes, and conduct above reproach. Students are treated in accordance with this belief. The college reserves the right to dismiss any student whose on- or off-campus behavior is considered undesirable or harmful to the College.

Children are not allowed to attend classes with students or faculty. No minors should be left unattended in any building of Calhoun Community College.

No animal or pet may be brought on campus. Exceptions to this policy include guide dogs for the disabled, laboratory animals, and animals to be used for previously-approved instructional or special programs.

**DRUG POLICY**

In compliance with the Drug Free Schools and Communities Act Amendment passed by the U.S. Congress in 1989, Calhoun Community College has adopted and implemented a program to pre-

vent the use of illicit drugs and the abuse of alcohol by students and employees. This publication contains information concerning standards of conduct – legal sanctions, health risks, available treatment and disciplinary sanctions for violations of the policy.

**Drug Policy Standards of Conduct and Enforcement Thereof**

Calhoun Community College is a public educational institution of the State of Alabama and, as such, shall not permit on its premises, or at any activity which it sponsors, the possession, use, or distribution of any alcoholic beverage or any illicit drug by any student, employee, or visitor. In the event of the confirmation of such prohibited possession, use, or distribution by a student or employee, Calhoun Community College shall, within the scope of applicable Federal and State due process requirements, take such administrative or disciplinary action as is appropriate. For a student, the disciplinary action may include, but shall not be limited to, suspension or expulsion. For an employee, such administrative or disciplinary action may include, but shall not be limited to, reprimand, or suspension or termination of employment, or requirement that the employee participate in and/or successfully complete an appropriate rehabilitation program. Any visitor engaging in any act prohibited by this policy shall be called upon to immediately cease such behavior. If any employee, student or visitor shall engage in any behavior prohibited by this policy which is also a violation of Federal, State, or local law or ordinance, that employee, student, or visitor shall be subject to referral to law enforcement officials for arrest and prosecution.

**Legal Sanctions**

There are legal sanctions on the local, State, and Federal levels regarding unlawful use, possession, and distribution of alcoholic beverages and illicit drugs. An outline of these sanctions is currently published in a document titled "Legal Actions Regarding Unlawful Use, Possession, or Distribution of Alcoholic Beverages and Illicit Drugs." Copies of this document can be found in the Albert P. Brewer Library, the Office of the Assistant Dean for Student Affairs, and in all counselors' offices at the Decatur campus and the extension sites.

**A. CODE OF CONDUCT**

All students of Calhoun Community College shall be expected to conduct themselves in an honorable, ethical fashion. However, in the event of proven misconduct, appropriate disciplinary action will be taken. The following sections address the Student Code of Conduct, as well as the College's disciplinary procedures.

**Misconduct Defined.** A student shall be subject to disciplinary action by the College, up to and including dismissal, for misconduct on any property owned or controlled by the College, or off campus at any function which is authorized, sponsored, or conducted by the College or in parking lots adjacent to areas or buildings where College functions are being conducted. Such misconduct shall include the **commission of, the attempt to commit, or the solicitation of** any of the following offenses:

1. Any form of dishonesty, including cheating, plagiarism, or furnishing false information to the College.

*Cheating* is defined, for academic purposes, to include, but not be limited to, the use of unauthorized aids (such as crib sheets or other items such as written materials; drawings; lab reports; discarded computer printouts, stored information, or programs); unauthorized assistance on take-home exams or projects; copy-

ing, or copying from, another student's work; soliciting, providing, and/or receiving any unauthorized aid or assistance (whether orally or in writing); or similar or equivalent acts contrary to the principles of academic honesty.

*Plagiarism* is defined to include the act of using in one's work, or as one's work, the work of another without clearly indicating that the work is someone else's and stating the source of the other's work.

2. Forgery, alteration, or misuse of College documents, records or identification.
3. \*Intoxication from, or the use, display, or possession of, alcoholic beverages or any controlled substance (drug), as outlined by the *Code of Alabama*, unless the student has a valid prescription for the use of the respective controlled substance.
4. Use, possession, or distribution of firearms, ammunition, fireworks, or any type of explosive or incendiary device or material. Only duly constituted law enforcement officers may possess firearms on campus.
5. Disorderly or disruptive conduct, including rioting, inciting to riot, assembling to riot, raiding, inciting to raid, and assembling to raid college properties. This offense also includes in-class behavior, which, in the opinion of the respective instructor, unduly disrupts the order of a class.
6. Lewd, indecent, obscene, or unduly offensive behavior or expression. This offense includes, but is not limited to, the usage of verbal or symbolic expressions, which would tend to be reasonably interpreted as insulting to one's race, gender, religion, age, national origin, or disability.
7. Participation in any form of gambling.
8. Unauthorized entry to College facilities.
9. Unauthorized possession of a key to College facilities.
10. Unauthorized interference with the use of or access to a College facility.
11. \*Theft of, or intentional damage to, property of the College or to the property of any member of the College community or visitor to the College.
12. \*Intentional misuse of any College fire alarm or fire-fighting equipment.
13. \*Actual or threatened physical abuse of any person, including hazing or any other act, which would tend to endanger the health or safety of any person.
14. \*Failure to promptly comply with directions of College officials or law enforcement officers acting in the performance of their duties as such officials and officers.
15. The wearing of attire which, in the opinion of the administration of the College, is lewd or immodest to the extent that it would tend to disrupt the educational process and/or infringe upon the rights of any other student or employee of the College.

16. Violation of any College policy or regulation as published or referred to in the College catalog or student handbook, including, but not limited to, those governing the time, place and manner of public expression; the registration of student organizations; and use of parking of motor vehicles on the campus.

17. Violation of any Federal, State, or local law or ordinance.

**\*The commission of any of these particular offenses will subject the student to immediate, automatic disciplinary suspension or expulsion from the College, if the Assistant Dean for Student Affairs has probable cause to believe that the respective student committed such an offense. In such case, the Assistant Dean for Student Affairs will set a hearing for the earliest reasonable date after the alleged occurrence of the violation.**

## B. STUDENT DISCIPLINARY PROCEDURES

Students are guaranteed procedural due process in all cases involving formal discipline charges. College disciplinary procedures are designed to assure a student's right to procedural and substantive due process and to the fullest extent feasible, safeguard personal and confidential information concerning the student.

**Disciplinary Action by Instructor.** With regard to a matter of academic dishonesty in taking a College course, the College's respective faculty members are authorized to administer certain appropriate disciplinary action. If a given faculty member has substantive evidence of a student's having committed, attempted to commit, or solicited an act of cheating, plagiarism, or any other form of academic dishonesty, the faculty member shall have the authority to (1) impose a grade of "F" for the respective assignment or test; (2) impose an "F" for the respective course; (3) require that an assignment be redone or a test be retaken; (4) impose other similar sanctions designed to preserve academic integrity. The faculty member shall not have the right to suspend or expel a student. That authority is reserved for the Assistant Dean for Student Affairs and the College Disciplinary Committee. If the faculty member believes that the improper conduct should be subject to greater punishment, or additional punishment, then the case should be referred to the Assistant Dean for Student Affairs for disciplinary review.

In any situation where a student is alleged to have committed academic dishonesty of any nature, the faculty member making the allegation shall, within three (3) business days after the alleged wrongful act or the faculty member's first knowledge of the act, give the student written notice of the allegation and give the student the opportunity to respond to each allegation made. The student shall have a maximum of (3) business days to respond to any allegation made. No disciplinary grade imposed by a faculty member shall be considered final unless and until the student has been given written notice of the alleged wrongdoing and the opportunity to respond. It is not necessary that the student give a response for a grade to be finalized, only that the student has been given an opportunity to respond and that the instructor give due consideration to any response which is made. Each instructor shall keep a confidential file of any and all written allegations of academic dishonesty and all actions taken with regard to such allegations.

Any student against whom a sanction is imposed by a faculty member as a result of an allegation of academic dishonesty shall have the right

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to appeal the sanction to the Assistant Dean for Student Affairs. The appeal must be filed with the Assistant Dean within five (5) business days after the student is first made aware of the date that the decision has been made to impose a sanction and must include: (1) a copy of the faculty member's written allegation of academic dishonesty; (2) a statement of the sanction imposed; (3) the dates on which the student received the written allegation and on which the student responded to the allegation; (4) the nature of the student's response to the faculty member concerning the allegation; and (5) the rationale for the appeal of the sanction. The student shall have the option of admitting to the Assistant Dean the act of academic dishonesty and proposing an alternative sanction.

The Assistant Dean for Student Affairs shall, within fifteen (15) business days after receipt of the appeal, issue a report by which the Assistant Dean will (1) affirm the sanction; (2) overrule the sanction; or (3) modify the sanction. The Assistant Dean shall not overrule or modify any sanction imposed by a faculty member except where there is a compelling and substantial academic or legal reason for doing so.

The decision of the Assistant Dean shall be final and binding as to each party, and any grade affected by the Assistant Dean's decision shall be recorded so as to reflect the Assistant Dean's decision.

### **Disciplinary Action by Assistant Dean or Disciplinary Committee.**

With regard to all alleged violations of the Student Code of Conduct other than those handled at the faculty level, the Assistant Dean for Student Affairs shall have the authority to make disciplinary decisions at the administrative level and shall refer appropriate appeals to the College Disciplinary Committee who shall ensure that the fundamental elements of due process are followed through a fair and reasonable hearing. The Assistant Dean shall also have the discretion of referring a case to the Disciplinary Committee for the initial hearing. The Assistant Dean shall maintain appropriate records of all reports of student misconduct and all disciplinary proceedings.

Alleged violations of College regulations must be filed, within sixty (60) calendar days of their respective occurrence or the first discovery of their occurrence, in writing with the Assistant Dean for Student Affairs in order to initiate a disciplinary review. Any student, faculty member, or staff member may register a complaint with the Assistant Dean for Student Affairs. The Assistant Dean for Student Affairs will then inform the accused in writing, will request a conference, and will render a decision to the student regarding the case in question. The decision will be one or more of the following:

1. Find the accused not guilty and dismiss the case.
2. Refer the student to a counselor for personalized assistance.
3. Find the student guilty as charged and apply the appropriate penalty stated under "Disciplinary Actions."
4. Refer the case directly to the College Disciplinary Committee for a hearing and determination as to disciplinary action.

Upon communicating his/her decision to the student, the Assistant Dean for Student Affairs will also explain the student's right to appeal to the Disciplinary Committee any disciplinary action imposed by the Assistant Dean. If the student wishes to appeal a decision by the Assistant Dean, he/she must file a written request, stating the reason(s) for the appeal, with the Assistant Dean for Student Affairs within 48 hours. The Assistant Dean for Student Affairs will then have

48 hours to refer the case to the Disciplinary Committee along with his/her recommendation for disciplinary action. The Committee will schedule and conduct a hearing under the guidelines specified in "Hearing Procedures," and will submit its decision in writing to the Assistant Dean for Student Affairs and the accused student.

**College Disciplinary Committee.** Recognizing the right of students to be granted due process in all matters of a disciplinary nature, the College assures due process through the authority and activities of the College Disciplinary Committee.

The College Disciplinary Committee shall consist of three (3) members of the administration, faculty, library or counseling staff, appointed by the Assistant Dean of Student Affairs. (At least two of the three should be teaching faculty and two students appointed by the President of the Student Government Association in consultation with the Student Activities Facilitator). If the Committee is selected at a time when there is no sitting SGA President, or when the SGA President is unavailable, then the two students shall be selected by the Assistant Dean for Student Affairs.

The purposes of the Disciplinary Committee are as follows:

1. Hear charges and evidence concerning alleged student misconduct and direct action to be taken in cases appealed by students referred to the Committee by the Assistant Dean for Student Affairs.
2. Impose appropriate disciplinary action when such action is warranted by evidence presented in a disciplinary hearing.
3. Review and make recommendations to the Assistant Dean for Student Affairs on student disciplinary policies and procedures.

## **HEARING PROCEDURES**

Each party to a disciplinary hearing shall be given prior written notice by the Chairperson of the Disciplinary Committee of the date, time, and place of the hearing. Whenever feasible, this notice shall be at least 72 hours in advance. The notice will be by personal service or certified mail. If the Committee determines that a party is intentionally avoiding service, the Committee may elect to hold the hearing in the absence of such party upon a majority vote of the Committee members.

### **Attendance at Hearing.**

1. Disciplinary Committee hearings shall be private and confidential and will be limited to persons officially involved. Persons present shall include Disciplinary Committee members, the Assistant Dean for Student Affairs or his/her designee, the student who is the subject of the hearing and his/her advisor, appropriate staff members, a recorder, and witnesses for both parties. Nonparty witnesses will be present only when giving testimony. The Assistant Dean for Student Affairs, or his/her designee, shall be responsible for preparing and presenting the College's case. NOTE: All references in these hearing procedures to the "Assistant Dean for Student Affairs" shall also apply to any designee of the Assistant Dean.
2. The student shall have the right to have one advisor, who may be, but does not have to be, an attorney, present during the hearing. The advisor may not address the hearing to give evi-

dence on behalf of the student. In answering or asking questions, the student may seek advice from the advisor before proceeding.

3. In the event that a disciplinary hearing is scheduled for a student, and the student has been made aware of the date, time, and place, but fails to appear at the hearing, the hearing may be conducted in the student's absence.
4. The hearing will be recorded by either a certified court reporter or on audio or videotape. The record of the hearing, including a copy of all evidence offered, whether admitted or not, will be filed in the office of the Assistant Dean for Student Affairs and will be kept confidential.

**Order of Hearing.**

1. Opening remarks by the Chairperson of the Disciplinary Committee.
2. Review of charges and any action previously taken in the case by the Assistant Dean for Student Affairs.
3. Opening statement by Assistant Dean or his/her designee (not more than ten minutes).
4. Opening statement of not more than ten minutes by the accused student.
5. Presentations of evidence by the parties, including testimony and questioning of witnesses. Witnesses for the College will present testimony first. Following the testimony of all College witnesses, the student may call his/her witnesses. Both parties to the action and the members of the Disciplinary Committee have the right to question all witnesses. The Committee shall not have the authority to compel an accused student to testify against himself/herself; but the Committee may take the failure of the student to testify when deliberating the evidence.
6. Closing statement (not to exceed 20 minutes) by the student.
7. Closing statement (not to exceed 20 minutes) by the Assistant Dean for Student Affairs.
8. Deliberation by the Disciplinary Committee.
9. Report of Committee Findings.

The Disciplinary Committee will conduct its deliberation in closed and confidential session and, after reaching its decision, will orally inform the parties of the decision. Each party will subsequently be provided a written rendition of the findings of the Committee.

Prior to beginning any hearing, the Disciplinary Committee shall make an assessment as to what would be a reasonable amount of time to be allotted for a hearing and may limit the time for any or all aspects of the hearing so as to conform to the allotted time.

**Rules of Evidence.**

The evidentiary standard to be used by the Committee shall be the "Preponderance of Evidence" standard, rather than the "Beyond a Reasonable Doubt" standard. That is to say that the Committee shall determine, strictly upon the evidence presented, whether it was more

likely than not that the allegation(s) made against the accused student was (were) true in terms of which of the evidence was more credible and convincing to the reasonable mind.

The Committee shall inform the parties that the rules relating to the admissibility of evidence shall be similar to, but less stringent than, those which apply to civil trials in the courts of Alabama. Generally speaking, irrelevant or immaterial evidence and privileged information (such as personal medical information or attorney-client communications) shall be excluded. However, hearsay evidence and unauthorized documentary evidence may be admitted if the hearing chairperson determines that the evidence offered is of the type and nature commonly relied upon or taken into consideration by a responsible, prudent person in conducting his/her affairs.

In the event of an objection by any party to any testimony or other evidence offered at the hearing, the chairperson shall have the authority to rule on the admissibility of the evidence, and this ruling shall be final and binding.

**Disciplinary Action**

The following disciplinary actions will be administered according to the severity of the infraction as determined by the Assistant Dean for Student Affairs and/or the Disciplinary Committee:

1. *Disciplinary Reprimand.* This may be an oral or written warning. It notifies a student that any further violation of College regulations may subject the student to more severe disciplinary actions.
2. *Disciplinary Probation.* This is designated to encourage and require a student to cease and desist from violating college regulations. Students on probation are notified in writing that any further misbehavior on their part will lead to more severe action.  
  
Disciplinary Probation will be for the remainder of the existing semester and for all of the following semesters of attendance.
3. *Disciplinary Suspension.* This excludes a student from the College for a designated period of time, usually not more than two semesters. While on suspension, a student will not be allowed to take any course at the College. At the end of the designated period of time, the student must make formal reapplication for admission.
4. *Class Suspension.* A student may be suspended from attending one or more specified courses for improper behavior. Class suspensions are for the remainder of the semester, and the student will be assigned a letter grade of "F" for each course from which he/she is suspended.
5. *Library Suspension.* A student may be suspended from using the library for improper or disruptive behavior in the library. Library suspension will be for a period of time not to exceed the remainder of the semester.

6. *Disciplinary Expulsion.* This is the strongest disciplinary action. This category of severe penalty generally indicates the recipient may not return to the College. Disciplinary expulsion normally would be the least-used disciplinary action and would be applied only to students who are guilty of chronic misbehavior or a major breach of conduct. The College reserves the right, but has no duty, to lift the probation against re-enrollment upon its consideration of a written application for readmission evidencing that the student has demonstrated an ability and readiness to comply with all College rules and regulations.

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The College will not consider such a request until at least one year from the date of expulsion.

7. *Payment of Damages.* Payment will be assessed against a given student or students for the amount necessary to repair damage caused by student or students' behavior.

Factual findings of the Disciplinary Committee shall be deemed correct and shall not be subject to appeal. Nor shall disciplinary actions imposed by the Disciplinary Committee be subject to appeal, except upon a written demonstration to the President of the College that the Committee: (1) was not formed in accordance with the above-described selection process or (2) acted blatantly contrary to the above-stated provisions for disciplinary action in terms of the type and/or severity of punishment imposed. In any case where the President determines that either of the two foregoing conditions was present, the President shall have the discretion of either affirming the disciplinary action, reversing the action, or dismissing in part and affirming in part the subject disciplinary action.

A disciplinary suspension or expulsion shall not result in a notation on a student's permanent record. A notice that a student is currently on suspension or expulsion and ineligible to return to the College until a certain date shall be attached to the student's file. In the event that the student becomes eligible to re-enroll, the notice shall be removed.

### COMPUTER USE POLICY

Calhoun Community College has a specific computer use policy. Students are expected to know the policy and to strictly follow said policy. Any student who violates that policy will be formally charged in writing by the Assistant Dean for Student Affairs.

### COMPUTER TECHNOLOGY ACCEPTABLE USE POLICY

**Individuals are Fully Responsible** for their own actions while using Calhoun Community College's (Calhoun) "computer technology" (defined as Calhoun computers and computer-related equipment, programs, supplies, and network communications, including Internet access gained through Calhoun's computer network). Users must respect the privacy and rights of others, and the integrity of both the hardware and software being used. Accordingly, users must assume responsibility for making the best possible use of access privileges and for not abusing them. Employee questions concerning access, acceptable and unacceptable use, should be directed to the Director of Information Technology. Student questions should be directed to the appropriate instructor or the Campus Dean or designee.

**Limited Access:** Calhoun reserves the right to limit the access of any and all employees to certain software programs or directories. Each user is provided with a certain access level. A user may not access a computer without authorization or exceed authorized access. A user's activity is restricted to access of only those programs or directories in that user's respective access level. Likewise, a user may not obtain access to another level by means of another user's access. Any user who exceeds his/her respective level, assists another user to gain access to an otherwise inaccessible level, or allows another user to gain access to an otherwise inaccessible level will be held accountable for the violation of this policy. A user may not continue to enter an access level which was previously assigned to the user, but which has since been suspended, revoked, or otherwise continued.

No user may knowingly:

- Use either Calhoun computer technology or personal technology to "break into" or "hack into" college or other computers and storage devices for the purpose of reading, copying, deleting, modifying or distributing data and/or information of others, or any other purpose;
- Give passwords, access codes or other security level access information to others;
- Share personal E-mail accounts.

**Internet Access:** Any employee or student access to the Internet through Calhoun's computer network is limited to the acceptable use as set out below. Likewise, any employee or student who accesses the Internet through Calhoun's computer network for an unacceptable use as defined above or causes an unacceptable result will be held accountable for the violation.

The use of the Internet must be in support of education, research, college-related service activities, or college administration and consistent with the mission of Calhoun Community College. Transmission of any material in violation of any federal or state regulation is prohibited. This includes, but is not limited to: copyrighted material, threatening or obscene material, or material protected by trade secret. Any use of the Internet through Calhoun's computer network for political advertisement or political lobbying is also strictly prohibited.

Users of the Internet through Calhoun's computer network are expected to abide by the rules of network etiquette. Any swearing, vulgarities or other inappropriate language is prohibited. Users are also prohibited from revealing personal addresses or phone numbers of students or colleagues.

Users are hereby warned that electronic mail (e-mail) is not guaranteed to be private. People who operate the system do have access to all mail. Messages relating to or in support of illegal activities may be reported to the authorities.

**Acceptable Use:** It is acceptable to use Calhoun computer technology for purposes relating directly to education, educational research, college-related service activities, and administration of Calhoun.

Examples of acceptable use are:

- Using the software/hardware only in the condition and settings provided by Calhoun. User may not modify software settings, to add or delete hardware components or modify software features, unless so instructed by appropriate college officials.
- Using the network for the purpose of instructional support. This may include class assignments, research, skill development, and/or the production of materials used in the educational process.

**Unacceptable Use:** It is unacceptable to use Calhoun computer technology for any illegal purpose or to interfere with or disrupt other users, services or equipment. Such unacceptable use includes, but is not limited to, the following:

- Engaging in activities to damage or disrupt computer, computer system, network information, data or a program by such acts as virus creation and propagation, wasting system resources, or overloading networks with excessive data.
- Engaging in activities for the purpose of promoting personal gain and/or profit or use of college technology for organizations other than Calhoun.
- Engaging in any activity which is in violation of the Code of Alabama (1975) §§36-25-1 through 36-25-30, as amended (the

“State Ethics Law), or which, in the opinion of the Calhoun administration, may be contrary to such law.

- Using of any computer technology in a manner that violates patent protection or license agreements.
- Engaging in any activity that violates any and all copyright laws. Such activity may include utilizing Calhoun technology to copy and/or distribute copyrighted materials of any type that the user does not have a valid and legal right to copy.
- Engaging in any use that is illegal or results in the commission of any illegal activity.
- Using Calhoun computer technology to support or oppose any candidates or candidates for public office, or for any other political purpose. (Use of State property for political purposes is against Alabama law.)
- Transmitting messages of a romantic or sexual nature to any person or persons.
- Creating, displaying, transmitting or making accessible threatening, racist, sexist, offensive, annoying or harassing language and/or material.
- Knowingly accessing or transmitting information which contains obscene or indecent material as defined by law.
- Knowingly performing an act, which will interfere with the normal operation or use of computers, terminals, peripherals, or networks.
- Creating copies, or taking into the user’s personal possession copies of Calhoun owned software and/or hardware technology such as computers, components, disks, or peripherals.
- Using another person’s computer account or allowing someone else to use your account (e-mail, secure systems, etc.).
- Sharing personal e-mail accounts.
- Masking the identity of an account or machine or in any manner misrepresenting your identity in e-mail or other electronic communication.
- Communicating any information concerning password, identifying code, personal identification number or other confidential information without the permission of its owner.
- Creating, modifying, executing or re-transmitting any computer program or instructions intended to obscure the true identity of the sender of electronic mail or electronic messages, collectively referred to as “Messages,” including, but not limited to, forgery or Messages and/or alteration of system and/or user data used to identify the sender of Messages.
- Attempting to gain unauthorized access to any information facility, whether successful or not. This includes running programs that attempt to calculate or guess passwords, or that are designed and crafted to trick other users into disclosing their passwords, and any attempts to circumvent data protection schemes or uncover security loopholes. It also includes electronic eavesdropping or communication facilities.

**Access is a Privilege, Not a Right:** Calhoun reserves the right to deny the privilege of the use of any or all types of computer technology to individuals who violate this Acceptable Use Policy. Users may also be held accountable for violations of Federal and/or Alabama Laws (i.e., Computer-Related Crime, etc.). Violations of this policy may result in the termination or suspension of employment, suspension of computing privileges, disciplinary review, any other forms of employee or student discipline, and/or financial restitution to Calhoun for any damages and costs related to inappropriate or unacceptable use, and/or criminal or civil legal action. Calhoun reserves the right to modify or clarify this policy at any time.

**Computer Crimes:** The Alabama Computer Crime Act, codified at Code of Alabama (1975) §§1 3A-8-101 - 13A-8-103, makes it a crime for a person to damage, or without authorization to modify, computer equipment, computer networks, and computer programs and supplies or without authorization to access, examine, or use computer data and programs, and provides for punishment up to a Class B Felony (imprisonment for 2-20 years and/or a fine up to \$10,000 or double the damage or loss to the victim). Federal law also makes it a crime to without authorization access level to computers or computer networks devoted in part to Federal purposes. Any violation of such State or Federal laws respecting computers shall also constitute a violation of the Calhoun Computer Technology Acceptable Use Policy. Furthermore, this policy prohibits various actions (described above) which may or may not constitute a crime.

## **STUDENT GRIEVANCE PROCEDURES INVOLVING DISCRIMINATION, SEXUAL HARASSMENT, AND RIGHTS OF THE DISABLED**

### INTRODUCTION

Calhoun Community College promotes the exchange of ideas among all members of the college community including students, faculty, staff, and administration. An environment conducive to open exchange of ideas is essential to intellectual growth and positive change. However, the College recognizes that, at times, people may have differences which they are unable or unwilling to resolve themselves. Calhoun Community College offers the following grievance procedures as the appropriate course of action for settling disputes and resolving problems. Students and members of the Calhoun faculty, staff, or administration are guaranteed procedural due process.

### INITIAL STEPS

Any student of Calhoun Community College who has a grievance against another student or a member of the Calhoun faculty, staff, or administration concerning any form of discrimination (Title VI, Civil Rights Act of 1964), sexual harassment (Title IX of the Educational Amendments of 1972), or violation of the rights of the disabled (Sec. 504 of the Rehabilitation Act of 1973) should first attempt to resolve his/her situation with the individual involved. However, a student who believes herself or himself to have been subjected to sexual harassment is not required to first speak to or attempt to resolve the situation with the perpetrator of sexual harassment before filing a complaint. If for some reason resolution of the grievance is not possible, the student should make his/her grievance known to the immediate superior of the individual against whom the student has a grievance, and/or to the Assistant Dean for Student Affairs in order to seek an informal resolution to the problem. If, after the discussion between the student and the respective College official or representative, it is determined that the complaint is valid, the College official or representative will take appropriate action to resolve the complaint using a formal “plan of resolution.”

If the student’s complaint requires a formal “plan of resolution,” a written report must be submitted to the Assistant Dean for Student Affairs. The report shall be submitted by the College official or representative within ten business days of the initial complaint and shall detail the complaint and the plan to resolve the complaint. If a student’s complaint cannot be resolved in the manner described above, an unresolved complaint shall be termed a “grievance.”

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### INTERIM RESOLUTION

If the Assistant Dean for Student Affairs should determine that the grievance is of a nature that there should be imposed an interim resolution pending the outcome of the grievance procedure, the Assistant Dean for Student Affairs shall recommend such an interim resolution to the President or designee. The President or designee shall have the discretion to impose or not impose an interim resolution.

### GRIEVANCE PROCESS

A student who submits a complaint to the appropriate College official or representative in the manner described above and who is not informed of a satisfactory resolution or plan of resolution within ten business days after the complaint's initial submission shall have the right to file, within ten business days, a formal grievance statement. The written grievance statement shall be filed using Grievance Form A, which will be provided by the Grievance Officer and shall include the following information:

1. Date the original complaint was reported;
2. Name of the person to whom the original complaint was reported;
3. Facts of the complaint; and,
4. Action taken, if any, by the receiving official to resolve the complaint.

The grievance statement shall also contain any other information relevant to the grievance the Grievant wants to be considered by the Assistant Dean for Student Affairs. Any grievance must be filed within forty-five calendar days of the occurrence of the alleged discriminatory act or the date of which the Grievant became aware that the discriminatory act took place.

The Assistant Dean for Student Affairs will notify the student or a member of the Calhoun faculty, staff or administration of the charge(s) against him/her within five days (excluding Saturday, Sunday, and holidays) of receiving the formal grievance statement. If after a reasonable attempt to notify the student, faculty member, staff member, or administrator of the charges against him/her, the Assistant Dean for Student Affairs is unable to do so, then the Assistant Dean for Student Affairs may suspend the student, or the President of the College or his/her designee may suspend with pay the faculty member, staff member, or administrator until a hearing is held and decision rendered.

The College shall have thirty (30) calendar days from the date of receipt by the Assistant Dean for Student Affairs of the grievance to conduct an investigation of the allegation(s), hold a hearing on the grievance, and submit a written report to the Grievant of the findings arising from the hearing. Grievance Form A shall be used to report both the grievance and the hearing findings.

### INVESTIGATION PROCEDURE

The Assistant Dean for Student Affairs shall have the right to conduct such preliminary hearing(s) as the Assistant Dean for Student Affairs or designee shall deem necessary to complete his/her investigation. The Assistant Dean for Student Affairs shall conduct a factual investigation of the grievance allegations and shall research each applicable statute, regulation, and/or policy, if any. The Assistant Dean for Student Affairs shall determine, after completion of the investigation, whether or not there is substantial evidence to support the grievance. The factual findings in the investigation and the conclusion of the Assistant Dean for Student Affairs (Grievance Officer) shall be stated in a preliminary written report which shall be submitted to the

Grievant and to the party or parties against whom the complaint was made and shall be made a part of the hearing record, if a hearing is subsequently conducted. Each of the parties shall have the opportunity to file written objections to any of the factual findings and, if there is a hearing, to make their objections part of the hearing record. If the Grievance Officer finds the grievance is supported by substantial evidence, he or she shall make a recommendation in the report as to how the grievance should be resolved. Upon the receipt of the Grievance Officer's preliminary report, the Grievant and the Respondent shall have three (3) business days to notify the Grievance Officer of the respective party's request for a hearing. The Assistant Dean for Student Affairs may, nevertheless, at his or her discretion, schedule a hearing on the grievance if to do so would be in the best interest of the College. In the event that no hearing is to be conducted, the Grievance Officer's report shall be deemed a final report and shall be filed with the President, with a copy to be provided to the Grievant.

### HEARING PROCEDURE

In the event that the Assistant Dean for Student Affairs schedules a hearing, the Campus Dean or designee will appoint a qualified five-person committee. The Assistant Dean for Student Affairs shall serve as the nonvoting chairperson. A quorum shall consist of four members of the committee and the chairperson. Unless the President or Dean determines otherwise, or both parties agree in writing for the hearing to be public, the hearing shall not be open to the public.

At the hearing, the Grievant and the Respondent(s) shall be read the grievance statement. After the grievance is read into the record, the Grievant shall have the opportunity to present such oral testimony and offer such other supporting evidence as he/she shall deem appropriate to his/her claim. Each Respondent shall then be given the opportunity to present such testimony and offer such other evidence as he/she deems appropriate to the Respondent's defense against the grievance. In the event that the College, or the administration of the College at large, is the party against whom the grievance is filed, the President shall designate a representative to appear at the hearing on behalf of the College.

Any party to a grievance hearing shall have the right to retain, at the respective party's own cost, the assistance of legal counsel or other personal representative. However, the respective attorney or personal representative, if any, shall act in any advisory role only and shall not be allowed to address the hearing body or question any witness. In the event that the College or its administration at large is the Respondent, the College representative shall not be an attorney or use an attorney unless the Grievant is also permitted to be assisted by an attorney or other personal representative.

A student does not forfeit any of his/her constitutional rights upon his/her admission into Calhoun Community College, nor does a faculty member, staff member, or administrator forfeit his/her constitutional rights upon employment with Calhoun Community College. The Committee shall not have the authority to compel any witness to testify. However, insofar as it is not contrary to law, the Committee may take into account the refusal of a witness to testify when deliberating the evidence.

With regard to a College employee, the President shall have the authority to direct the employee to testify at a hearing if, in the discretion of the President, such testimony could be material to an accurate determination of the facts in the case.

The hearing shall be recorded by either a court reporter or on audio or video tape or by other electronic recording medium. In addition, all items offered into evidence by the parties, whether admitted into evidence or not, shall be marked and preserved as part of the hearing record.

#### REPORT OF FINDINGS AND CONCLUSIONS

Within five (5) working days following the hearing, there shall be a written report from the chairperson on the findings of the hearing committee (with a copy forwarded to the President, the Grievant, and each Respondent). The report shall contain at least the following:

1. Date and place of the hearing;
2. The name of each member of the hearing committee;
3. A list of all witnesses for all parties to the grievance;
4. Findings of facts relevant to the grievance;
5. Conclusions of law, regulations, or policy relevant to the grievance;
6. Recommendations(s) arising from the grievance and the hearing thereon.

#### RESOLUTION OF GRIEVANCE

In the event of a finding by the Committee that the grievance was supported, in whole or in part, by the evidence presented, the Assistant Dean for Student Affairs shall meet with the Grievant, the Respondent(s) and the appropriate College representative(s) and attempt to bring about a reasonable agreed-upon resolution of the grievance. If there is no mutual resolution, the President shall impose a resolution of the grievance which shall be final and binding.

#### APPEAL PROCEDURE

The President of Calhoun Community College shall be the appeal authority in upholding, rejecting, or modifying the recommendations of the Grievance Committee. The President shall not be bound in any manner by the recommendation(s) of the hearing committee, but shall take it (them) into consideration in imposing his/her decision.

The charged student, faculty member, staff member, or administrator may file a written request with the Vice President for Instruction and Student Services of the College and Assistant Dean for Student Affairs requesting that the President of the College review the decision of the Grievance Committee. The written request must be filed within fifteen calendar days following the party's receipt of the hearing report. If the appeal is not filed by the close of business on the fifteenth day following the party's receipt of the report, the party's opportunity to appeal shall have been waived. If the appeal does not contain clear and specific objections to the hearing report, it shall be denied by the President. The President of the College shall issue his/her opinion to accept, reject, or modify the decision of the Grievance Committee within 15 calendar days of the initiation of the appeal process.

If the decision of the Grievance Committee does not satisfy the complainant and should the grievance allege discrimination (Title VI), sexual harassment (Title IX), or violation of the rights of the handicapped (Sec. 504), the complainant may file a written grievance with:

1. The Alabama State Board of Education pursuant to Alabama State Board of Education policies and procedures, with respect to Title IX violations;
2. The regional office of the Office of Civil Rights of the U.S. Department of Education within 180 days of the discrimina-

tory act;

3. The Equal Employment Opportunity Commission within 180 days of the discriminatory act.

#### EXCEPTION

When a complainant or grievant complains of, asserts the existence of, or indicates the possibility of sexual harassment violation of law, Calhoun Community College policy, or standards of appropriate conduct, the President may, in his/her discretion, determine that the matter will not be resolved through procedures set forth above, but will be reasonably, appropriately, and promptly investigated and resolved by the College pursuant to such process as the President determines in accordance with the College's objective of maintaining a work and educational environment free from sexual harassment.

#### REFERENCE:

Title VI of the Civil Rights Act of 1964, "No person in the United States shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

Title IX of the Educational Amendments of 1972, "No person in the United States shall on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance."

**Section 504** of the Rehabilitation Act of 1973 as amended in 1974, "No otherwise qualified handicapped individual in the United States, as defined in Section 706 (6) of this title, shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

*It is the official policy of the Alabama State Department of Education, including Postsecondary institutions under the control of the State Board of Education, that no person in Alabama shall, on the grounds of race, color, disability, sex, religion, creed, national origin, or age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program, activity, or employment.*

#### SECURITY/POLICE

We take your safety seriously! To ensure the continued health and safety of Calhoun students and employees, we must all consider our own security, as well as the security of others, a priority when on campus. Should a crime occur on campus, Calhoun strongly encourages you to report this crime immediately to the college's Campus Security/Police Department by calling (256) 306-2574. For emergencies only call (256) 306-2911. The Decatur campus security office is located in the octagon building beneath the flagpoles at the main entrance to the campus. Huntsville Police Department officers are located in the Administrative Office at the Huntsville/Cummings Research Park campus.

Calhoun Community College is proud of its historically safe campus. In an effort to promote awareness and enhance safety, we would like to inform you of our campus crime disclosure report. We hope this information is helpful to you. Should you have any questions or suggestions regarding campus safety, please contact Mr. Jody Upchurch at (256) 306-2542.

**General Information**

**Calhoun Community College  
Campus Crime Statistical Disclosure Report**

<b>Crime</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>
Murder	0	0	0
Rape	0	0	0
Sex Offenses:			
Forcible	0	0	0
Non-Forcible	1	0	0
Robbery	0	0	0
Aggravated Assaults	1	0	0
Burglary	1	0	0
Breaking & Entering			
Motor Vehicle	8	6	4
Arrests	6	0	0
Motor Vehicle Thefts	1	0	1
Liquor Law Violations	0	0	0
Drug Violations	0	0	0
Weapons Violations	0	0	0
Criminal Mischief	2	1	0
Thefts	7	2	12
Harassment	4	2	2
Leaving Scene of Accident	1	0	1
Public Intoxication	0	0	0
Property Damage	2	1	0
Trespassing	0	0	0
Disorderly Conduct	1	0	1
Misc. Calls for Service	103	121	200

**STUDENT IDENTIFICATION CARDS**

All students enrolled at Calhoun Community College are required to have in their possession a valid Student I.D. card for general identification purposes and to present it upon demand when requested by a school official. The Student I.D. card is valid for each semester of the student's attendance. Students I.D. cards are issued during the first two weeks of each semester for new and transferring students. Replacement I.D. cards for returning students can be made at a cost of \$20.00. Replacement cost cannot be charged to student accounts and must be paid in cash. The I.D. card can be used for (1) book buying (campus book store only), (2) library book checkout, (3) access to learning labs, (4) entrance into college sponsored activities, (4) check cashing, (5) library privileges at other colleges, (6) student discounts.

**MOTOR VEHICLE REGISTRATION**

All students driving any type of motor vehicle must secure and properly affix an official decal to the vehicle regardless of the location of classes. Parking decals are available from the Campus Police/Security Office. Traffic regulations pertaining to the registration and operation of motor vehicles can result in a monetary fine, the withholding of semester schedules, the withholding of transcripts, or appropriate disciplinary action. All decals expire on August 31 of each year.

**ABANDONED VEHICLES**

If a vehicle is left unattended or is left in the same place for more than ten (10) days, the vehicle will be considered abandoned and will be towed at the owner's expense. If a vehicle is illegally parked (for example, blocking another vehicle that is legally parked), the illegally-parked vehicle will be towed at the owner's expense.

**PARKING/TRAFFIC CITATION APPEALS COMMITTEE**

This is a three-member committee made up of students appointed by the Student Government Association. It is charged with the responsibility of hearing and ruling on each case in which a student appeals having received a parking ticket. The committee meets each Friday at 11:00 a.m. in the Student Activities Office, Decatur campus. Parking

appeals at the Huntsville/Cummings Research Park campus should be made to the Dean for Cummings Research Park.

**RESTROOM POLICY**

Restrooms are designated separately for men and women. Any individual caught in the opposite gender's restroom will be subject to disciplinary action and criminal trespassing. There will be no loitering in restrooms on Calhoun's campuses.

**WEAPONS POLICY**

No person shall keep, use, possess, display, or carry any rifle, shotgun, handgun, knife, bow and arrow, or other lethal or dangerous weapons or devices capable of casting a projectile by air, gas or explosion, or mechanical means on any property or in any building owned or operated by Calhoun Community College or in any vehicle on campus. Realistic facsimiles of weapons are also specifically not allowed.

If an instructor approves such items to be demonstrated for class purposes only, the instructor and student must obtain permission from Calhoun Police.

Any such person seen with or using such weapons on campus will be subject to disciplinary and criminal charges.

Pursuant to state board policy 511.01 Calhoun Community College adheres to the following:

**Firearms are prohibited on campus or any other facility operated by the college. Exceptions to this policy are: Law enforcement officers legally authorized to carry such weapons who are officially enrolled in classes or are acting in the performance of their duties or an instructional program in which firearms are required equipment.** If the off-duty officer is a student, he/she must notify campus police once a semester. A weapon is prohibited from any type of hearing for personal business.

