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NONDISCRIMINATION POLICY
John Tyler Community College does not discriminate on the basis of race, color, national origin, age, gender, sexual orientation or disability in its programs or activities. Inquiries related to the College’s nondiscrimination policy should be directed to Ms. Sandra Kirkland, dean of students, who can be reached by mail at 13101 Jefferson Davis Highway, Chester, VA 23831, by e-mail at skirkland@jtcc.edu or by phone at 804-706-5208/804-594-1566.

CONTENT DISCLAIMER
John Tyler Community College provides its web site, catalog, handbooks and any other printed materials or electronic media for your general guidance. The College does not guarantee that the information contained within them, including, but not limited to, the contents of any page that resides under the DNS registration of www.jtcc.edu, and the associated social media sites of www.facebook.com/johntylercc, www.twitter.com/johntylercc, www.flickr.com/johntylercc and www.youtube.com/johntylercommcollege, is up-to-date, complete and accurate, and individuals assume any risks associated with relying upon such information without checking other credible sources, such as a student’s academic program advisor or a member of the counseling office. In addition, a student’s or prospective student’s reliance upon information contained within these sources, or individual program catalogs or handbooks, when making academic decisions does not constitute, and should not be construed as, a contract with the College. Further, the College reserves the right to make changes to any provision or requirement within these sources, as well as changes to any curriculum or program, whether during a student’s enrollment or otherwise.

Links for references to other materials and web sites provided in the above-referenced sources are also for information purposes only and do not constitute the College’s endorsement of products or services referenced.
STUDENT RIGHTS AND RESPONSIBILITIES

The submission of an application for admission to John Tyler Community College represents a voluntary decision to participate in the programs and courses offered by the institution according to the policies, rules and regulations of the College and the State Board for Community Colleges. The College’s approval of the application represents the extension of a privilege to join the JTCC community and to remain a part of it so long as the student meets required academic and behavioral standards. Each student is guaranteed the privilege of exercising his or her rights without fear of prejudice. **Conduct by any student that adversely affects the JTCC community’s pursuit of its educational objectives or represents a threat to its students, faculty or staff will result in disciplinary action.** Additional information on the student conduct code and the student disciplinary procedure can be found in this handbook or the PDF version found on the web site at [http://www.jtcc.edu/about/publications/](http://www.jtcc.edu/about/publications/). The dean of students is responsible for the administration of all student disciplinary procedures.

STUDENT RIGHTS

Each student is guaranteed the privilege of exercising his or her rights without fear of prejudice. Such rights include the following:

- Students are free to pursue their educational goals. Appropriate opportunities for learning in the classroom and on the campus are provided by the College through the curricula offered.
- Free inquiries, expressions and assemblies are guaranteed to all students provided such actions do not interfere with the rights of others or the effective operation of the institution.
- Academic evaluation of student performance shall be neither arbitrary nor capricious.
- Each student will be informed at the beginning of each course as to how the instructor will arrive at the grade for the class. This should be in writing and included in the written outline or syllabus of the course. The student’s final grade should be based on total performance for the semester.

STUDENT RESPONSIBILITIES

- To know and adhere to the regulations, policies and procedures of the institution addressing academics and student behavior.
- To respect the rights of others to freely express their views and opinions.
- To accept responsibility for the consequences of one’s actions.
- To afford appropriate respect to faculty, staff and administrators in the performance of their duties and responsibilities.
- To practice academic integrity in all academic undertakings, avoiding all forms of academic dishonesty, including cheating, plagiarism and furnishing false information.
STUDENT CONDUCT

Generally, College disciplinary action shall be limited to conduct which adversely affects the College community’s pursuit of its educational objectives. The following misconduct is subject to disciplinary action:

1. All forms of dishonesty, including cheating, plagiarism, knowingly furnishing false information to the College, forgery, alteration, or use of College documents or instruments of identification with intent to defraud.
2. Disruption or obstruction of teaching, research, administration, disciplinary proceedings or other College activities.
3. Physical, psychological and/or verbal abuse or the threat of such abuse of any person on College premises or at College activities. This includes hazing, sexual harassment and sexual assault.
4. Participating in or inciting a riot or an unauthorized or disorderly assembly.
5. Seizing, holding or damaging property or facilities of the College, or threatening to do so, or refusing to depart from any property or facilities of the College upon direction by College officials or other persons authorized by the president.
6. Use of alcoholic beverages, including the purchase, consumption, possession, or sale of such, except where specifically authorized within the regulations of the College.
7. Gambling or holding a raffle or lottery on the campus or at any College function without proper College and other necessary approval.
8. Possessing, using, selling or distributing any types of illegal drugs.
9. Possessing on College property or at any College activity any dangerous chemical or explosive elements or component parts thereof, or rifle, shotgun, pistol, revolver or other firearm or weapon not used for lawful College studies without an authorization by the president of the College.
10. Physically detaining or restraining other persons or removing such persons from places where they are authorized to remain or in any way obstructing the free movement of persons or vehicles on College premises or at College activities.
11. Littering, defacing, destroying or damaging property of the College or property under its jurisdiction or removing or using such property without authorization.
12. Willfully encouraging others to commit any of the acts that have been prohibited herein.
13. Violating any local, state or federal laws.
14. Violating any rule or regulation not contained within the official College publications but announced as an administrative edict by a College official or other person authorized by the president.
15. Violation of College parking regulations.
16. Violation of College fire regulations, such as failure to comply with emergency evacuation procedures or tampering with fire protection apparatus.
17. Theft or attempted theft of College or personal property on College premises.
18. Unauthorized entry into or presence in any College building or facility.
19. Violation of College policy on demonstrations.
20. Violation of College policy on solicitation and sales.
ACADEMIC DISHONESTY

ACADEMIC DISHONESTY DEFINED
Students are expected to conduct themselves in an honorable manner in all of their academic work. All forms of academic dishonesty are prohibited at John Tyler Community College. Cheating on quizzes, tests and examinations; unauthorized cooperation between students; unauthorized help from others; plagiarism; and the unauthorized use of software, databases or expert advice that is contrary to the instructions of the professor are acts of academic dishonesty.

ADDRESSING ALLEGATIONS OF ACADEMIC DISHONESTY
If a faculty member has reason to believe that a student has engaged in an act of academic dishonesty, the faculty member should make the student aware of his or her suspicion in a manner and place that ensure the confidentiality of their conversation. Following this discussion, if the faculty member remains convinced of the student’s act of academic dishonesty, the faculty member should inform the student in confidence that the student is being found guilty of an act of academic dishonesty and specify the disciplinary action that is being administered.

DISCIPLINARY ACTIONS
Having accused and found guilty a student of academic dishonesty, faculty members must administer one of the following disciplinary actions:

1. A formal warning: An oral or written statement to the student that he or she has committed an act of academic dishonesty that is prohibited at the institution and may result in more severe disciplinary action should the student be found guilty of engaging in any subsequent act of academic dishonesty.

2. A formal warning and the requirement that the student repeat or resubmit the quiz, test, examination, exercise or assignment in question.

3. A formal warning and the assignment of the grade of “F” (numeric grade of zero) on the quiz, test, examination, exercise or assignment in question.

4. Removal of the student from the class and the assignment of the grade of “F” in the course.

REPORTING ACTS OF ACADEMIC DISHONESTY TO THE DEAN OF STUDENTS
A faculty member must provide the dean of students with a written report of any disciplinary action taken in response to an act of academic dishonesty. Such a report must be forwarded to the dean within seven (7) business days of the administration of disciplinary action. The report must include the name of the accused student, the course number and class section number, the student’s EMPLID, the nature of the offense, and the specific disciplinary action taken.

DISCIPLINARY ACTIONS THAT MAY BE TAKEN BY THE DEAN OF STUDENTS
All reports of academic dishonesty will be reviewed by the dean. If a student has been found guilty of any prior acts of academic dishonesty, the dean of students may either (1) suspend the student from the institution for a period of time not to exceed one year or (2) dismiss the student from the College. The student will be notified by the dean of students in writing of such action within ten (10) business days. A statement of this action will be included in the student’s academic record. A student who is suspended or dismissed will be immediately withdrawn from all coursework in which he or she is enrolled, exclusive of the course in which an “F” may have been assigned as part of disciplinary action.
APPEALS TO THE COMMITTEE ON ACADEMIC INTEGRITY
A student who has been found guilty of committing an act of academic dishonesty by a faculty member and/or has been suspended or dismissed from the institution by the dean of students may appeal the sanction(s) to the Committee on Academic Integrity within ten (10) business days of the imposition of the sanction by the faculty member or within (10) business days of the receipt of the formal notification by the dean.

THE COMMITTEE ON ACADEMIC INTEGRITY
The Committee on Academic Integrity is appointed annually by the president of the College and consists of nine members of faculty. Five members of this body will be selected by the chair of the committee to consider a specific appeal.

APPEALS HEARINGS
A student who has made an appeal will receive written notification from the chair of the Committee on Academic Integrity of the time, place and date of the hearing at least five (5) business days before the hearing. The student may elect not to appear at a hearing, but the hearing will be held in his or her absence.

If a student elects not to appear at the hearing, the student may submit a signed statement to the committee chair at least 48 hours prior to the hearing.

Hearings will be closed to the public.

The student will be given an opportunity to speak at the hearing and to present witnesses on his or her behalf.

The faculty member and/or dean of students will be given an opportunity to speak at the hearing and to present witnesses.

The committee may request the appearance of and question witnesses. The student may direct questions to such witnesses, the faculty member and the dean through the chair of the committee.

The faculty member may direct questions to the student, witnesses and the dean through the chair of the committee.

The committee may affirm, reduce or dismiss the decision of the faculty member or the dean.

The student will receive written notification of the committee’s decision from the dean of students within fifteen (15) business days of the conclusion of the hearing.

APPEALS TO THE VICE PRESIDENT OF STUDENT AFFAIRS
A student may appeal the decision of the Committee on Academic Integrity in writing to the vice president of student affairs within ten (10) business days of the receipt of the committee’s decision. The vice president will review the entire academic dishonesty proceeding and provide the student with a written notification of his/her findings and decision within ten (10) business days of the receipt of the appeal.
RECORDS OF ACADEMIC DISHONESTY ACTIONS AND APPEALS
All records of academic dishonesty actions and appeals will remain confidential and will be maintained in
the Office of the Dean of Students. Such information will not be available to unauthorized persons
without the express written permission of the student, court subpoena, or other exceptions made under the
STUDENT DISCIPLINARY POLICIES AND PROCEDURES

DISCIPLINARY PROCEDURES
Campus judicial affairs officers are responsible for the administration of disciplinary procedures at the Chester and Midlothian campuses. Allegations of violation of College policy are accepted for consideration only when the apparent infractions are observed on College property or other locations where the College provides services. Infractions of federal, state or local laws occurring off campus shall be the concern of the civil authorities except when such actions (1) directly affect the health, safety or security of the College community; (2) affect the College's pursuit of its educational purposes; or (3) occur as a direct result of a College-connected disruption. Reports of alleged student violations of published College regulations may be submitted by an individual to the appropriate campus judicial affairs officer within fifteen (15) business days of the infraction.

When unruly or otherwise unacceptable behavior occurs in a classroom or laboratory, the instructor may immediately require the student who is responsible for the disruption to leave the classroom. It is the student’s responsibility to contact the instructor prior to the next scheduled class meeting. After discussing the problem with the student, the instructor must either permit the student to return to class or forward formal written disciplinary charges against the student to the campus judicial affairs officer.

When unruly or otherwise unacceptable behavior occurs in the College libraries, library personnel may require the student or students who are responsible for the disruption to identify themselves and leave the library. Such students must be reported to the campus judicial affairs officer and are prohibited from returning to the College libraries until the allegations have been adjudicated.

Once charges have been forwarded to the campus judicial affairs officer, the student may attend class pending the campus judicial affairs officer’s review of the allegation. If the campus judicial affairs officer believes, however, that the student’s presence in class may infringe on the rights of others or pose a threat to the welfare of other students and the instructor, the campus judicial affairs officer may request the dean of students to prohibit the student from returning to class until the allegations have been adjudicated.

The campus judicial affairs officer is responsible for interpreting alleged misconduct with regard to published regulations and for identifying specific charges that will be brought against the student(s) involved. The campus judicial affairs officer should respond or bring charges within ten (10) business days from receipt of a report of a violation.

CAMPUS JUDICIAL AFFAIRS OFFICERS
Campus judicial affairs officers for the Chester and Midlothian campuses are appointed annually by the dean of students, subject to the approval of the College president.

STUDENT ADMINISTRATIVE HEARING
After reviewing allegations, specifying the charges, and obtaining any necessary information, the campus judicial affairs officer will contact the student via mail, requesting a meeting to discuss the case with the student, including the nature and source of the charges and the student’s rights and responsibilities. During this discussion, the student may question the credibility of his or her accusers or other witnesses by submitting questions through the campus judicial affairs officer. The student will be given an opportunity to review any and all materials, which may have been presented as evidence against him/her. The campus judicial affairs officer also may seek guidance from the Threat Assessment Team. Following this review, the campus judicial affairs officer will either impose a disciplinary sanction or vacate the
charges. This decision will be forwarded to the student in writing within ten (10) business days of the initial meeting between the campus judicial affairs officer and the student.

All records of the infraction and materials pertaining to and resulting from the inquiry (and any subsequent appeal) will be forwarded to the Office of the Dean of Students. This information will remain in the dean’s office.

**APPEALS TO THE DEAN OF STUDENTS**

If the campus judicial affairs officer imposes a disciplinary sanction, the student may appeal the sanction in writing to the dean of students within ten (10) business days of the receipt of the campus judicial affairs officer’s decision. The dean will review the entire disciplinary proceeding and provide the student with a written notification of his/her findings and decision within ten (10) business days of the receipt of the appeal. The dean may request to meet with the student during his/her deliberations.

**APPEALS TO THE VICE PRESIDENT OF STUDENT AFFAIRS**

A student may appeal the decision of the dean of students to the vice president of student affairs in writing within ten (10) business days of the receipt of the dean’s decision. The vice president will review the dean’s decision and provide the student with a written notification of his/her findings within ten (10) business days of the receipt of the appeal.

**DISCIPLINARY ACTIONS**

Disciplinary actions available to the campus judicial affairs officer are as follows:

1. Removal of the charges against the student.
2. Admonition: An oral or written statement to a student that he/she is violating or has violated College rules and may be subject to more severe disciplinary action.
3. Disciplinary Probation: A student may be prohibited from participating in College extracurricular activities, using specified College facilities, or otherwise restricted in his or her movements while at the institution for a period of time not to exceed one year. A student who violates the provisions of his or her probation will be immediately dismissed from the institution.
4. Restitution: Reimbursement for damage to or misappropriation of property. This may take the form of appropriate service or other compensation.
5. Attendance and successful completion of a special student development tutorial addressing ethics and appropriate student behavior. (The failure to attend and successfully complete this tutorial will result in the assignment of another disciplinary action.)
6. Disciplinary suspension: Exclusion from attending the College as a student for a definite period of time not to exceed one academic year.
7. Disciplinary dismissal from the College: Termination of student status for an indefinite period. The conditions of the readmission, if any, will be stated in the order of dismissal.

A student, pending a hearing by the campus judicial affairs officer, may be suspended by the president (or in the president’s absence, the College vice president for students affairs or the dean of students) and barred from the College if his/her presence is deemed a danger to others or is likely to be disruptive to the normal educational activities of the College. The president, vice president or dean also may seek guidance and input from the Threat Assessment Team. Nothing in these procedures should be construed to prevent the president from taking such official steps as he/she may deem necessary except that final action shall be in accordance with the above procedures. Before a student may be suspended, he or she will be informed of the reasons for the suspension and will be provided an informal opportunity to make an oral response, except in exigent circumstances, in which case the student will be given said opportunity as soon as possible as determined by the president.
DISCIPLINARY RECORDS
All records of disciplinary action will remain confidential, will remain separate from the student's academic record, will be maintained in the Office of the Dean of Students, and will not be available to unauthorized persons on campus or to any person off campus without the express written permission of the student involved. Exceptions will be made only under the conditions specified in the Family Education Rights and Privacy Act of 1974, as amended, and under a court order or subpoena.
STUDENT GRIEVANCE POLICY AND PROCEDURE

OVERVIEW
The grievance procedure applies to students who have complaints of unfair and/or unlawful treatment. A student is defined as any person enrolled full- or part-time in credit or non-credit courses at the College. A grievance is a complaint of unfair and/or unlawful treatment formally charged by a student against a College employee, in regard to the application of College rules, policies, procedures and regulations. If at all possible, a complaint should be resolved without initiating the formal grievance procedure.

Please note that it is generally beneficial to the student to discuss the problem with College personnel prior to filing a formal grievance. College personnel are available to advise students. Students should not hesitate to contact a faculty member, counselor or any other College staff person to discuss the problem.

PROCEDURE

Level 1
A grievance should be raised and settled as quickly as possible. Within fifteen business days following either the event that gave rise to the grievance or within fifteen business days of the time when the student reasonably should have gained knowledge of the issue, the College employee involved should be contacted by the student. (A business day is defined as a Monday through Friday when the College is open.) An attempt should be made to resolve the complaint informally. The first step is for the student to meet with the College employee involved. If the matter cannot be resolved, the student may file a written grievance within ten business days following the verbal response from the College employee involved. The written grievance should be presented to the employee with a notification of the grievance being forwarded to the employee’s supervisor. The written grievance should contain the following: (a) a complete description of the complaint; (b) any supporting documents; and (c) the redress sought. An entire set of records should be assembled and maintained by the student. The person receiving the written grievance has ten business days to reply to the student in writing.

Level 2
If the student is not satisfied with the written response from the employee, he or she may appeal it to the appropriate supervisor within ten business days. The student should forward copies of all correspondence and relevant documents from Level 1, along with a cover letter, to the supervisor. The supervisor has ten business days to reach a decision and reply in writing to the student and the employee.

Level 3
If the student is not satisfied with the written response from Level 2, he or she may appeal to the appropriate vice president. This appeal must be made within ten business days after the reply from Level 2. The student should forward copies of all correspondence and relevant documents from Levels 1 and 2, along with a cover letter, to the vice president. The vice president has ten business days to make a determination and reply in writing to the student and the employee.

Level 4
If the student is not satisfied with the vice president’s response, he or she may appeal to the College president within ten business days after the reply from Level 3. The student should forward copies of all correspondence from Levels 1, 2, and 3, along with a cover letter, to the president. The president will discuss the grievance with all concerned parties and make a decision regarding the issue within ten business days after receipt of the correspondence. This decision will be final.
GENERAL GUIDELINES

1. The student filing a grievance may be accompanied by an advisor or representative of his/her choice at any level of the procedure.
2. Revision of the deadlines for filing appeals and providing written responses may be made. This may be necessary because of vacations, examinations, illnesses or other extenuating circumstances. If the deadlines are changed by either party, the respective employee should inform the student of the receipt of the grievance and give an estimated date of the final reply.
3. The only issues that can be reviewed on appeal are those asserted in the filing of the initial grievance. No new issues can be raised or heard during the appeal review process.
4. Copies of the vice president’s decision will be sent to the appropriate College employees at Levels 1 and 2 and to the president.
STUDENT GRADE APPEAL POLICY

OVERVIEW
This policy applies to a student who is enrolled in credit-class and believes that his or her final grade in a class was determined in an unfair, arbitrary or capricious manner. A student is defined as any person enrolled full- or part-time in credit courses at the College. This policy is not applicable to grades on individual tests, examinations, reports and other assignments prior to the posting of the final course grade.

A student may appeal a final class grade for allegations that (1) the methods or criteria for evaluating academic performance as stated in the class syllabus or as communicated by the instructor by e-mail or Blackboard announcement were not adhered to in determining the final grade; (2) the instructor applied grading criteria unfairly or arbitrarily; and/or (3) that the instructor so exceeded his or her discretion in evaluating academic performance in the class as to be found unreasonable by the instructor’s peers at John Tyler Community College.

PROCEDURE

Level 1
A grade appeal should be raised and settled as quickly as possible. Within fifteen business days following the posting of the grade in the Student Information System (SIS), the student must contact the instructor via e-mail and request an appointment to discuss his or her concerns regarding the final course grade. (A business day is defined as a Monday through Friday when the College is open.) An attempt should be made to resolve the concern informally. The faculty member must submit a report via e-mail to his or her dean and the student within 48 hours following the meeting with the student informing the dean of the outcome of the meeting.

If the faculty member is no longer employed by the College or is otherwise unavailable or unresponsive, the student may go directly to the division dean.

Level 2
If the matter cannot be resolved at Level 1, the student may submit a written appeal to the faculty member’s academic dean within ten business days following the meeting with the faculty member. The appeal must contain a statement of the problem, a description of any attempts to resolve the problem, relevant information and documentation, and the redress sought. The only issues that can be reviewed on appeal are those asserted in the filing of the initial grievance. No new issues can be raised or heard during the appeal review process. (Should the dean also be the instructor, the student should submit the appeal to the vice president for Academic Affairs).

The dean will confer with both the student and the instructor and seek to resolve the matter to the satisfaction of both parties. If a mutually satisfactory resolution is not obtained, the student must submit a written appeal to the vice president of Academic Affairs, who will convene the Grade Appeal Review Committee within ten business days.

Grade Appeal Review Committee
The Grade Appeal Review Committee is comprised of the vice president of Academic Affairs (or designee) and two full-time faculty members from each of the College’s four academic divisions (eight in total). Faculty members are elected annually by full-time faculty in each academic division and
serve one-year terms. Faculty members may be re-elected but may not serve more than two consecutive terms on the committee.

When an appeal reaches Level 3, the faculty members from the affected division will recuse themselves, and three faculty from the remaining six will be selected by lot to consider the appeal. The vice president of Academic Affairs or designee will preside over the review committee but will not participate (vote) in the committee’s final determination.

**Level 3**
The Grade Appeal Review Committee will convene within ten business days of being contacted by the vice president of Academic Affairs. The committee will examine all documentation and may, at its discretion, interview the student grievant, faculty member, and/or dean. The committee also may interview other students and faculty members whom it believes may offer relevant information about the grade appeal under review. A determination will be reached by the committee by majority vote as follows:

- Affirm the appeal and recommend a change in the grade to the appropriate academic dean, or
- Deny the appeal and recommend the grade stands as originally assigned.

The vice president of Academic Affairs will inform the student and faculty member in writing of the committee’s determination.

**Level 4**
If the student and/or faculty member are not satisfied with the decision of the Grade Appeal Review Committee, either may appeal to the College president in writing within ten business days after the reply from the vice president of Academic Affairs (from Level 3). The president will first ensure that the College’s due process procedures as outlined above were followed. The president will discuss the decision of the review committee with the student and/or faculty member as necessary and make a final decision regarding the issue within ten business days following receipt of the appeal. The decision of the president is final.
STUDENT SEXUAL MISCONDUCT COMPLAINTS PER TITLE IX

Students Who May Be Victims of Sexual Misconduct

Your health, safety, and well-being are the College's primary concern. If you or someone you know may be the victim of any form of sexual misconduct, you are strongly urged to seek immediate assistance. Assistance can be obtained 24 hours a day, seven days a week from:

- Police (Chesterfield County): 911
- Virginia Family Violence & Sexual Assault Hotline: 1-800-838-8238 (24/7)
- Campus Security, Chester Campus: 804-796-4025
- Campus Security, Midlothian Campus: 804-897-6678

During business hours (8:00 a.m. to 5:00 p.m., Monday through Friday), you are also strongly urged to contact the Dean of Students, who is the designated Title IX coordinator for purposes of this Policy (as hereinafter defined), by telephone, at 804-706-5208 at the Chester Campus and 804-594-1566 at the Midlothian Campus; by e-mail at skirkland@jtcc.edu; or at the Office of the Dean of Students, Administration Building, room B213 at the Midlothian Campus or Moyar Hall, room M107e at the Chester Campus, as soon as reasonably possible to report any sexual misconduct you believe may have occurred.

This Policy covers complaints of alleged sexual misconduct by College students. If you or someone you know may be the victim of sexual misconduct by a member of the College faculty or staff, you may report such misconduct or file a complaint with the College’s Title IX Coordinator or with Campus Security. Further information about Title IX and sex discrimination in education is available from the Office for Civil Rights, 400 Maryland Avenue, SW, Washington, DC 20202-1100 (by Customer Service Hotline: 800-421-3481; fax: 202-453-6012; TDD: 877-521-2172; e-mail: OCR@ed.gov; or on the web at http://www.ed.gov/ocr).

I. INTRODUCTION

A. Overview and Purpose.

Sexual Misconduct, as defined by this Policy and Procedures for Student Sexual Misconduct Complaints (this "Policy"), comprises a broad range of behavior that will not be tolerated in the College’s community of trust. For purposes of this Policy, "Sexual Misconduct" includes Sexual Exploitation, Sexual Harassment, Non-Consensual Sexual Contact, and Non-Consensual Sexual Intercourse, each as more fully defined below. Sexual Misconduct violates College policy and Federal civil rights law and may also be subject to criminal prosecution. The College is committed to fostering a community that promotes prompt reporting of all types of Sexual Misconduct and timely and fair resolution of Sexual Misconduct complaints. Creating a safe environment is the responsibility of all members of the College community.

As a recipient of federal funds, the College is required to comply with Title IX of the Higher Education Amendments of 1972, 20 U.S.C. § 1681 et seq. ("Title IX"), which prohibits discrimination on the basis of sex in education programs or activities. Sexual Misconduct, as defined in this Policy, is a form of sex discrimination prohibited by Title IX. The College is committed to providing programs, activities and an educational environment free from sex discrimination.
As a public institution, John Tyler Community College also must provide due process to students accused of Sexual Misconduct. This Policy is designed to provide a fair process for both parties while also ensuring a complainant's protections under Title IX. Consistent with due process, an accused student is presumed innocent until proven otherwise under this Policy.

The College is also required and committed to upholding the First Amendment of the United States Constitution. Nothing in this policy is intended to abridge the rights or freedoms guaranteed by the First Amendment.

B. Definitions.


"College" means John Tyler Community College.

"Dean" means the Dean of Students and his or her designee. The College has designated the Dean as the Title IX Coordinator for purposes of this Policy.

"Dean's Office" means the Office of the Dean of Students, located in Moyar Hall on the Chester Campus and in the Administration Building on the Midlothian Campus.

"Effective Consent" means words or actions that show a knowing and voluntary agreement to engage in mutually agreed-upon sexual activity. Effective Consent cannot be gained by Force, by ignoring or acting in spite of the objections of another, or by taking advantage of the Incapacitation of another, where the accused student knows or reasonably should have known of such Incapacitation. Effective Consent is also absent when the activity in question exceeds the scope of Effective Consent previously given. In addition, certain states have designated a minimum age under which a person cannot give "Effective Consent." 2


"Force" means physical force, violence, threat, intimidation or coercion.

"Formal Resolution" means a complainant may elect to pursue a hearing before a panel of the Sexual Misconduct Board.

1 Title IX requires that the College have a statement of policy and procedure for handling complaints of Sexual Misconduct. 20 U.S.C. 1092(1) (7) and 1681(a). This Policy constitutes that statement.

"Incapacitation" means the physical and/or mental inability to make informed, rational judgments. States of Incapacitation include, without limitation, sleep, blackouts, and flashbacks. Where alcohol [or other drug] is involved, one does not have to be intoxicated or drunk to be considered Incapacitated. Rather, Incapacitation is determined by how the alcohol consumed impacts a person's decision-making capacity, awareness of consequences, and ability to make informed judgments. The question is whether the accused student knew, or a sober, reasonable person in the position of the accused student should have known, that the complainant was Incapacitated. Because Incapacitation may be difficult to discern, students are strongly encouraged to err on the side of caution; i.e., when in doubt, assume that another person is Incapacitated and therefore unable to give Effective Consent. Being intoxicated or drunk is never a defense to a complaint of Sexual Misconduct under this Policy.

“Informal Resolution” means a complainant who wishes to file a formal complaint with the Dean's Office but who does not wish to pursue Formal Resolution may request a less formal proceeding.

"Investigators" mean the individuals designated by the Vice President to conduct investigations of alleged Sexual Misconduct and to determine whether or not there is good cause to grant a hearing, all as more particularly described in Section 4, below.

"Non-Consensual Sexual Contact" means Sexual Contact that occurs without Effective Consent.

"Non-Consensual Sexual Intercourse" means Sexual Intercourse that occurs without Effective Consent.

"Non-College Conduct" means conduct that occurred somewhere other than on College owned or leased property, such as at an off-site College-sanctioned function; at the permanent or temporary local residence of a College student, faculty member, employee, or visitor; or elsewhere.

"Sexual Contact" means the deliberate touching of a person's intimate parts (including genitalia, groin, breasts or buttocks, or clothing covering any of those areas) or using Force to cause a person to touch his or her own or another person's intimate parts.

"Sexual Exploitation" means taking sexual advantage of another person without Effective Consent, and includes, without limitation, causing or attempting to cause the Incapacitation of another person in order to gain a sexual advantage over such other person; causing the prostitution of another person; recording, photographing or transmitting identifiable images of private sexual activity and/or the intimate parts (including genitalia, groin, breasts or buttocks) of another person; allowing third parties to observe private sexual acts; engaging in voyeurism; and/or knowingly or recklessly exposing another person to a significant risk of sexually transmitted infection, including HIV.

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3 Sokolow, Brett A., Lewis, W. Scott, Schuster, Saundra K., NCHERM Institute on Responding to Campus Sexual Misconduct. 2010, p. 49.
"Sexual Harassment" means unwelcome conduct, based on sex or on gender stereotypes, which is so severe or pervasive that it unreasonably interferes with a person's College employment, academic performance or participation in College programs or activities and creates a working, learning, program or activity environment that a reasonable person would find intimidating, hostile or offensive. Sexual Harassment may include, for example, unwelcome sexual advances, requests for sexual favors, and acts of sexual violence. In evaluating any complaint of Sexual Harassment, the perceived offensiveness of a particular expression, standing alone, is not sufficient by itself to constitute Sexual Harassment. The conduct in question must be objectively intimidating, hostile or offensive, and interfere with a person's right to equally participate in programs and activities of the College. The exclusive purpose of this Policy is to protect students from sex discrimination, consistent with both federal regulatory law and the requirements of the First Amendment to the United States Constitution.

"Sexual Intercourse" means penetration (anal, oral or vaginal) by a penis, tongue, finger, or an inanimate object.

"Sexual Misconduct" is a broad term encompassing "Sexual Exploitation," "Sexual Harassment," "Non-Consensual Sexual Contact," and "Non-Consensual Sexual Intercourse," as defined in this Policy. Sexual Misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual Misconduct can be committed by men or by women, and it can occur between people of the same or different sex.

"Sexual Misconduct Board" means the standing committee appointed by the Vice President to hear complaints of Sexual Misconduct.

"Standards of Conduct" means the College Student Conduct Code, contained in the Student Handbook.

"Vice President" means the Vice President for Student Affairs and his or her designee.

"Vice President’s Office" means the Office of the Vice President for Student Affairs.

II. JURISDICTION; TIMING; RETALIATION AND RELATED MISCONDUCT; CRIMINAL PROCEEDINGS

A. Jurisdiction.

Personal Jurisdiction. Any person may file a complaint of Sexual Misconduct against a "College student" under this Policy. A "College student" means any student who is registered or enrolled at the College (a) at the time of the alleged Sexual Misconduct (including Sexual Misconduct that is alleged to have occurred during any academic recess, provided that there is an expectation of such student's continued enrollment at the College), and (b) at the time that the Dean prepares and delivers to the Investigators a formal complaint against such student pursuant to Section III.B, below.
**Geographic Jurisdiction.** This Policy applies to any allegation of Sexual Misconduct against a College student, regardless of where the alleged Sexual Misconduct occurred. Although there is no geographical limitation to invoking this Policy, Sexual Misconduct that is alleged to have occurred at a significant distance from the College may be more difficult to investigate. In addition, with respect to any complaint (a) by a person who is not a member of the College community, and (b) relating to Non-College Conduct, the College reserves the right to determine, in its sole discretion, whether the conduct described in the complaint constitutes a sufficient risk to the College community to warrant processing the complaint.

**B. Timing of Complaints and Availability of Procedures.** So long as there is personal jurisdiction over the accused student pursuant to Section II.A, above, there is no time limit to invoking this Policy in responding to complaints of alleged Sexual Misconduct. Nevertheless, students are encouraged to report alleged Sexual Misconduct immediately in order to maximize the College's ability to obtain evidence, and conduct a thorough, impartial and reliable investigation. Failure to promptly report alleged Sexual Misconduct may result in the loss of relevant evidence and witness testimony and may impair the College's ability to enforce this Policy.

Where the accused student is a degree candidate, it is the responsibility of the complainant to consult with the Dean's Office concerning the accused student's intended date of graduation and to file a complaint in a timely manner where personal jurisdiction over the accused student would otherwise be lost pursuant to Section II.A above. The conferral of a degree may be deferred until proper resolution of any Sexual Misconduct charges, provided that a hearing opportunity will be scheduled for the earliest practicable date that may reasonably accommodate the parties and their witnesses.

**C. Retaliation.** It is a violation of College policy to retaliate against any person making a complaint of Sexual Misconduct or against any person cooperating in the investigation of (including testifying as a witness to) any allegation of Sexual Misconduct. For these purposes, "retaliation" includes intimidation, threats, harassment, and other adverse action threatened or taken against any such complainant or third party. Retaliation should be reported promptly to the Dean of Students and may result in disciplinary action independent of the sanction or interim measures imposed in response to the underlying allegations of Sexual Misconduct.

**D. Other Related Misconduct.** In accordance with this Policy, the Sexual Misconduct Board is empowered to hear allegations of, and to impose sanctions for, Sexual Misconduct and any violations of the College's Standards of Conduct directly related to the alleged Sexual Misconduct or any alleged violations of this Policy. Such related misconduct may include, without limitation, violations of the rules of privacy as articulated herein, violations of the Dean's directive(s) discussed in Section III.D, below, and/or violations of other Standards of Conduct that occurred in the course of the alleged Sexual Misconduct. It is not the practice of the College to pursue disciplinary action against a complainant or witness for his or her improper use of alcohol or drugs (underage drinking), provided that such student is acting in good faith as a complainant or witness to the events of the alleged Sexual Misconduct.

College students, who appear before the Sexual Misconduct Board, whether as parties to the proceedings or as witnesses, are expected to provide truthful testimony in accordance with the statement on Student Rights and Responsibilities in the Student Handbook.
E. Effect of Criminal Proceedings. Because Sexual Misconduct may constitute both a violation of College policy and criminal activity, the College encourages students to report alleged Sexual Misconduct promptly to local law enforcement agencies. Criminal investigations may be useful in the gathering of relevant evidence, particularly forensic evidence. Because the standards for finding a violation of criminal law are different from the standards for finding a violation of this Policy, criminal investigations or reports are not determinative of whether Sexual Misconduct, for purposes of this Policy, has occurred. In other words, conduct may constitute Sexual Misconduct under this Policy even if law enforcement agencies lack sufficient evidence of a crime and therefore decline to prosecute. In such cases, the complainant may not initially understand the results of the criminal investigation, the nature of criminal procedure, or the grounds for the law enforcement decision not to prosecute. The complainant in such cases may seek assistance from the Dean in seeking and attending a meeting with the local prosecutor to gain an understanding of the decision to decline a prosecution.

The filing of a complaint of Sexual Misconduct under this Policy is independent of any criminal investigation or proceeding, and (except that the College's investigation may be delayed temporarily while the criminal investigators are gathering evidence) the College will not wait for the conclusion of any criminal investigation or proceedings to commence its own investigation and take interim measures to protect the complainant and the College community, if necessary, as described in Section III.D, below.

III. THE PROCESS: INITIAL STEPS

A. Intake Meeting with Complainant. Upon receipt of notice of any allegation of Sexual Misconduct, the Dean will first schedule an individual intake meeting with the complainant in order to provide to the complainant a general understanding of this Policy and to identify forms of support or immediate interventions available to the complainant. The intake meeting may also involve a discussion of any accommodations that may be appropriate concerning the complainant’s academic or College employment arrangements.

B. Complainant Wishes to Pursue Formal or Informal Resolution. At the initial intake meeting with the complainant, the Dean will seek to determine how the complainant wishes to proceed, i.e., whether the complainant wishes to pursue Formal Resolution, Informal Resolution or does not wish to pursue resolution of any kind. If the complainant wishes to proceed with either Formal or Informal Resolution, the Dean will determine the name of the accused student and the date, location and nature of the alleged Sexual Misconduct and will schedule an individual intake meeting with the accused student in order to provide to the accused student a general understanding of this Policy and to identify forms of support or immediate interventions available to the accused student.

If the complainant wishes to proceed with Formal Resolution, the Dean will promptly prepare and forward a formal complaint to the Investigators for investigation, in accordance with Section IV.C, below. The formal complaint will set forth the name of the accused student and the date, location and nature of the alleged Sexual Misconduct.

If the complainant wishes to proceed with Informal Resolution, the Dean will promptly refer the complainant to the Sexual Misconduct Board Chair to initiate Informal Resolution proceedings in accordance with Section V, below.

C. Complainant Does not Wish to Pursue Resolution or Requests Confidentiality. If the complainant does not wish to pursue Formal or Informal Resolution and/or requests that his or her complaint remain confidential, Title IX nevertheless requires the College to investigate and take reasonable action in
response to the complainant's information. The Dean will inform the complainant, however, that the College's ability to respond may be limited. The Dean may conduct a preliminary investigation into the alleged Sexual Misconduct and may weigh the complainant's request(s) against the following factors: the seriousness of the alleged Sexual Misconduct, whether there have been other complaints of Sexual Misconduct against the same accused student, and the accused student's right to receive information about the allegations if the information is maintained by the College as an "education record" under FERPA. The Dean will inform the complainant if the College cannot ensure confidentiality. Even if the College cannot take disciplinary action against the accused student because the complainant insists on confidentiality or that the complaint not be resolved, the Dean reserves the authority to undertake an appropriate inquiry, issue a "no-contact" order, and take other reasonably necessary measures, including the interim measures described in Section III.D, below.

D. **Interim Measures.** In all complaints of alleged Sexual Misconduct, regardless of whether the complainant wishes to pursue Formal Resolution, Informal Resolution or no resolution of any kind, the College will undertake an appropriate inquiry and take such prompt and effective action as is reasonably practicable under the circumstances to support and protect the complainant, including taking appropriate interim steps before the final outcome of the investigation and hearing, if any. Accordingly, at or after the intake meeting, the Dean may impose a "no-contact" order, which typically will include a directive that the parties refrain from having contact with one another, directly or through proxies, whether in person or via electronic means, pending the investigation and, if applicable, the hearing. The Dean, as Title IX Coordinator, also may take any further protective action that he or she deems appropriate concerning the interaction of the parties pending the hearing, if any. When taking steps to separate the complainant and the accused student, the Dean will seek to minimize unnecessary or unreasonable burdens on either party. Violation(s) of the Dean's directive and/or protective actions will constitute related offenses that may lead to additional disciplinary action.

**IV. FORMAL RESOLUTION**

A complainant may elect to pursue a Formal Resolution, which involves a hearing before a panel of the Sexual Misconduct Board, as more particularly described in this section. Such a hearing is also referred to as "Formal Resolution."

A. **The Sexual Misconduct Board.** The Sexual Misconduct Board (or the "Board") is a standing committee composed of faculty and staff appointed by the Vice President, who also appoints the Board Chair. The Board Chair will ensure that all Board members receive annual training in their responsibilities that draws on professional and expert resources.

B. **The Hearing Panel.** Formal Resolution involves a hearing before a panel (the "Panel") of at least three College faculty and/or staff who are members of the Board. The Board Chair will select the Panel and will either serve as the presiding chair or will appoint the presiding chair (or, if the Board Chair is unavailable or otherwise unable to serve, the Vice President will select the Panel and a presiding chair).

C. **Investigation.** When the complainant indicates a desire to pursue Formal Resolution, the Dean will prepare and forward the complaint to the Vice President's Office for an investigation by such person or persons (the "Investigators") designated by the Vice President. The Investigators are typically members of the College’s Threat Assessment Team (TAT) whom have received annual training that draws on professional and expert resources. The Investigators are neutral fact-finders, who, during the course of the investigation, typically conduct interviews with the complainant, the accused student, and each third-party
witness (including expert witnesses, where applicable); visit and take photographs at each relevant site; and, where applicable, coordinate with law enforcement agencies to collect and preserve relevant evidence. The completed investigative report (the "Investigative Report") includes, among other things, summaries of interviews with the complainant, the accused student, and each third-party witness; summaries of interviews with expert witnesses, where applicable; photographs of the relevant site(s) and related logs; other photographic, electronic and forensic evidence; and a detailed written analysis of the events in question. A typical investigation will be completed within sixty (60) days, if not sooner. The Investigative Report will be distributed, concurrently, to both the parties and to the Dean. If a hearing is held, the Board Chair and the Panel will also be provided with a copy of the Investigative Report.

D. Granting/Denying a Hearing. The Investigators will determine whether or not there is good cause to grant a hearing. If the Investigators determine that a hearing should be granted, notice of that determination will be delivered, concurrently, to both parties and to the Dean. The Investigators may specify which alleged violations of this Policy (i.e., which type or types of Sexual Misconduct) and, if applicable, which other, related alleged misconduct (as described in Section II. D, above) will go forward for a hearing. Concurrently with the delivery of the Investigators' notice of the determination that a hearing should be granted, the Investigators may, where the alleged Sexual Misconduct is sufficiently serious in their reasonable discretion, cause a transcript hold to be placed on the accused student's transcript pending final resolution of the complaint.

A complainant whose request for a hearing is denied, and an accused student whose transcripts are subject to a hold, each may appeal that decision to the Vice President, whose decision will be final.

E. Complainant Changes Election to Informal Resolution; Accused Student Elects to Accept Responsibility. After reviewing the Investigative Report, the complainant may decide to elect Informal Resolution instead of Formal Resolution by making such request to the Dean prior to the hearing date. At any time prior to the hearing, the accused student may elect to acknowledge his or her actions and take responsibility for the alleged Sexual Misconduct. In such cases, the Board Chair will propose a resolution to the complaint and a sanction. If both the complainant and the accused student agree to such proposed sanction, the complaint is resolved without a hearing and without any further rights of appeal by either party.

F. Notice of Hearing, Challenges to Panel, Delivery of Notice. If a hearing is granted by the Investigators (or by the Vice President, on appeal), the Board Chair will commence the Formal Resolution process by providing written notice to both parties (the "Notice of Hearing") stating: (1) the date, time, and place of the pre-hearing meeting at which preliminary matters will be discussed, as more fully addressed in Section IV.H, below, and (2) the names of the Board members selected to serve as the Panel. A party wishing to challenge the participation of any Panel member must notify the Board Chair, in writing, within ten (10) calendar days of receipt of the Notice of Hearing, stating the specific reason(s) for the objection. Failure to do so will constitute a waiver of any objection to the composition of the Panel. The Chair will determine whether the challenge has merit and reserves discretion to make changes in the Panel composition at any time. The Notice of Hearing will be delivered, at the Board Chair's discretion, by e-mail or in person, and will be considered effective immediately upon receipt. The hearing will take place promptly following delivery of the Notice of Hearing. The parties are expected to cooperate in the scheduling of the hearing. If either party fails to appear at the scheduled hearing, the Board Chair may postpone the proceedings or direct that the Panel proceed and determine the complaint on the basis of the Investigative Report and any other available information, provided the absent party was duly notified of the scheduled hearing date, as outlined in this section.
G. Advisors to the Parties. Both the complainant and the accused student may have advisors present to support and assist them during the pre-hearing, hearing, and appeal stages of the Formal Resolution process. The names of advisors attending the pre-hearing, hearing or appeal stages must be submitted to the Board Chair at least two calendar days prior to the scheduled proceedings. An advisor may not direct questions to the Panel or witnesses at the hearing but may consult with the student that he or she is assisting. The Board Chair will not allow an advisor's presence to inhibit the parties' sharing of information or the conduct of the hearing.

H. Hearing Procedures.

1. Pre-Hearing Submissions. The parties will provide the Board Chair (or the Panel's presiding officer, hereinafter included within the term "Chair") with a list of witnesses they propose to call and copies of documents and a description of any other information they propose to present at the hearing on or before a date set by the Chair. Evidence of the complainant's past sexual history will not be permitted at the hearing unless it is relevant to the complaint. The Chair will provide each party with a copy of the list of witnesses and identification or copies of documents or other information submitted by each party. In the absence of good cause, as determined by the Chair in his or her sole discretion, the parties may not introduce witnesses, documents, or other information at the hearing that were not provided to the Chair by this deadline. The parties are also responsible for the attendance of their witnesses at the hearing.

2. Pre-Hearing Meeting and Determination of Complaint and Witnesses. The Chair will schedule a pre-hearing meeting prior to the hearing date. At the meeting, the Chair will review hearing procedures with the parties, separately or jointly, at the discretion of the Chair. The Chair will also review the complaint of alleged Sexual Misconduct (and related misconduct, if applicable) and will review the parties’ respective lists of proposed witnesses to assist them in eliminating redundant information. The College reserves the right, through the Chair, (a) to add to or modify the alleged violations specified by the Investigators, pursuant to Section IV.D, above, at the pre-hearing meeting and (b) to add witnesses to the witness lists at the pre-hearing meeting and/or at the hearing.

3. Pre-Hearing Discussion. Once a Board member has been named to a Panel, he or she may not publicly or privately discuss the merits of the complaint with anyone not involved in the proceedings, with the parties themselves, or with anyone acting on the behalf of the parties. The Chair will provide the panelists with a copy of the Notice of Hearing, the Investigative Report, and the list of witnesses submitted by the parties with instruction to avoid any public or private discussion of the merits of the complaint.

4. Legal Counsel. Legal counsel may be present at the hearing on behalf of either party. Such counsel may privately consult with and advise the parties during the preceding but may not examine witnesses or otherwise directly participate on behalf of either party.

5. Panel's Counsel. The Chair and Panel may seek advice from the Virginia Community College System Counsel throughout the hearing process on questions of law and procedure; however, factual determinations are the domain of the Panel.

6. Conduct of the Hearing. The hearing will not follow a courtroom model, and formal rules of evidence will not be observed. Accordingly, for example, the parties may elect to rely upon the statements of witnesses contained in the Investigative Report if such witnesses are unavailable to attend the hearing. The Chair will determine the order of the witnesses and resolve any questions of procedure arising during the hearing. The parties are responsible for ensuring that their proposed witnesses are present. Members of the Panel will review in advance of the hearing all the written materials provided to them by the Chair in accordance with Section IV.H.1, above. The parties will have received or been provided the
opportunity to review and copy these materials during earlier stages of the pre-hearing process. The parties will be expected not to repeat undisputed details or non-material circumstances that would merely duplicate information contained in the Investigative Report or in other written materials. Only the Chair and the Panel may question the individual parties and any witnesses, unless permission is granted by the Chair to modify the questioning process. Both parties or their advisors may ask the Chair to pose additional questions or inquire further into specific matters by submitting these requests in writing or orally, at the discretion of the Chair. If necessary, a brief break may be granted to allow both parties an opportunity to prepare and submit such requests. The Chair is empowered to disallow or reframe any questions that are irrelevant or redundant. After all witnesses have been questioned, each party may make a closing statement and request a short recess to prepare it. If the Panel determines that unresolved issues exist that would be clarified by the presentation of additional information, the Chair may suspend the hearing and reconvene it in a timely manner to receive such additional information. A delay may not be based on the failure of witnesses to appear without good cause or on the proposed introduction of documents or other information that should have been presented at the pre-hearing meeting.

7. Testimony or Participation by the Accused. The accused student has the option not to testify; however, the exercise of that option will not preclude the Panel from proceeding and determining the complaint on the basis of the Investigative Report and other available information. In addition, as indicated in Section IV.F, above, if the accused student fails to appear at the hearing after being duly notified of its place and time, the Chair may postpone the proceedings or direct the Panel proceed and determine the complaint on the basis of the Investigative Report and other available information.

8. Testimony by Closed-circuit Technology. Upon timely request by a party or witness, the College may be able to provide for testimony by closed-circuit technology in appropriate circumstances, including where parties or witnesses are otherwise unable to participate in the hearing. The availability of testimony by closed-circuit technology will be at the sole discretion of the Chair.

9. Recording. The Chair will arrange for the hearing to be recorded and may arrange for the preparation of any transcript of the recording that he or she deems appropriate or which a party requests (upon prompt payment by the requester of the transcription fee). Such recording will be arranged through the Dean's Office.

10. Standard of Proof. The Department of Education's Office of Civil Rights has interpreted Title IX to require schools to evaluate evidence of alleged Sexual Misconduct under a "preponderance of the evidence" standard, and that is the standard adopted by this Policy. A preponderance of the evidence means that the information shows it is "more likely than not" that the accused student violated this Policy. In the context of a hearing hereunder, the accused student will be found to be responsible for the alleged Sexual Misconduct if the Panel, by a unanimous vote, concludes that such Sexual Misconduct more likely than not occurred based upon careful review of all information presented. In making its determination, the Panel shall carefully consider all of the evidence presented and follow the procedures stated in this Policy in order to ensure as fair a hearing as possible for all parties.

11. Impact Statement. If the Panel determines that the accused student is responsible for Sexual Misconduct, i.e., that the Sexual Misconduct more likely than not occurred, the complainant may present the Panel with a statement recommending a sanction (the "Impact Statement"). The responsible student will be provided an opportunity to respond to the Impact Statement. The Panel is not bound by these statements in determining a sanction. Witnesses other than the parties normally are not permitted at the Impact Statement phase of the hearing; however, the Chair reserves discretion to permit the presence of other persons.
12. **Sanction.** The Panel is required to consider suspending or dismissing any student found responsible for Sexual Misconduct; however, the Panel may impose any sanction that it finds to be fair and proportionate to the violation. In determining an appropriate sanction, the Panel may consider any record of past violations of the Standards of Conduct, as well as the nature and severity of such past violation(s). The Panel will also consider, as part of its deliberations, whether the sanction will (a) bring an end to the violation in question, (b) reasonably prevent a recurrence of a similar violation, and (c) remedy the effects of the violation on the complainant and the College community. The sanction decision will be made by the Panel by majority vote. Any sanction imposed will be explained or supported in the written decision of the Panel.

13. **Decision.** The decision of the Panel, including the sanction, if applicable, will be announced to both parties, concurrently, by the Chair at the conclusion of the hearing. In addition, the Chair will provide a copy of the Final Outcome Letter, described in Section IV.H.17, below, to both parties, concurrently, and to the Dean and the Vice President, within ten (10) calendar days following the conclusion of the hearing (or at another time as the Chair may for good cause determine).

14. **Appeals.** Either party may appeal the Panel's decision to the Vice President by notifying the Vice President in writing within fourteen (14) calendar days of the date of the Panel's decision.

15. **Effective Date of Sanction.** Sanctions imposed by the Panel are not effective until the resolution of any timely appeal of the decision to the Vice President. However, if advisable to protect the welfare of the complainant or the College community, the Panel may determine that any probation, suspension, or expulsion be effective immediately and continue in effect until such time as the Vice President may otherwise determine. The Vice President may suspend the determination pending exhaustion of any appeals by the accused student pursuant to Section IV.H.14, above; may allow the accused student to attend classes or to engage in other activity on a supervised or monitored basis; or may make such other modifications to the determination as may be advisable in the sole discretion of the Vice President. The Vice President's decision may not be appealed.

16. **Transcript Notation in Cases of Suspension or Expulsion.** If the Panel imposes a sanction of suspension or expulsion, then, following exhaustion of any appeals by the accused student pursuant to Section IV.H.14, above, the Board Chair will notify the College Registrar to place a notation on the student's transcript reading "Disciplinary Suspension" or "Disciplinary Dismissal," as the case may be.

17. **Privacy of the Hearing Process. Final Outcome Letter.** In order to comply with FERPA and Title IX and to provide an orderly process for the presentation and consideration of relevant information without undue intimidation or pressure, the hearing process is not open to the general public. Accordingly, documents prepared in anticipation of the hearing (including the Investigative Report, the Notice of Hearing, and the pre-hearing submissions referenced in Section IV.H.1, above); documents, testimony, or other information introduced at the hearing; and any transcript of the hearing itself may not be disclosed outside of the hearing proceedings, except as may be required or authorized by law.

In addition to complying with Title IX and FERPA, the College is required to comply with the federal Clery Act. Under the Clery Act, both the complainant and the accused student must be informed of the hearing outcome, and the College may not impose any limitations on the re-disclosure of this information. Accordingly, following the hearing, the Panel will issue a written decision letter (the "Final Outcome Letter"), concurrently, to both the accused student and the complainant. The Final Outcome Letter will set forth, as required by the Clery Act, the name of the accused student; the violation(s) of this Policy for which the accused student was found responsible, if any; any essential findings supporting the Panel's decision on the issue of responsibility; and the sanction imposed, if any. College policy neither
encourages nor discourages the further disclosure of the Final Outcome Letter by either the complainant or the accused student. The College acknowledges that sharing the Final Outcome Letter with others, including family, friends, legal counsel, mental health professionals, and sexual assault advocates or victims, may be a critically important part of a student’s healing process.

V. INFORMAL RESOLUTION

A complainant who wishes to file a formal complaint with the Dean's Office but who does not wish to pursue Formal Resolution may request a less formal proceeding, known as “Informal Resolution,” as more particularly described in this section.

Although less formal than Formal Resolution, Informal Resolution is an appropriate resolution process; it is not mediation. The accused student is expected to attend the Informal Resolution proceeding but is not required to participate.

A. Purpose of Informal Resolution. Informal Resolution provides an opportunity for the complainant to confront the accused student in the presence of and facilitated by a presiding officer, as described in Section V.B, below, and to communicate his or her feelings and perceptions regarding the incident, the impact of the incident, and his or her wishes and expectations regarding protection in the future. The accused student will have an opportunity to respond.

B. Advisors, Presiding Officer. The complainant and the accused student each may bring an advisor to the Informal Resolution. Advisors are assigned and subject to the same restrictions set forth for advisors in Formal Resolution, Section IV.G, outlined above. The Dean of Students will preside over the Informal Resolution.

C. Informal Resolution Where Accused Student Acknowledges Responsibility. If, during the course of the Informal Resolution, the accused student elects to acknowledge his or her actions and take responsibility for the alleged Sexual Misconduct, the Informal Resolution will be concluded and the Dean will propose a sanction. If both the complainant and the accused student agree to such proposed sanction, the complaint will be resolved without any further rights of appeal by either party. If either the complainant or the accused student objects to such proposed sanction, a hearing before the Board will be convened for the exclusive purpose of determining a sanction, which determination is subject to appeal pursuant to Section IV.H.14 hereof. For purposes of this sanction hearing, all of the other provisions of this Policy relating to the imposition of a sanction for Sexual Misconduct shall apply (including, for example, the provision for an Impact Statement and the provisions governing the effective date of the sanction).

D. Informal Resolution Where Accused Student Contests Responsibility. If the accused student contests the complaint of alleged Sexual Misconduct, the Dean may nevertheless impose a protective order agreed upon by the parties, or (with or without such agreement) based on information derived from the Informal Resolution proceedings, taken together with any other relevant information known to the College at the time of the Informal Resolution.

E. Election of Formal Resolution. The College or the complainant may, at any time prior to the conclusion of the Informal Resolution, elect to end such proceedings and initiate Formal Resolution instead. In such cases, statements or disclosures made by the parties in the course of the Informal Resolution may be considered in the subsequent Formal Resolution.
F. Privacy of Informal Resolution. In order to promote honest, direct communication, information disclosed during Informal Resolution must remain private while the Informal Resolution is pending, except where disclosure may be required by law or authorized in connection with duties on behalf of the College.

AMENDMENTS

This Policy may be amended, in writing, by the President or the President's designee at any time.
STUDENT SUBSTANCE ABUSE POLICY

INSTITUTIONAL RESPONSIBILITY

The College believes that it has a responsibility to create, enforce, and constantly monitor an institutional policy on substance abuse prevention and that all students, faculty, and staff are expected to know and adhere to this policy.

The possession, use, manufacture, sale, and/or distribution of illegal drugs and other controlled substances by students, faculty, or staff at John Tyler Community College will not be tolerated. All actions consistent with the law and individual privacy will be taken by the College to eliminate drugs on the campuses and to deal fairly with individuals found in violation of both Virginia’s statutes and federal laws pertaining to such substances.

RESPONSIBLE AND LEGAL USE OF ALCOHOLIC BEVERAGES

John Tyler Community College neither encourages nor discourages the use of alcoholic beverages but rather discourages the abusive use of alcohol. Further, the College expects that all deliberations concerning the availability of alcoholic beverages at any officially designated College activity will include a full and realistic discussion of the appropriateness of such consumption. Individual members of the College community are responsible for their decisions concerning their use of alcohol, as well as their behavior as a consequence of these decisions.

All members of the College community are expected to know and act in accordance with the Commonwealth of Virginia laws and institutional regulations concerning the purchase, possession, consumption, sales, and storage of alcoholic beverages. Persons who violate these laws and regulations are subject to prosecution and College disciplinary action.

The College assumes no responsibility for any liability incurred at an event, not sponsored by the College, where alcohol is served and/or sold. Students and recognized student organizations are always expected to conduct themselves in accordance with the laws of the Commonwealth of Virginia and to assume full responsibility for their actions, activities, and events.

SPECIFIC AREAS OF EMPHASIS

1. The State Board for Community Colleges has delegated to each individual College’s Board the responsibility for taking action on requests to serve beer at student-associated community college functions. Such requests must be submitted to the dean of student services who will forward each request with his or her recommendation to the president of the College. The president, after reviewing the specific nature of the function, may approve or reject the request.

2. College funds may be used only for the purchase of alcoholic beverages to be served and/or sold at an approved College activity for which a one-day banquet license to serve beer or wine has been obtained in accordance with the conditions established by the State Alcoholic Beverage Control Board.

3. Non-alcoholic beverages and food items must be present at all College-sponsored events where alcoholic beverages are served.
4. Alcoholic beverages must never be mentioned in the advertising or publicizing of a College-sponsored event.
5. Organizations serving alcohol at College-sponsored events should not permit the entry or exit of persons with beverage containers.
6. Organizations should check for proper age identification of individuals attending events where alcohol is served and implement a process that visually identifies those participants of legal drinking age.
7. Any organization, as well as its leadership, sponsoring an event at the College will be responsible for following all State laws relative to the serving and/or selling of alcoholic beverages.
8. College community members are expected to know and adhere to the following:
   a. Any sale of alcoholic beverage requires an ABC license.
   b. Alcoholic beverages are not to be given or sold to persons under the legal drinking age of twenty-one.
   c. Alcoholic beverages are not to be given or sold to persons who are intoxicated.
   d. State law prohibits the following: drinking in public, possession of an alcoholic beverage by a person under the legal drinking age, falsely representing one’s age for the purpose of procuring alcohol, and purchasing an alcoholic beverage for a person who is under the legal drinking age.

**DRUG ENFORCEMENT PRACTICES**

Possession, use, manufacture, sale and distribution of illegal substances are crimes. John Tyler Community College will cooperate with law enforcement authorities to enforce current statutes. Students, faculty, and staff may be subject to prosecution by civil authorities for violations of these laws. Penalties may be severe, including the loss of civil rights.

Illegal involvement with drugs and/or the unauthorized purchase, consumption, possession, sale or distribution of alcohol on the campus also will result in disciplinary action by the College. Students who engage in such illegal activity are subject to disciplinary actions as defined in the Student Rights and Responsibilities section of this handbook. Such actions could result in dismissal from the College.

**SUBSTANCE ABUSE EDUCATION AND PREVENTION**

Students, faculty, and staff should recognize that substance abuse interferes with their abilities to succeed academically and professionally. Substance abuse poses numerous threats to human health and can kill. It is also contrary to what institutions of higher learning strive to attain: development of individual character, attainment of human potential, informed and responsible citizenry, and respect for the laws and norms governing society.

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol cause marked impairments in higher mental functions, severely altering a person’s ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol
withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

The College will annually present programs on the dangers of substance abuse. Students, College personnel, and members of the community will be encouraged to participate in these educational programs.

**SUBSTANCE ABUSE COUNSELING AND REFERRAL**

The College will establish and actively publicize a system whereby students who think that they are at risk of drug or alcohol abuse can have access to appropriate counseling and referral services. The environment will be one in which a student may discuss substance abuse problems openly and without fear of reprisal. To the extent permissible by law, student confidentiality will be protected. The College also will establish an employee assistance program for faculty and classified staff working at the institution. Information on the State Employee Assistance Service and similar referral sources will be distributed in each segment of the College. The College’s Human Resources Office will implement a program of supervisor training that addresses the special skills required for effective counseling and referral and discusses the issue of confidentiality.

The College will maintain a close working association with community agencies that provide counseling and treatment for substance abuse. The Counseling Centers and the Human Resources Office will establish and make available to students, faculty, and staff information about these agencies, organizations, and hospitals.

**VIRGINIA LAWS PERTAINING TO ALCOHOL & CONTROLLED SUBSTANCES**

**ALCOHOL**

Virginia’s Alcoholic Beverage Control Act contains a variety of laws governing the possession, use, and consumption of alcoholic beverages. The Act applies to the students and employees of this institution. As required by the Federal Drug-Free Schools and Communities Act of 1989, the pertinent laws, including sanctions for their violation are summarized below.

1. It is unlawful for any person under age 21 to purchase or possess any alcoholic beverage. Violation of the law exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to twelve months and a fine up to $2,500, either or both. Additionally, such person’s Virginia driver’s license may be suspended for a period of not more than one year.
2. It is unlawful for any person to sell alcoholic beverages to persons under the age of 21 years of age. Violation of the law exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to twelve months and a fine up to $2,500, either or both.
3. It is unlawful for any person to purchase alcoholic beverages for another when, at the time of the purchase, he knows or has reason to know that the person for whom the alcohol is purchased is under the legal drinking age. The criminal sanction for violation of the law is the same as #2 above.
4. It is unlawful for any person to consume alcoholic beverages in unlicensed public places. Persons violating the law, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is a fine up to $250.

CONTROLLED SUBSTANCES AND ILLICIT DRUGS

The unlawful possession, distribution, and use of controlled substances and illicit drugs, as defined by the Virginia Drug Control Act, are prohibited in Virginia. Controlled substances are classified under the Act into "schedules," ranging from Schedule I through Schedule VI, as defined in sections 54.1-3446 through 54.1-3456 of the Code of Virginia (1950), as amended. As required by the Federal Drug-Free Schools and Communities Act of 1989, the pertinent laws, including sanctions for their violation, are summarized below.

1. Possession of a controlled substance classified in Schedule I or II of the Drug Control Act, upon conviction, exposes the violator to a felony conviction for which the punishment is a term of imprisonment ranging from one to ten years, or, in the discretion of the jury or the court trying the case without a jury, confinement in jail for up to twelve months and a fine up to $2,500, either or both.

2. Possession of a controlled substance classified in Schedule III of the Drug Control Act, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to twelve months and a fine up to $2,500, either or both.

3. Possession of controlled substance classified in Schedule IV of the Drug Control Act, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to six months and a fine up to $1,000, either or both.

4. Possession of controlled substance classified in Schedule V of the Drug Control Act, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is a fine up to $500.

5. Possession of a controlled substance classified in Schedule VI of the Drug Control Act, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is a fine up to $250.

6. Possession of a controlled substance classified in Schedule I or II of the Drug Control Act with the intent to sell or otherwise distribute, upon conviction, exposes the violator to a felony conviction for which the punishment is imprisonment from five to forty years and a fine up to $100,000. Upon a second conviction, the violator must be imprisoned for not less than five years but may suffer life imprisonment and fined up to $100,000.

7. Possession of a controlled substance classified in Schedules III, IV or V of the Drug Control Act with the intent to sell or otherwise distribute, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to one year and a fine up to $2,500, either or both.

8. Possession of marijuana, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to thirty days and a fine up to $500, either or both. Upon a second conviction, punishment is confinement in jail for up to one year and a fine up to $2,500, either or both.

9. Possession of less than one-half ounce of marijuana with intent to sell or otherwise distribute, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to one year and a fine up to $2,500, either or both. If the amount of marijuana involved is more than one-half ounce to five pounds, the crime is a felony with a
sanction of imprisonment from one to ten years, or in the discretion of the jury or the court trying the case without a jury, confinement in jail for up to one year and a fine up to $2,500, either or both. If the amount of marijuana involved is more than five pounds, the crime is a felony with a sanction of imprisonment from five to thirty years.
VCCS COMPUTER ETHICS POLICY

Thousands of users share VCCS Information Technology resources. Everyone must use these resources responsibly since misuse by even a few individuals has the potential to disrupt VCCS business or the work of others. Therefore you must exercise ethical behavior when using these resources.

State Law (Article 7.1 of Title 18.2 of the Code of Virginia) classifies damage to computer hardware or software (18.2-152.4), invasion of privacy (18.2-152.5), or theft of computer services (18.2-152.6) or computer systems as (misdemeanor) crimes. Computer fraud (18.2-152.3) and use of a computer as an instrument of forgery (18.2-152.14) can be felonies. The VCCS's internal procedures for enforcement of its policy are independent of possible prosecution under the law.

DEFINITION
VCCS information technology resources include mainframe computers, servers, desktop computers, notebook computers, handheld devices, networks, software, data files, facilities, and the related supplies.

STANDARDS
The following standards shall govern the use of all VCCS information technology resources:

1. All users of VCCS IT resources must adhere to Virginia Department of Human Resource Management Policy 1.75 – Use of Internet and Electronic Communication Systems.

2. You must use only those computer resources that you have the authority to use. You must not provide false or misleading information to gain access to computing resources. The VCCS may regard these actions as criminal acts and may treat them accordingly. You must not use VCCS IT resources to gain unauthorized access to computing resources of other institutions, organizations, individuals, etc.

3. The System Office and colleges reserve the right (with or without cause) to monitor, access and disclose all data created, sent, received, processed, or stored on VCCS systems to ensure compliance with VCCS policies and federal, state, or local regulations. College or System Office officials will have the right to review and/or confiscate (as needed) any equipment (COV owned or personal) connected to a COV-owned device or network.

4. The System Office and Colleges shall use an authorized COV warning banner to communicate that IT systems and their use may be monitored and/or confiscated by authorized personnel; and there is no expectation of privacy when using a Commonwealth IT system.

5. Require acknowledgment that monitoring of IT systems and data may include, but is not limited to, network traffic; application and data access; keystrokes (only when required for security investigations and approved in writing by the Agency Head); user commands; e-mail and Internet usage; and message and data content.

6. Local Administrator rights, or the equivalent, on non-Microsoft Windows-based IT systems shall be limited to only authorized staff as appropriate to prevent users from:
a. Installing or using proprietary encryption hardware/software on VCCS systems;
b. Tampering with security controls configured on their workstations;
c. Installing personal software on a VCCS system;
d. Adding hardware to, removing hardware from, or modifying hardware on a VCCS system.

7. You must not authorize anyone to use your computer accounts for any reason. You are responsible for all use of your accounts. You must take all reasonable precautions, including password maintenance and file protection measures, to prevent use of your account by unauthorized persons. You must not, for example, share your password with anyone.

8. The transmission of unencrypted sensitive data over the internet shall be prohibited unless properly encrypted and approved by the agency head. When connected to internal networks from COV guest networks or non-COV networks, data transmission shall only use full tunneling and not use split tunneling.

9. You must use your computer resources only for authorized purposes. Students or staff, for example, may not use their accounts for private consulting or to support a personal business venture. You must not use your computer resources for unlawful purposes, such as the installation of fraudulently or illegally obtained software. Use of external networks connected to any VCCS facility must comply with the policies of acceptable use promulgated by the organizations responsible for those networks. The VCCS shall document the user’s acceptance of the System Office or college Acceptable Use Policy before or as soon as practicable after, gaining access to VCCS IT systems.

10. Other than material known to be in the public domain, you must not access, alter, copy, move or remove information, proprietary software or other files (including programs, members of subroutine libraries, data and electronic mail) without prior authorization.

11. The data owner, data custodian, security officer, appropriate college official or other responsible party may grant authorization to use electronically stored materials in accordance with policies, copyright laws and procedures.

12. You must not distribute or disclose third party proprietary software without prior authorization from the licenser. You must not install proprietary software on systems not properly licensed for its use.

13. You must not use any computing facility irresponsibly or needlessly affect the work of others. This includes transmitting or making accessible offensive, annoying or harassing material. This includes intentionally, recklessly, or negligently damaging systems, intentionally damaging or violating the privacy of information not belonging to you. This includes the intentional misuse of resources or allowing misuse of resources by others. This includes loading software or data from untrustworthy sources, such as free-ware, onto official systems without prior approval.

14. You should report any violation of these regulations by another individual and any information relating to a flaw or bypass of computing facility security to the Information Technology Services Center or the Information Security Officer.
15. You must not use the Commonwealth’s Internet access or electronic communication in cases where it:

   a. interferes with the user’s productivity or work performance, or with any other employee’s productivity or work performance;
   b. adversely affects the efficient operation of the computer system;
   c. results in any personal gain or profit to the user;
   d. violates any provision of this policy, any supplemental policy adopted by the agency supplying the Internet or electronic communication systems, or any other policy, regulation, law or guideline as set forth by local, State or Federal law. (See Code of Virginia §2.1-804-805; §2.2-2827 as of October 1, 2001.)

Note: Any user of VCCS IT resources employing the Commonwealth’s Internet or electronic communication systems for personal use must present their communications in such a way as to be clear that the communication is personal and is not a communication of the agency or the Commonwealth.

ENFORCEMENT PROCEDURE

1. Faculty, staff, students, and patrons at the college or System Office should immediately report violations of information security policies to the Information Technology Services Center (ITSC).

2. If the accused is an employee, the Director of ITSC will collect the facts of the case and identify the offender. If, in the opinion of the Director of ITSC, the alleged violation is of a serious nature, the Director of ITSC will notify the offender's supervisor. The supervisor, in conjunction with the College or System Human Resources Office and the Director of ITSC, will determine the appropriate disciplinary action. Disciplinary actions may include but are not limited to:

   a. Temporary restriction of the violator's computing resource access for a fixed period of time, generally not more than six months.
   b. Restitution for damages, materials consumed, machine time, etc. on an actual cost basis. Such restitution may include the cost associated with determining the case facts.
   c. Disciplinary action for faculty and classified staff in accordance with the guidelines established in the State Standards of Conduct Policy.

3. In the event that a student is the offender, the accuser should notify the vice president of Student Affairs. The VP, in cooperation with the Director of ITSC, will determine the appropriate disciplinary actions which may include but are not limited to:

   a. Temporary restriction of the violator's computing resource access for a fixed period of time, generally not more than six months.
   b. Restitution for damages, materials consumed, machine time, etc. on an actual cost basis. Such restitution may include the cost associated with determining the case facts.
   c. Disciplinary action for student offenders shall be in accordance with the college student standards of conduct.

4. The College president or designee will report any violations of state and federal law to the appropriate authorities.
5. All formal disciplinary actions taken under this policy are subject to the Commonwealth’s personnel guidelines and the accused may pursue findings through the appropriate grievance procedure.

INFORMATION TECHNOLOGY STUDENT/PATRON ACCEPTABLE USE AGREEMENT

By using the College or System Office technology resources, you acknowledge this agreement and hereby certify that you understand the following terms and provisions and that you accept the responsibility of adhering to the same. You further acknowledge that should you violate this agreement, you will be subject to disciplinary action.

As a user of the Virginia Community College System's local and shared computer systems, I understand and agree to abide by the following acceptable use agreement terms. These terms govern my access to and use of the information technology applications, services and resources of the VCCS and the information they generate.

The college has granted access to me as a necessary privilege in order to perform authorized functions at the institution where I am currently enrolled. I will not knowingly permit use of my entrusted access control mechanism for any purposes other than those required to perform authorized functions related to my status as a student. These include logon identification, password, workstation identification, user identification, digital certificates or 2-factor authentication mechanisms.

I will not disclose information concerning any access control mechanism unless properly authorized to do so by my enrolling college. I will not use any access mechanism that the college has not expressly assigned to me. I will treat all information maintained on the college computer systems as strictly confidential and will not release information to any unauthorized person.

Computer software, databases, and electronic documents are protected by copyright law. A copyright is a work of authorship in a tangible medium. Copyright owners have the sole right to reproduce their work, prepare derivatives or adaptations of it, and distribute it by sale, rent, license lease, or lending and/or to perform or display it. A student must either have an express or implied license to use copyrighted material or data, or be able to prove fair use. Students and other users of college computers are responsible for understanding how copyright law applies to their electronic transactions. They may not violate the copyright protection of any information, software, or data with which they come into contact through the college computing resources. Downloading or distributing copyrighted materials such as documents, movies, music, etc. without the permission of the rightful owner may be considered copyright infringement, which is illegal under federal and state copyright law. Use of the college’s network resources to commit acts of copyright infringement may be subject to prosecution and disciplinary action.


I agree to abide by all applicable state, federal, VCCS, and college policies, procedures and standards that relate to the Virginia Department of Human Resource Management Policy 1.75 – Use of Internet and Electronic Communication Systems, VCCS Information Security Standard and the VCCS Information Technology Acceptable Use Standard. These include, but are not limited to:
1. Attempting to gain access to information owned by the college or by its authorized users without the permission of the owners of that information;
2. Accessing, downloading, printing, or storing information with sexually explicit content as prohibited by law or policy;
3. Downloading or transmitting fraudulent, threatening, obscene, intimidating, defamatory, harassing, discriminatory, or otherwise unlawful messages or images;
4. Installing or downloading computer software, programs, or executable files contrary to policy;
5. Uploading or downloading copyrighted materials or proprietary agency information contrary to policy;
6. Sending e-mail using another’s identity, an assumed name, or anonymously;
7. Attempting to intercept or read messages not intended for them;
8. Intentionally developing or experimenting with malicious programs (viruses, worms, spy-ware, keystroke loggers, phishing software, Trojan horses, etc.) on any college–owned computer;
9. Knowingly propagating malicious programs;
10. Changing administrator rights on any college-owned computer, or the equivalent on non-Microsoft Windows based systems;
11. Using college computing resources to support any commercial venture or for personal financial gain.

Students must follow any special rules that are posted or communicated to them by responsible staff members, whenever they use the college computing laboratories, classrooms, and computers in the Learning Resource Centers. They shall do nothing intentionally that degrades or disrupts the computer systems or interferes with systems and equipment that support the work of others. Problems with college computing resources should be reported to the staff in charge or to the Information Technology Help Desk.

If I observe any incidents of non-compliance with the terms of this agreement, I am responsible for reporting them to the Information Security Officer and/or management of my college.

I understand that I must use only those computer resources that I have the authority to use. I must not provide false or misleading information to gain access to computing resources. The VCCS may regard these actions as criminal acts and may treat them accordingly. I must not use VCCS IT resources to gain unauthorized access to computing resources of other institutions, organizations, individuals, etc.

The System Office and colleges reserve the right (with or without cause) to monitor, access and disclose all data created, sent, received, processed, or stored on VCCS systems to ensure compliance with VCCS policies and federal, state, or local regulations. College or System Office officials will have the right to review and/or confiscate (as needed) any equipment (COV owned or personal) connected to a COV owned device or network.

I understand that it is my responsibility to read and abide by this agreement, even if I do not agree with it. If I have any questions about the VCCS Information Technology Acceptable Use Agreement, I understand that I need to contact the college Information Security Officer or appropriate college official.
CAMPUS SAFETY AND SECURITY

FREEDOM AND RESPONSIBILITY

John Tyler Community College affords you considerable freedom to develop or redefine your lifestyle. You are encouraged to get your own schedule, develop new friendships, and manage the complexities of home, classroom, and work. Faculty, staff and other students provide a support network, but ultimately you must make your own decisions. With this freedom comes increased responsibility for your coursework, your co-curricular involvements, and the security of you and your fellow students. Security at John Tyler Community College is the shared responsibility of students, faculty, and staff. Our institution has an excellent record of safety and security, but the campus will remain safe only if we take our responsibilities to ourselves and others seriously.

BEING SAFE AROUND CAMPUS

You can help maintain safety for everyone at JTCC by following some simple common sense tips:

1. Walk with a friend when you leave evening classes. If a companion is unavailable, stay in lighted areas and be aware of who is in your general vicinity and what is going on around you. If you feel uncomfortable or notice something that is unusual, ask one of the security guards to escort you to your car.

2. Know the people who offer you rides or invite you to visit them off campus.

3. Be aware and concerned about the use and abuse of alcohol or other drugs. Sexual abuses and other violent acts occur more often when people are under the influence of alcohol or other drugs. The College complies with the Drug-Free Schools and Communities Act in specifically discouraging violations of alcohol and drug laws. Please refer to the College policies on Substance Abuse, Sexual Assault, and Sexual Harassment defined in this handbook for additional information on these matters.

4. Do not let yourself be a threat to safety. Remember that violence is an unacceptable means to conflict resolution. Student Affairs personnel are always ready to help you and other students find effective, non-violent ways to resolve disagreements.

5. Take advantage of information programs offered by Campus Security and the Division of Student Affairs. Discussions on security awareness and crime prevention, substance abuse, sexual harassment, and victims’ rights are addressed in special programs and in student orientation classes. This type of information could make a difference for you or a friend in a crisis.

6. Pay attention to campus-wide memos and classroom announcements that concern a potential threat to your security. Such proclamations fortunately are rare, but they may contain information crucial to your safety.

7. Remember that the campus is accessible by foot from any direction at any time. While the nearby off-campus areas may appear relatively secure and safe, threats can arise from people and circumstances at any time and any place.
THREAT ASSESSMENT TEAM

Purpose and Mission of the Threat Assessment Team
John Tyler is concerned about the safety, health and well-being of all of its students, faculty and staff. The College has policies regarding the well-being for all members of the John Tyler community, including policies which address activities disruptive to the mission of the College as well as any suicidal or self-injurious threats or behaviors.

In adherence to Virginia Code 23-9.2:10, JTCC has established a Threat Assessment Team (TAT), comprised of representatives of Student Affairs, Security Services, Human Resources and faculty with experience in counseling/mental health. The team meets on a regular basis under the leadership of the dean of students and the security manager.

The TAT is charged with addressing all reported behavioral incidents that occur on a John Tyler campus; at an off-site location; or on an electronic site, including e-mail, blogs, and Blackboard postings. The TAT will ensure every referral is addressed.

The mission of the JTCC Threat Assessment Team is to facilitate a safe college community through a coordinated, systemic, collaborative, objective, unbiased, thoughtful, proactive approach with strong emphasis on prevention through identification of the potential threats, assessments of said threats, interventions, management and follow up of any and all situations that pose or are thought to pose potential threats to the safety and well-being of individuals on campus as well as to the College community.

EMERGENCY QUICK REFERENCE

IN THE EVENT OF AN EMERGENCY
Call 911, or call the appropriate security number below. Note: If you call 911, you must still report the incident to College Security Services. You may also contact College Security Services by using one of the emergency call boxes located in each building on the Chester and Midlothian campuses.

COLLEGE SECURITY INFORMATION
If using a campus phone, dial 9 first to get an outside line. NOTE: If your call is not immediately answered, do not hang up. The security officer may be handling other calls or may be away from the desk. If he/she is away from the desk, your call will forward to the cell phone carried by the officer.

Chester Campus
796-4025
Desk locations: Moyar Hall – 1st floor (beside M101)
Nicholas Student Center – inside main entrance

Midlothian Campus
897-6678
Desk locations: Administration Bldg. – atrium
Eliades Hall – 2nd floor (next to E215)
Hamel Hall – 1st floor (near H109)
JTCC Nursing Education Center
622-8730
Desk location: inside main entrance

CCWA – Featherstone
897-6678 (Midlothian Security Services)
440-2447 (Featherstone – only use on nights and weekends when classes are being held)

POWER OUTAGE AND TELEPHONE USE
If an emergency occurs that causes a power outage, campus phones may not operate. In such a case, if you need to report emergency information, the following locations have phones that will work:

Chester - Nicholas Student Center Security Desk
Midlothian – Administration Building Security Desk
Nursing Education Center – Reception Area

EMERGENCY NOTIFICATION
John Tyler Community College uses the following tools to notify employees, students and the public of an emergency situation: Tyler Alert, fire alarms, public address system, e-mail, employee voicemail, indoor security call boxes, electronic bulletin boards, web site (www.jtcc.edu), security staff, area emergency coordinators, Facebook, Twitter and media outlets.

TYLER ALERT
Tyler Alert is one of the notification tools the College will use to alert students, faculty and staff of an emergency situation and of closings and delays due to inclement weather. Tyler Alert allows the College to send urgent text messages and e-mails to those who are registered in the system. This is a voluntary system, so if you would like to receive these messages, you must register at www.jtcc.edu/tyleralert. You may register multiple devices – such as cell phones, Blackberrys, PDAs – as well as e-mail addresses. There is no fee to register for Tyler Alert, but your carrier may charge fees for receiving messages on your wireless device. If you need technical assistance, please call 804-706-5096 or e-mail tyleralert@jtcc.edu.

EVACUATION OF BUILDING(S)
If a fire alarm sounds or you are ordered to evacuate by security, leave the building by the nearest marked exit (noted on the evacuation maps posted in each room). Do not use elevators. Unless otherwise instructed, you should proceed to the following locations:

Chester Campus
Bird Hall – Parking Lot F
Facilities – Parking Lot H
Godwin Hall – Parking Lot C
Goyne Hall – Parking Lot A
Moyar Hall – Parking Lot F
Nicholas Student Center – Parking Lot A
Trailers near Bird – Parking Lot F
Trailers near Nicholas – Parking Lot A

Midlothian Campus
Administration Building – Parking Lot C
Eliades Hall – Parking Lot A
Facilities – Parking lot next to Facilities building
Hamel Hall – Parking Lot D

**JTCC Nursing Education Center**
Front parking lot, assembling as close as possible to Johnston-Willis Drive

**CCWA – Featherstone**
Parking lot in front of building toward Huguenot Road

**SEVERE WEATHER/TORNADO WARNINGS**
In the case of severe weather, you may be instructed to proceed to the College’s severe weather shelters.
Go to the shelter closest to where you are at the time of the warning.

**Chester Campus**
Bird Hall – B124, B132
Facilities – Moyar Hall, M114
Godwin Hall – G125, G128
Goyne Hall – Bird Hall, B124, B132
Moyar Hall – M122, M130, M134, M136
Nicholas Student Center – N102, N102a
Trailers near Bird – Bird Hall, B102, B104, B116
Trailers near Nicholas – Nicholas Student Center, N102, N102a

**Midlothian Campus**
Administration Building – B115b, 1st floor hallway next to Career Center
Eliades Hall – E113, E115, E117
Facilities – Restrooms
Hamel Hall – H105, H107, H109

**JTCC Nursing Education Center**
J114, J129, interior office behind receptionist desk

**CCWA – Featherstone**
F101, F108b, restrooms in suite F116

**Earthquakes**
If an earthquake occurs, immediately take the following steps:
   If you are indoors:
   • Drop to the ground.
   • Take cover by getting under a sturdy desk or table.
   • Hold on until the shaking stops.

   If you are outdoors: Move quickly away from buildings, utility poles and other structures.

   If you are in an automobile: Stop in the safest place available, preferably away from power lines and trees, and stay in your vehicle for shelter.

   After the earthquake stops, College personnel will examine JTCC’s facilities to determine if evacuations are needed.
**LOCKDOWN**

Certain emergency situations may require the College to go on lockdown. If a lockdown is issued, you must remain in your office or classroom and lock or barricade all doors and windows. You must remain in place until an all clear is given by the incident commander or authorized College personnel.

**FIRE**

In the case of a fire, follow these steps as you evacuate the building:

- If it can be done safely, close all windows and internal doors.
- If you are in an area filled with smoke, drop to the floor, and keep your head no more than 8 – 12 inches off the floor.
- Before opening any door, feel it for heat. Do not open doors that are hot.
- Do not use elevators.

**BOMB THREAT OR SUSPICIOUS DEVICE/PACKAGE FOUND**

If you find a suspicious device/package, do not attempt to pick up the device/package. Do NOT sound the fire alarm, use 2-way radios or use cell phones as they may trigger an explosive device. Evacuate the immediate area, and report the device to the nearest security officer. Should you receive a phoned-in bomb threat, try to get as much information as possible from the caller, and immediately report the call to Security Services.

**HAZARDOUS SPILL**

In the event of a hazardous or suspected hazardous spill, secure the area, notify the nearest College faculty or staff member, who will then report the incident to Security Services.

**SUSPICIOUS/DISRUPTIVE PERSON ON CAMPUS**

If you have reason to believe that a person at a John Tyler facility may represent a potential danger to himself/herself or others or if you have concerns about a person or his/her behavior, please report your concerns to the Threat Assessment Team. An incident report may be found at www.jtcc.edu/tat. If the threat is immediate, call 911 or College Security Services.

**ACTIVE SHOOTER**

**Active Shooter**

If an active shooter is in your vicinity, quickly determine the most reasonable way to protect your life.

1. Evacuate the area if possible.
   - Have an escape route and plan in mind before attempting to evacuate.
   - Leave your belongings behind.
   - Keep your hands visible.
2. If it is too dangerous to leave the area, hide.
   - Do not remain in an open hallway or area.
   - Hide in an area out of the shooter’s view.
   - Block entry to your hiding place by barricading and/or locking the doors.
   - Silence your cell phone and/or pager.
3. Take action as a last resort and only if your life is in imminent danger.
   - Attempt to incapacitate the shooter.
   - Act with physical aggression and throw items at the active shooter.

Call 911 when it is safe to do so.

*Please note, the previous information cannot cover every possible situation that might occur.*
AUTOMATED EXTERNAL DEFIBRILLATOR LOCATIONS

**Chester Campus**
Bird Hall – outside B120
Facilities
Godwin Hall – wall outside restrooms
Goyne Hall – outside A101
Moyar Hall – behind security desk (1st floor), outside M216 (2nd floor)
Nicholas Student Center – behind security desk

**Midlothian Campus**
Administration Building - behind security desk (1st floor), next to stairwell (2nd floor)
Eliades Hall – outside E117 (1st floor), outside E217 (2nd floor), outside E321 (3rd floor)
Facilities
Hamel Hall – outside H110 (1st floor), outside H206 (2nd floor), outside H320 (3rd floor)

**JTCC Nursing Education Center**
Inside main entrance

**Featherstone – CCWA**
Hallway in front of F115

FIRST AID KITS

**Chester Campus**
Moyar Hall – security officer’s desk
Nicholas Student Center – security officer’s desk
Facilities

**Midlothian Campus**
Administration Building – Lobby (security officer’s desk)
Facilities

KEY PEOPLE TO CONTACT

**Security Staff**
Chester Campus: Nicholas Student Center, 804-796-4025
Midlothian Campus: Administration Building, 804-897-6678

**Security Manager**
Frank Medaglia: 804-594-1414 (Midlothian) or 804-706-5017 (Chester)

**Chesterfield County Police Department**
Emergency: 911
Non-Emergency: 804-748-1251
POLICY ON WEAPONS

Purpose
The purpose of this policy is to promote a safe learning and working environment for all College locations by minimizing the risk of violence by use of a weapon. This policy provides rules and procedures for the possession of weapons on campus grounds, in campus buildings, and at campus events. It is consistent with the Virginia Administrative Code: 95-10-10, http://lis.virginia.gov/cgi-bin/legp604.exe?000+reg+8VAC95-10-10 adopted by the State Board for Community Colleges, Policy 3.14.6, Workplace Violence Prevention and Threat Assessment Policy Guidelines of the Virginia Community College System, http://www.vccs.edu/LinkClick.aspx?fileticket=Ie9xGSUmjtg%3d&tabid=103 and the laws and regulations of the Commonwealth of Virginia. This policy applies to all faculty, staff, students, contractors, and visitors entering campus buildings or attending College-sponsored events.

Authority

Policy
Possession or carrying of any weapon by any person, except a police officer, is prohibited on College property in academic buildings, administrative office buildings, student centers, child care centers, dining facilities and places of like kind where people congregate, or while attending any College-sponsored sporting, entertainment or educational events. Entry upon the aforementioned college property in violation of this prohibition is expressly forbidden.

Faculty, staff, and students may not possess or carry any weapon anywhere on college property except as outlined in 8VAC95-10-30 Exceptions to Prohibition, http://lis.virginia.gov/cgi-bin/legp604.exe?000+reg+8VAC95-10-30 and those listed below.

Exceptions
Current sworn and certified local, state, and federal law enforcement officers with proper identification, may possess or carry a weapon on College property, inside all campus buildings, and at all campus events.

Faculty, staff, and students may secure handguns, rifles, and shotguns in a compartment or container of parked vehicles. Faculty, staff, and students who wish to secure a handgun in their vehicle must possess a valid concealed handgun permit. The compartment or container may be a trunk or other storage area. At no time shall a weapon be visible in plain view while inside a vehicle.

Visitors and contractors may secure handguns, rifles, and shotguns in parked vehicles. Visitors and contractors are encouraged to secure weapons in the trunk of vehicles or otherwise out of sight of passersby. If visitors and contractors store handguns in a parked vehicle, the handgun must be secured in a compartment or container inside the vehicle.
The College Security Chief may authorize in writing for a person to possess, store, or use a weapon according to the Guideline Information below.

**Procedures**

If a campus security officer observes or receives a report of a violation of this policy, campus security will direct the individual to leave the campus building or event immediately. The individual may secure the weapon inside his or her vehicle and return. In the event the individual fails to comply, campus security will take appropriate action, to include contacting local police. In cases involving an immediate threat of violence, members of the campus community are encouraged to call 911 immediately. Campus security will take appropriate action, to include contacting local police.

Persons observed on the open grounds of the campus (streets, sidewalks, and other open areas on College property) may be asked by campus security to identify his or her relationship with the College to confirm whether a violation of this policy has occurred (i.e., determine whether the individual is a student, employee, or visitor). If the individual is a visitor who intends to enter a campus building or event where weapons are prohibited, campus security shall advise that, pursuant to regulation, it is unlawful to enter such places while possessing or carrying a weapon. The individual shall be advised to secure the weapon inside his or her vehicle prior to entering the building or event.

**Violation of Policy**

Students violating this policy will be subject to disciplinary action as outlined in their respective College Student Handbook, (http://www.jtcc.edu/about/publications/) and other College policies as appropriate.

Employees violating this policy may be subject to disciplinary action up to and including termination and criminal prosecution using existing policies and procedures including Section 3 of the VCCS Policy Manual, (http://www.vccs.edu/Portals/0/ContentAreas/PolicyManual/Sct3.pdf) or DHRM Policy 1.60, Standards of Conduct, (http://www.dhrm.state.va.us/hrpolicy/web/pol1_60.pdf).

Visitors and contractors in violation of the prohibitions on the possession of weapons are subject to arrest and may be barred from the campus.

**Guidelines for the Approval of Exceptions to the Prohibitions of Weapons**

Pursuant to 8 Va. Admin. Code  95-10-30, the chief of the college police department or head of security department, or his designee, may authorize in writing a person to possess, store, or use a weapon: (i) when used for educational or artistic instruction, display, parade, or ceremony sponsored or approved by the college (unloaded or disabled only and with other specified safeguards, if appropriate); or (ii) for any college-approved training, course, or class.

Authorization for the above purposes shall be given in accordance with the following guidelines:

1. Authorization shall not be unreasonably withheld. In other words, there must be a specific and concrete reason(s) for denial. The reason(s) for denial must be based on a concern for the safety of the college community.

2. Colleges may require a prior written request for authorization, but such prior written request must not be unreasonably long or unduly burdensome. The advance prior written request must be necessary to promote public safety and the safe operation of the campus.
3. Reasons for denial shall be limited to: (1) a lack of sufficient safeguards for weapon(s); (2) insufficient information from the requester in order to determine whether the event, activity, or course, etc., will be carried out safely; (3) the request for the time, day, place, etc. is likely to cause unsafe or disruptive conditions (in this case, the college should allow alternative dates and times when available); (4) the program, event, or activity has not been approved by the college; and, (5) any other reason of like kind.

4. In addition to the logistical information for the event (date, time, place, etc.), colleges shall require the written request to contain the following information: (1) the written authorization from the college president or designee approving the course or event; (2) name and affiliation with college; (3) number and type(s) of weapon(s); and, (4) purpose of the event, activity, course, etc.
TESTING CENTERS

The College operates Testing Centers on both the Chester and Midlothian campuses. At the centers, students are able to take various types of tests, including placement, proctored and College Level Examination Program (CLEP) tests. Placement tests are usually taken by students entering the College for the first time and by some high school students wanting to enroll in dual enrollment coursework. A select number of distance education tests are proctored in the College’s Testing Centers for students taking distance education courses at John Tyler, as well as other community colleges in Virginia.

TESTING FOR ONLINE/INTERNET CLASSES

The Testing Centers provide testing for students enrolled in online/internet classes. The Chester Testing Center is located in Trailer B and the Midlothian Testing Center is in Eliades Hall, room E117. The following guidelines apply to students who wish to take an internet test:

1. A student must present a photo ID and sign in to receive his/her test.
2. A student must furnish his/her own pencils and/or pens or anything else the instructor may allow.
3. All books, papers and other items are prohibited from the testing room unless specifically authorized by the instructor.
4. A student may not begin a test unless the optimum time permitted by the instructor for the test exists prior to the closing of the Testing Center.
5. All test materials, including scrap paper, will be collected following the administration of a test.
6. A student may \textbf{NOT} bring children to the Testing Center or leave them unsupervised outside the Testing Center.
7. Students must make an appointment for an online/internet test by completing an appointment request at \url{https://apps.jtcc.edu/TestingServicesStudent/} including all information needed; please note the following test center hours:

\textbf{Chester Testing Center (Trailer B)}
Mondays: 8:00 a.m. – 5:30 p.m.
Tuesdays: 8:00 a.m. – 5:30 p.m.
Wednesdays: 8:00 a.m. – 5:30 p.m.
Thursdays: 8:00 a.m. – 5:30 p.m.
Fridays: 8:00 a.m. – 2:30 p.m.
Saturdays: 8:00 a.m. – 2:30 p.m.

\textbf{Midlothian Testing Center (Eliades Hall, E117)}
Mondays: 8:00 a.m. – 5:30 p.m.
Tuesdays: 8:00 a.m. – 5:30 p.m.
Wednesdays: 8:00 a.m. – 5:30 p.m.
Thursdays: 8:00 a.m. – 5:30 p.m.
Fridays: 8:00 a.m. – 2:30 p.m.
Saturdays: 8:00 a.m. – 2:30 p.m.

(Times are subject to last minute emergency changes)
COLLEGE LIBRARIES

Libraries at both campuses serve as the academic centers of the College, providing students with the digital and print resources necessary for their coursework, as well as comfortable places to study. The Chester Campus Library is on the second floor of Moyar Hall. The Midlothian Campus Library is on the second floor of Hamel Hall.

Students are encouraged to familiarize themselves with library resources early in their academic careers. Library cards may be obtained upon presentation of photo identification.

The library schedule is the same during fall, spring and summer semesters:

Monday – Thursday: 7:30 a.m. – 9:00 p.m.
Friday: 7:30 a.m. – 5:00 p.m.
Saturday: 10:00 a.m. – 2:00 p.m.

Hours vary during breaks and holiday periods. Any changes are posted on the web site.

The libraries have approximately 50,000 books, DVDs and videos that can be accessed through the online catalog. More than 100 subscription databases are available for academic work. These products provide the full text of more than 10,000 magazines, journals, and newspapers. Students may access the subscription databases both on campus and off. All library computers have MS Office software. Ask a Librarian, a 24/7 chat reference service is available on the Library web site, http://library.jtcc.edu. Student conduct in the library is governed by the policies stated elsewhere in this handbook. Computer use is in accordance with the VCCS Computer Ethics Policy, also in this handbook.

Library contact information:
Chester 706-5195
Midlothian 594-1519
Web Site: http://library.jtcc.edu

PRINTING IN THE LIBRARY
Students must purchase a print card to print from library computers and to use the library copiers. Cards may be purchased from vending machines in the libraries. The card costs $1.00, and a minimum of an additional $1.00 is needed to put value on the card.

Costs:
Printing costs: $.05 to print black and white from computers and $.50 for color prints from computers
Copier costs: $.05 for black & white and $.20 for color copies
Print cards may be purchased for $1.00 from machines in library. Add value with $1.00 or $5.00. Machine does not accept debit or credit cards, bills over $5.00 or give change.
STUDENT ACTIVITIES

The Student Activities Office (www.jtcc.edu/services/student-life/) provides a variety of educational, cultural, and social experiences for students, faculty, staff and members of the community. Student activities and organizations are open to all interested students. Students may seek leadership opportunities through participation in the John Tyler Community College Student Council (See By-Laws). The Student Activities Office also coordinates student ID cards, voter registration, community service projects, student newsletters, the student emergency fund, clubs and intramural athletics. Students who are interested in participating in any aspect of the student activities program or who wish additional information on events and organizations, should e-mail studentactivities@jtcc.edu.

SOCIAL AND CULTURAL PROGRAMS

The Student Activities office provides a variety of educational, cultural, and social experiences for students, faculty, staff and members of the community. The Office of Student Activities sponsors annual welcome picnics, movie nights and a variety of volunteer projects. The College also sponsors Black History Month festivities, an International Food Festival and provides support to the Literary Festival.

STUDENT CLUBS AND ORGANIZATIONS

The Office of Student Activities offers a diverse selection of student clubs and organizations. The College encourages the formation of new student groups. Support for the development of new student groups and continued support of existing organizations is provided by the Office of Student Activities.

Twenty-two student organizations are currently recognized by the College and the Office of Student Activities. Recognized student groups are divided into seven categories: Educational and Departmental Organizations, Honorary Organizations, Professional Organizations, Religious Organizations, Special Interest Organizations, and Recreational Organizations.

Educational and Departmental Organizations: Art Club, Chemistry Club, History Club, Human Services Club, Theatre Club, Philosophy Club, Film Club, Environmental Science Club, Computer Club, and the Latin American Culture Club.

Honorary Organizations: Phi Theta Kappa – Tau Rho Chapter (Chester), Phi Theta Kappa – Beta Omicron Omicron (Midlothian).

Professional Organizations: Funeral Services Student Association, Future Teachers Club, Student Virginia Education Association, and the Student Nurses’ Association.

Religious Organizations: Disciples of Christ.

Special Interest Organizations: Gay Straight Alliance, Student Veteran’s Organization.

Recreational Organizations: JTCC Soccer Club, JTCC Running Club, JTCC Ultimate Frisbee Club.

Student Government: JTCC Student Council

Student activities and organizations are open to all interested students. Students who are interested in participating in any aspect of the student activities program or who would like additional information on organizations should e-mail studentactivities@jtcc.edu.
STUDENT COUNCIL BY-LAWS

Preamble

The purpose of the Student Council of John Tyler Community College shall be to further the best interests of the students of the College by providing the Office of Student Activities with recommendations concerning the development and promotion of student activities and by offering suggestions to the dean of student services addressing the betterment of student life at the institution.

Article I

Membership and Rights

All John Tyler Community College students shall be members of the Student Council. A student shall be defined as an individual who is currently enrolled at the College in at least one credit course. Every member of the Student Council has the right to vote in Student Council elections, to attend meetings of the Student Council, and to request consideration for membership on Student Council committees.

Article II

Organization

The governing body of the Student Council shall be the Student Council Cabinet.

Article III

Membership of the Student Council Cabinet

Section 1. The Student Council Cabinet shall consist of representatives from all official student clubs and organizations and four members elected at-large, two from each campus.

Section 2. Elections for at-large representatives of the Student Council Cabinet will held during the month of November on a day and at a time determined by the Assistant Coordinator of Student Affairs. Students who wish to be at-large candidates must submit petitions with at least twenty signatures of current students by the specified deadline.

Section 3. Representatives from student clubs and organizations will be identified annually by all official student organizations no later than October 1. The names of club representatives will be forwarded to the assistant coordinator of student activities. Students whose petitions are found to have at least twenty valid signatures will be placed on the ballot for Student Council Cabinet elections.

Section 4. Members of the Student Council Cabinet must be enrolled in at least six semester credits of course work and have minimum cumulative grade point averages of 2.5.
Article IV

Duties and Responsibilities of the Student Cabinet

Section 1. The members of the Student Council Cabinet will elect a president, vice president, and secretary from its members at a time and place determined by the assistant coordinator of student activities. All elections will be by secret ballot.

Section 2. The duties and responsibilities of the president shall be: to schedule and preside over all cabinet meetings; to represent the Student Council at specific College activities when requested by the College president, vice presidents or dean of students; to serve on Student Council committees; and to attend special meetings and events when requested by members of the College administration.

Section 3. The duties and responsibilities of the vice president shall be: to preside over cabinet meetings when the president is absent; to attend all cabinet meetings; to serve on Student Council committees when requested by the Student Council president; and to attend special meetings and events when requested by members of the College administration.

Section 4. The duties and responsibilities of the secretary shall be: to take minutes at all cabinet meetings; to distribute draft minutes to all cabinet members for review and corrections; to present minutes to the cabinet for comment and formal approval; to distribute approved minutes to the dean of student services; to maintain a list of cabinet members; to maintain a record of attendance at cabinet meetings; to serve on Student Council committees when requested by the Student Council president; and to attend special meetings and events when requested by members of the College administration.

Section 5. The Student Council Cabinet may make recommendations regarding the development and nature of student activity programming and forward such recommendations to the assistant coordinator of student activities.

Section 6. The Student Council Cabinet may make suggestions concerning the general welfare of students and student life at the institution and forward such suggestions to the dean of students.

Section 7. Student Council Cabinet members will participate in the coordination and presentation of student activities programming when requested by the assistant coordinator of student activities.

Section 8. The Student Council Cabinet may create student committees to assist with specific student activities and events, specifying the membership and responsibilities of these committees.

Section 9. The Student Council Cabinet will establish policies and procedures addressing the conduct of cabinet meetings, member attendance, and frequency of meetings.
Article V

Removal from the Student Cabinet

Section 1. A Student Council Cabinet member shall be removed from office if he or she fails to adhere to Student Council Cabinet attendance procedures; is placed on academic probation or suspension; withdraws from the College or does not register for classes (exception—enrollment is not required during the summer term); or fails to register for or maintain the required academic load and grade point average.

Section 2. If the president of the Student Council Cabinet is removed from office as a result of the policies in Article V, Section 1, the vice president shall assume the position of president.

Section 3. If any member of the cabinet other than the president must relinquish office prior to the expiration of his/her term of office, the Cabinet shall by majority vote select a qualified student to fill the existing vacancy.

Article VI

Faculty Advisors and Institutional Contacts

Section 1. Faculty Advisors for the Student Council Cabinet will be appointed by the dean of students. Faculty advisors will serve a term of one year, subject to reappointment by the dean.

Section 2. Faculty advisors may attend all Student Council Student Cabinet and committee meetings and participate in all discussions.
ON-CAMPUS STUDENT INFORMATION

PARKING

Adequate parking space is provided for students. Special parking is available to handicapped individuals whose vehicles display the appropriate sticker. Applications for special parking permits should be made through Campus Security. Parking stickers are recommended for all other students and may be obtained during registration from the Business Office.

Parking violations in designated handicapped and fire lane areas or in designated faculty parking spaces will be subject to citations.

UNSCHEDULED CLOSINGS

When severe weather or emergencies (snow, ice, power failures) require reduced operations, notification will be made on the College web site (www.jtcc.edu), on Tyler Alert, on the College’s Facebook (www.facebook.com/johntylercc) and Twitter (www.twitter.com/johntylercc) pages, through College e-mail, and through announcements by local radio and television stations. Information also may be obtained by calling the College information number, 804-796-4000. In the absence of any announcement, the College is open.

Students are expected to exercise judgment when hazardous conditions exist in their own areas. If a student must miss a class for any reason, the instructor should be contacted as soon as possible and arrangements made for appropriate make-up work.

TELEPHONES

Faculty/staff phones on campus are for official College business only.

Incoming Telephone Calls
In the case of an extreme emergency, such as illness or accident involving a child, spouse or parent, Security will receive the call and attempt to locate the student. No personal phone calls will be forwarded to students. Please notify family and friends of this rule.

Cellular Phones
Cell phones should be turned off before entering classrooms. The use of cell phones also is prohibited in other areas at the institution. These areas are marked. The use of cell phones in classrooms and prohibited areas is a violation of the student conduct code.

BULLETIN BOARDS

Bulletin boards designated for student use are provided in all the College buildings. Approval for posting is granted only by the dean of students and the coordinator of student activities. Commercial notices generally are not permitted. Printed material may remain posted only for a period specified by the dean or coordinator. This period normally will not exceed one month. Materials may only be posted on bulletin boards and should not be posted to walls, glass surfaces or parked vehicles. Material that is not removed in accordance with the specified expiration date will be removed and disposed of by College personnel.
LOST & FOUND

At the Chester and Midlothian campuses, items that are found should be turned over to Campus Security. Efforts will be made to locate the owner, and students should report to Campus Security to reclaim lost articles.

STUDENT LOUNGES

Student lounges are located on both the Chester and Midlothian campuses. On the Chester Campus, the lounge is located in the Nicholas Student Center; on the Midlothian Campus, the lounge is located in Hamel Hall, first floor (H106). All students are expected to conduct themselves in a manner consistent with the community standards of a postsecondary public academic institution. The code of conduct by which all students are expected to comply may be found on page 2 of this document.

EATING AND DRINKING IN CLASSROOMS

Students are not permitted to eat or drink in any laboratories at the institution. These include all computer labs, science labs, drafting labs, industrial labs, and engineering labs. Food and beverages also are prohibited in the College libraries. Signs are posted on the doors of all rooms and facilities in which eating and drinking are forbidden.

Students are asked to exercise great care and adhere to appropriate classroom decorum when consuming food and beverages in permissible classrooms at the institution.

MINORS ON CAMPUS

The College is not responsible for visiting minors who are left unattended. Accordingly, all parents and accompanying adults should be aware of the following policy:

John Tyler Community College disclaims any responsibility for injury to visiting minors when the injury may have been prevented by appropriate parental supervision. In order to protect both visitors and the College, the following are in effect:

a. Persons under age 18 who are enrolled students at John Tyler Community College may use the appropriate and authorized College facilities without being supervised by a parent or an accompanying adult.
b. Persons under age 18 who are not enrolled students at John Tyler Community College may use the appropriate and authorized College facilities only when supervised by a parent or an accompanying adult.
c. Parents and accompanying adults are requested to make appropriate arrangements for the supervision of minors, particularly small children, to avoid the disruption of College activities and potential injury to the child. Specifically, minor children should not be brought into classrooms during instructional periods.
d. No children will be allowed in the buildings during normal closed hours during the week or on weekends.
RECRUITERS ON CAMPUS

Representatives of educational institutions and the armed forces who wish to provide students with information about educational and career opportunities are welcome on both of the College’s campuses. In order to facilitate optimum student participation in recruitment activities and to avoid the disruption or obstruction of teaching or other activities of the institution, all recruiters must request permission to visit a campus from coordinator of student activities. The coordinator reserve the right to determine the time, manner and place of such visitations. Recruiters interested in visiting campus should email acarpenter@jtcc.edu.

APPROPRIATE ATTIRE

All students and visitors are expected to dress in a manner consistent with the community standards of a postsecondary public academic institution. While it is recognized that persons have the right to dress in a manner that reflects their individual tastes and preferences, this right must be exercised in a manner that does not infringe on the rights of others to expect an environment that is conducive to learning. The institution reserves the right to prohibit clothing that is deemed offensive or demeaning and attire that poses a health or safety concern. Questions or concerns about appropriate attire should be referred to the dean of students.

STUDENT DEMONSTRATIONS

Only student organizations recognized by the College may sponsor demonstrations on College property. All assemblies or demonstrations at the College must have prior registration with the Office of the President. Picketing is not permitted inside College buildings and must not be conducted in a manner that interferes with the entrance to or egress from College buildings or the normal flow of pedestrian or vehicular traffic. Information regarding the registration of demonstrations can be obtained from the Office of the Dean of Students.

Students who participate in unauthorized assembles or demonstrations or incite a riot or a disturbance or disorderly assembly are subject to suspension or dismissal.
SOLICITATION AND DISTRIBUTION OF MATERIALS ON COLLEGE PROPERTY

NON-COMMERCIAL DISTRIBUTION

With prior approval of the dean of students, any student or non-student may distribute non-commercial printed materials (for example, brochures, pamphlets, newspapers, tabloids, flyers, or petitions) on College property as noted below:

1. The distribution may be conducted with prior approval in any appropriate campus area except for the following: classrooms, laboratories, restrooms, libraries, administrative and academic offices, doorways, and parking lots.
2. The distribution must be conducted with regard to all student conduct regulations contained in the JTCC Student Handbook.
3. Any material remaining after the distribution must be properly discarded.

COMMERCIAL DISTRIBUTION AND SOLICITATION

Solicitation shall be defined as the sale of anything or the solicitation of donations for any purpose.

1. No solicitation is permitted except within or through the sponsorship of a campus organization and with the approval of the dean of students.
2. No commercial distribution is permitted except within or through the sponsorship of a campus organization and with the approval of the vice president of finance and administration. All requests for commercial distribution must be reviewed in light of existing contracts. Approval will be subject to regulation as to time, place, and manner to assure non-interference with operations of the College.
3. The solicitation may be conducted in any area except the following: classrooms, laboratories, restrooms, libraries, administrative and academic offices, doorways, and parking lots.
4. The solicitation must be conducted with regard to all student regulations contained in the current JTCC Student Handbook.

POSTING OF PRINTED MATERIALS

Posting of printed materials by students and non-student groups will follow established College procedures. Approval for posting is granted only by the dean of students. The dean may require that materials printed in a foreign language be presented in an English translation prior to approval for posting.

COLLEGE JURISDICTION OVER DISTRIBUTION AND SOLICITATION

1. College jurisdiction extends to the property boundaries of the College. Jurisdiction also includes all property owned, leased, controlled, used, or occupied by the College except where the College may be bound by legal restrictions which may be contrary to these regulations.
2. Failure to adhere to these regulations may lead to loss of distribution privileges.
3. Hearings regarding alleged infractions of these regulations will be held by the dean of students.
4. Decisions will be made within five (5) business days on requests to distribute and/or solicit on campus. Decisions will be based on College policy and possible interference with operations of the College resulting from such decisions.

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SEX OFFENDER ADMISSIONS POLICY

Section 23-2:2:1 of the Code of Virginia requires that the VCCS send enrollment information to the Virginia State Police concerning applicants to institutions of higher education. This information is transmitted electronically and compared against the Virginia Criminal Information Network and National Crime Information Center Convicted Sexual Offender Registry. Language on the web application informs applicants that their information is being transmitted to the State Police.

A. The applicant will be denied admission to JTCC in accordance with its admission policy as published in its catalog: Students may be denied admission if there is reason to believe that they present a danger to themselves, other students, faculty or staff.

B. If the applicant registers for classes and becomes a student before the College receives notification from the State Police, the student will be immediately informed that he/she is being administratively dropped from classes and will receive a refund.

C. An applicant may invoke his/her rights to an appeal process.

Appeal Process for Denial of Admission or Withdrawal for Convicted Sex Offender

When a convicted sex offender is denied admission to or is administratively dropped from classes at John Tyler Community College, he/she may invoke the following appeal process:

A. The applicant or withdrawn student will receive a letter from the dean of students stating his/her denial of admission or administrative withdrawal.

B. The applicant/withdrawn student may write a letter of appeal to the dean of students in which he/she provides the following information:
   1. Disclosure of the nature of the offense for which he/she has been convicted;
   2. Justification for consideration of admissions/reinstatement;
   3. Statement acknowledging his/her identity and status as a convicted sex offender will be publicized on the College campus in accordance with federal and state law if he/she is admitted or reinstated.

   Note: If a student is appealing a denial of admission or an administrative withdrawal, he/she must submit the letter of appeal to the dean of students within ten (10) business days of the receipt of the letter from the dean of students informing the student of his/her denial of admission or administrative withdrawal.

C. The Threat Assessment Team will review the information submitted and make a decision by a simple majority vote within fifteen (15) business days of receiving the letter of appeal. The committee will submit its recommendation to the College president for approval.

D. The dean of students will inform the applicant/withdrawn student by letter of the decision. The president’s decision shall be final.
For more information about John Tyler Community College, go online to www.jtcc.edu, or call 804-796-4000.

**Chester Campus**
13101 Jefferson Davis Highway
Chester, Virginia 23831-5316

**Midlothian Campus**
800 Charter Colony Parkway
Midlothian, Virginia 23114-4383