

# NW-SCC Student Handbook

## Student Development Services

### Purpose Statement

Student Development Services is a support system to help students in meeting their academic objectives, and at the same time to broaden the student's perspective outside the structured classroom experience. The following functions serve the student body and complement classroom instruction: Admissions, Career Planning/Counseling, Career Services, Adult Education/GED Testing, Registration, Services for Special Student Populations, Student Activities, Intramurals, Student Financial Aid, and Recruitment.

Student Development Services works with students toward their total development-physical, emotional, moral, social, as well as mental-by providing nonacademic experiences and services which aid in total student development and student success. By providing these services, Student Development Services supports the College's mission of providing lifelong educational opportunities, economic growth and a higher quality of life for its students.

In summary, the objectives of Student Development Services support instructional objectives in the following manner:

1. Helping students achieve the highest possible potential beyond a secondary-school level.
2. Emphasizing freedom of choice and decision-making.
3. Emphasizing academic or occupational-vocational work which prepares the student for successful entry into a senior college or university and/or entry into a vocation from which the student may earn a livelihood and gain satisfaction.
4. Stressing the total cooperation between the different facets of education from which the student may be the beneficiary.
5. Assisting occupational-technical students in self-evaluation to determine the most suitable programs to fit their interest and aptitudes.
6. Developing student leadership skills and providing opportunities for student participation in the
7. College's planning and decision-making.
8. Establishing a recruitment program that targets diverse groups.
9. Establishing programs that serve minority groups, at-risk students, women and students with disabilities.

### Visitors Policy

The College welcomes all individuals or groups visiting the campus. Guides will be provided upon request. Check with the receptionist or call the admission offices for a friendly and informed guided tour. The College requires that all visitors register with Campus Police.

### Inclement Weather Procedures

When inclement weather or other conditions indicate that the College needs to close, Closing information is posted on the College's website, College's social media sites and sent to local radio and television stations before 6:30 a.m. for day classes and before 4:00 p.m. for evening classes.

# Patriot Alert - Northwest-Shoals' Emergency Notification System

Northwest-Shoals Community College utilizes "Patriot Alert," the new emergency alert and notification system. Patriot Alert delivers messages in the event of an emergency to students, faculty members, and staff. This will be the best source for timely information and instructions on what to do in the event of any campus emergency (college closing, delay in opening, etc.).

Students no longer need to rely on the media, calls to the college or friends, or coming to the campus to learn about the adverse impact on campus operations due to severe weather, power outages, criminal activity, threats, or other emergency situations. Signing up for Patriot Alert will ensure that this information is automatically delivered to the email addresses and phone numbers (by voice and/or text message) that students provide within moments of any such alerts being sent by the college. Patriot Alert provides this important information directly from authorized members of the college's administration and security personnel. The Patriot Alert is the official source of the most accurate and current information.

**Please follow the simple steps below to log-in to your private Patriot Alert "Dashboard" and enter your contact information.** Please be assured that all contact information provided will be kept confidential, safe, and secure, and will never be used for any purpose beyond the authorization given by the student. The student information is for the official use of Northwest-Shoals Community College's emergency alert system only and is never shared with any third parties.

To log-in and access the NW-SCC SchoolCast Dashboard account, go to the following secure web-site:  
<https://www.myschoolcast.com/go/nws>

For more information, please email [nwscc@nwscc.edu](mailto:nwscc@nwscc.edu).

## Identification Cards

New students must have a photo taken for the BankMobile Card upon registration. ID Cards may be required for use of the library and other campus activities. The following regulations apply to the ID Card System:

1. Students are to carry their cards at all times. When requested by College officials for proper identification, students are to present their cards. Failure to present ID Cards may result in disciplinary action or arrest for trespassing. Student ID Cards are made for personal use only. Students violating the ID Card privileges are subject to probation, suspension, or dismissal.
2. Loss or theft of cards should be reported to the Student Success Center, Shoals Campus; Cashier's Office, Phil Campbell Campus; or Higher One.
3. Replacement ID Cards cost \$20.00 each.
4. Temporary ID cards are \$5.00 and valid for 30 days.

## Vehicle Registration/Parking Decals

All motor vehicles operated regularly on the campus by students and College personnel must be registered with the College. All operators of automobiles on the campus are subject to the following parking and traffic regulations. (Revisions will be posted.) The College reserves the right to regulate the use of vehicles on both campuses and withdraw the privilege of operating an automobile on both campuses for failure to abide by the regulations or for other good cause.

1. All motor vehicles, including motorcycles, operated on campus by students must be registered once each academic year. Cost of decal for FA/SP is \$8.00, SU \$4.00 and is included in the NW-SCC fees during registration of classes.
2. Students will be issued a decal which must be displayed on vehicle.
3. When the owner trades motor vehicles, the currently used motor vehicle should be registered. Replacement decals can be obtained in the Cashier's office.
4. The person in whose name a vehicle is registered, regardless of who is driving, is responsible for all traffic and parking citations on campus.
5. Any student not enrolled in credit classes who will be on campus on a regular basis will be required to purchase a decal from the Cashiers Office.
6. State law - mandatory insurance

### **Parking Violations**

1. Unauthorized parking in areas designated as:
  - a. Faculty/Staff Parking
  - b. Handicap Parking
  - c. Yellow Curb
  - d. Fire Lane
  - e. No Parking Zone
  - f. Reserved Parking
  - g. Visitors Parking
2. Blocking drive or walkway
3. No decal
4. Parking on grass
5. Any area designated by the College

### **Other Violations**

1. Speeding
2. Running stop sign
3. Littering
4. Loud music
5. Tobacco use/Smoking
6. Firearm/Weapons

### **Penalties**

Violators may be ticketed by Campus Security. Unpaid tickets will result in additional penalties to the students. Grades will be withheld and the student will not be allowed to register until all fines are paid. The school reserves the right to tow violators. A list of fines is available on the College Website. These are subject to change. The College has implemented a color code system for parking as listed below.

- Red - Faculty/Staff
- Green - Visitor
- White - Students
- Blue - Handicap
- Yellow - No Parking

## **Crime Reporting and Timely Warnings**

In the event of a criminal act, notify Campus Security:

- Shoals Campus – 256.627.1526
- Phil Campbell Campus – 256.417.4731

It is the responsibility of the College to investigate an incident or criminal act that occurs on campus and to take proper action. The College will notify and cooperate with other law enforcement agencies when appropriate.

Numerous and diligent efforts are made to advise members of the campus community of crime-related problems. It is the duty of the college to inform students of threatening situations, in a timely fashion. The office of the Chief Fiscal Officer and public relations will release information which can be used by students and other college community members to reduce their chances of becoming victims. This information will be released via the Patriot Alert.

## **Student Resources**

# **College Bookstore**

## **Hours of Operation**

(subject to change)

### **Shoals Campus - Building 101**

- Phone: 256.331.5227
- Store Hours
  - Monday-Thursday: 8:00 a.m. - 5:00 p.m.
  - Friday: 8:00 a.m. - 1:00 p.m.
- Website: <https://nwscs.bncollege.com/shop/northwest-shoals/home>

### **Phil Campbell Campus - Building 304**

- Phone: 256.331.6213
- Store Hours
  - TBD
- Website: <https://nwscs.bncollege.com/shop/northwest-shoals-phil-campbell/home>

## **Methods of Payment**

The Bookstore accepts cash, gift cards, MasterCard, Visa, Discover, American Express, and PayPal.

- Refunds will be credited in the same form as payment method. Example: Purchase made with credit card will be returned to credit card.
- Financial Aid credits will be returned to student account or Higher One card.

## **Textbook/Course Material Refund Policy**

Please see the [Returns & Refund Policy](#).

## **General Merchandise Refund Policy**

Please see the [Returns & Refund Policy](#).

# Financial Aid Students

**(Pell, WIOA, TAA, Scholarships, etc.)**

- Charges will be accepted for a limited time each semester. Exact dates for charges will be posted in the Bookstore.
- Picture ID (student ID or Driver's License) is required for all financial aid charges.
- Students are responsible for knowing what books or merchandise can be charged to their particular type of financial aid program.
- Gift items and clothing can not be charged to any type of financial aid.

Rental and digital options are available on many textbooks and more are being added every semester. See bookstore staff for details.

## Book Buyback

The Bookstore buys books back every day. The buyback amount is determined by several factors including but not limited to the use of the book for the next semester and the condition of the book. Buyback amounts cannot be determined over the phone. See bookstore staff for details.

## Bookstore Tips

- Always keep your receipt.
- Shop early if possible for a better selection of used books.
- Always bring your Student ID.
- Bring your class schedule with you to ensure that you purchase the correct books.
- Books are labeled with tags that include class information. Just match the course number to your schedule.
- If you purchase the wrong book you may return it provided you follow the refund policy.
- When a book is listed as optional you may want to go to class before purchasing it.

# Student Success Services

The College provides counseling services that:

- Assist students with development of meaningful educational plans that are compatible with their identified goals;
- Assist students through a system of testing in acquiring appropriate career goals;
- Assist students in making career choices by providing information and assessments regarding various careers;
- Provide services to aid students in their transition and success with their college experience;
- And assist students in dealing with obstacles that interfere with their educational, occupational, social, and personal goals.

Student Success and Career Centers are located on both the Shoals and Phil Campbell Campuses. Various materials are available for the student's personal use, such as Computerized Interest Inventories and Career Explorations Programs, college catalogs, and Occupational Guidance Literature.

# Career Services

Career Services provides assistance to students in locating and securing employment upon graduation, as well as part-time employment while they are pursuing their degree or certificate.

Career Services includes assistance with career interest inventories, resume preparation, employment applications and the development of interview skills.

Employers contact Career Services to hire currently enrolled students as well as graduates. Career Services personnel:

- Post job vacancies;
- Make job applications accessible to students upon employers' request;
- Send resume to employers;
- Assist employers with scheduling interviews.

Each semester, Career Services conducts a "Job Seeking Skills" workshop. Topics include resume writing, job search information, employability skills, and interviewing skills.

Students must be currently enrolled or Northwest-Shoals graduates and must complete a registration form and have a current resume on file to be eligible to register with Career Services. The Career Services staff is available by appointment for individual assistance.

Students are encouraged to keep their files current.

Contact:

Phil Campbell Campus – 256.331.6297

Shoals Campus – 256.331.5375

# Cooperative Education

Cooperative (Co-op) Education is a program which allows students to gain work experience associated with their fields of study. This plan integrates classroom study with employment and is based on the principle that learning does not confine itself to academic achievement but is equally dependent upon practical experience. Students are placed in industrial, business, educational and governmental positions where they have the opportunity for real-world work experiences.

In addition to work experience gained by the student, the co-op program has a distinct advantage for participating companies. Employers are given the opportunity of having first chance at hiring some of the most knowledgeable and aggressive students which attend specific programs of study. Past experience has shown that these students are very loyal to companies that hire them providing them with an income as they continue their education. In addition, the students are usually hired on a part-time basis and do not incur the cost of hiring full-time employees.

There are two avenues for the student to select from as they enter the co-op education program. Both options have a one (1) credit hour limit per semester with a maximum of three (3) credit hours in two years. They also require employer involvement through employer appraisal sheets submitted at the end of each semester.

The co-op elective option requires a minimum of 20 clock hours per week in the co-op work environment. The co-op substitution option allows the student to substitute real-world work experiences in their field of study for the required lab classes in their selected program. The student must attend the theory classes and is responsible for all the content material within the lab they are substituting.

For more information, contact the Instructional Dean's Office at 256.331.5217.

# Student Success Center

The Student Success Center offers seminars and workshops in conjunction with the Student Success course to address issues related to the affective needs of students including but not limited to time and money management, test and study skills, navigating through NW-SCC, and college transfer. Additionally, Student Success Coaches serve as one-on-one mentors for new, transitional, probationary, and faculty-identified students. Coaches communicate with students to serve as academic coaches, accountability partners, and significant connections to the College for identified students. The Student Success Center provides:

- New student mentoring
- Student Success Workshops (ex. Financial aid, goal setting, college transfer, career preparation)
- Career planning
- Study rooms
- Tutoring rooms

The Student Success Center is located on the Shoals Campus, Building 100, Room 117, and on the Phil Campbell Campus, Building 306, Room L.

Contact information: Shoals Campus – 256-331-5207, Phil Campbell Campus – 256-331-6353

## Advising

The Advising Center is located on the Shoals Campus in the Administration Building (Building 100) and offers general information, advising, and early registration for new students. The Center assists the Instructional Division of the College in integrating students into an ongoing advising process with faculty to ensure the successful completion of their programs of study.

For more information, contact the Advising Center at 256-331-5221.

## Student Support Services

The Student Support Services Program provides opportunities for academic development, assists students with basic college requirements, and serves to motivate students toward the successful completion of their postsecondary education. Student Support Services (SSS) also provides limited scholarships to current SSS participants who are receiving Federal Pell Grants. The goal of SSS is to increase the college retention, transfer, and graduation rates of its participants and help students make the transition from one level of higher education to the next. To qualify for services, students must be a U.S. citizen, first generation (neither parent graduated from a four-year college), of limited income, or have a documented disability in the NW-SCC ADA office. Specific services include but are not limited to tutoring, career planning and interest inventories, assistance with transfer and campus visits, academic advising and priority registration for continuing participants, financial aid planning and scholarship searches, and consideration for direct financial assistance. Application for the program may be made on-line or in the offices located on both campuses. Additional information may be obtained by calling 256-331-8057 on the Shoals Campus or 256-331-6235 on the Phil Campbell Campus.

## Workforce Development Center

### Testing

The Testing/Advising Center is located on the Shoals Campus in the Workforce Development Center (Building 127) and offers general information, testing, advising and early registration for new students. The center assists the

Instructional Division of the College in integrating students into an ongoing advising process with faculty to ensure the successful completion of their programs of study.

The College provides various types of testing services that support counseling, educational programs, and Workforce Development. Testing services include many national testing programs such as the ACT, SAT, ACCUPLACER, GED, and WorkKeys.

**ACT** - The American College Test Programs are administered on all regularly scheduled national testing dates. Persons desiring more information should contact Student Services.

**ACCUPLACER** - All new students who have not completed college-level English or mathematics courses must take a placement test before registering for classes. The ACCUPLACER test is administered by computer. The results from the placement test help students and their advisors work together to identify skills, strengths, and knowledge in order to succeed in English and mathematics. The ACCUPLACER also helps the College use the results to guide students toward classes that strengthen their current knowledge and skills to ensure educational success. There is a charge to re-test. For more information see page 26.

**GED** - The General Educational Development Test is the standard test of high school equivalency. It is administered weekly at the Shoals campus, one day a month at the Phil Campbell campus. Persons desiring to take the GED must be at least 18 years old, may not be enrolled in regular or secondary day school, and must meet Alabama residency requirements. Applicants 16 years of age may take the GED, but they must present special documentation. A \$5.00 fee is required for duplicate copies of test scores. Contact the Adult Education Department for additional details.

**WORKKEYS** - WorkKeys assessments are administered as requested by business and industry and local school systems. The services of the Workforce Development Center staff are available to all students enrolled at the College. Students are encouraged to make wise use of these services.

Contact Information:

Shoals Campus – 256-331-5282

Phil Campbell Campus – 256-331-6297

## Additional Information

The Workforce Development Center offers additional workforce training for citizens of the Northwest Alabama community. For more information on the college's "Ready to Work" program or to prepare for the "Career Ready Alabama" certificate, call 256.331.5248.

## Student Life

The Student Life program at the College is designed to provide opportunities for students to participate in individual and group-directed educational experiences that are meaningful and enriching to their lives. This program consists of student activities and clubs/organizations on the Phil Campbell and Shoals Campuses.

## Student Activities

## Institutional Policy

It is the policy at the College that all student activities and organizations are non-discriminatory in terms of membership and are in full compliance with all requirements imposed by Title VI, Title IX, and the Rehabilitation Act of 1973 as amended.



All extracurricular activities are under the direct control of the College through the Assistant Dean. The Assistant Dean must approve policies and procedures for control and operation of all clubs, organizations and activities sponsored by the institution. Each campus has a Coordinator of Student Activities to assist the Assistant Dean with coordination. The Assistant Dean reports to the Vice President.

The Student Activities program offers events for students to participate in each semester which may include: campus cookouts, SGA elections, Mr. & Ms. Northwest-Shoals elections, Halloween contests, National Collegiate Alcohol Awareness Week, Community College Month and Spring Fling - based on student interest.

# Organizations and Clubs

## Phil Campbell Campus

The following clubs/organizations are available:

**Ambassadors** - The Northwest-Shoals Ambassadors are students who help to promote school spirit, assist in receiving guests at official functions, go to area high schools for recruiting purposes, act as hosts to welcome visitors of the administration and faculty, take high school seniors and other interested persons on tours of the campus, and serve at other college and community events. Selection is based on an interview, academic achievement, personality, community involvement and extracurricular activities.

**Circle K** - is the world's premier collegiate organization with a membership of more than 11,000 members on more than 525 campuses around the globe. Circle K is comprised of college students who are responsible citizens and leaders with a lifelong commitment to community service worldwide. The students embrace the youth of the area, helping them become better students and citizens.

**College Bowl Team** - engages in intercollegiate academic competition with institutions in the Alabama College system: This group is recruited from high school scholars bowl teams and enrolled in Interdisciplinary Studies (IDS) classes on both campuses.

**National Student Nurses' Association** - The Associate Degree Nursing Program offers students the opportunity to join the National Student Nurses' Association (NSNA). The mission of NSNA includes development of leadership skills and promotion of high standards of nursing care including accountability and client advocacy. Membership is voluntary and includes annual dues.

**Nursing Club** - provides opportunity for fellowship, academic, and personal development to its members. Nursing is promoted by class and community involvement.

**Phi Theta Kappa** - Alpha Zeta Iota Chapter is an international honor society that has as its objective the promotion of scholarship and fellowship among students with superior achievement. Students are selected for membership in Phi Theta Kappa based on the completion of 12 semester hours and a cumulative GPA of 3.5 or higher.

**Revive College Ministry** - The Northwest-Shoals Revive College Ministry is organized to reach others for Christ. To provide a time of Christ-centered fellowship, to study His Word, and to learn how to follow Jesus in everyday life. Revive is open to all.

**Science Club** - Northwest-Shoals Society for Technology and Science (The Science Club) is organized to promote the academic welfare of students interested in science, medicine, pharmacy, engineering and other technical areas. Members participate during the year in a variety of academic, social, and community service activities such as National Chemistry Week, the Science With Santa Show, National Technology Week, picnics, field trips, meetings featuring outside speakers, and science demonstrations in public school classrooms.

**Student Government Association (SGA)** - represents student views to the college administration and coordinates the student activities program. The SGA serves as an umbrella for all other clubs/organizations on campus. Students must meet qualification requirements to seek positions on the SGA. Positions available each year include President, Vice-President, Secretary/Treasurer and Senators.

The sponsors and student leaders from the campus-based clubs/organizations make up the Student Leadership Councils. These councils are chaired by the Coordinators of Student Activities and meet with the President each year to discuss student and College activities planned and student concerns.

Students have an important role in the College's decision-making process. The Student Leadership Councils serve as advisory groups to channel communication to the College President and other college administrators. Student leaders are appointed as voting members of various standing committees by the College President.

## Shoals Campus

The following clubs/organizations are available:

**Ambassadors** - The Northwest-Shoals Ambassadors are students who help promote school spirit, assist in receiving guests at official functions, go to area high schools for recruiting purposes, act as hosts to welcome visitors of the administration and faculty, take high school seniors and other interested persons on tours of the campus, and serve at other College and community events. Selection is based on an interview, academic achievement, personality, community involvement and extracurricular activities.

**Art Club** - seeks to be an active part of the rich local art community and enhance the cultural awareness of its members.

**ASHRAE (American Society of Heating, Refrigerating, and Air Conditioning Engineers, Inc.)** - brings students together who are pursuing a career in the field of heating, ventilating, refrigeration and engineering.

**Circle K** - is the world's premier collegiate organization with a membership of more than 11,000 members on more than 525 campuses around the globe. Circle K is comprised of college students who are responsible citizens and leaders with a lifelong commitment to community service worldwide. The students embrace the youth of the area, helping them become better students and citizens.

**College Bowl Team** - engages in intercollegiate academic competition with institutions in the Alabama College system: This group is recruited from high school scholars bowl teams and enrolled in Interdisciplinary Studies (IDS) classes on both campuses.

**English Club** - provides an enjoyable and inviting atmosphere for students sharing common interests in English, literature, writing, journalism, and/or humanities. Club members participate in a variety of college activities, fundraisers, and community events.

**Math Club** - an organization to promote interest and excitement about mathematics in a friendly, collaborative environment. Members participate in a variety of college activities, fundraisers, and community events.

**Mu Alpha Theta** - Mu Alpha Theta is a National Two-Year College Mathematics Honor Society that is dedicated to inspiring keen interest in mathematics, developing strong scholarship in the subject, and promoting the enjoyment of mathematics. Students apply for membership and are selected based on their completion of either MTH 112 or MTH 110 with a B or higher average and all other math courses beyond MTH 110/112 should comprise a math GPA of 3.0 or higher. Some of the activities that our students are involved in are as follows: competing in state AMATYC math competitions, promoting mathematics in our community by hosting math tournaments for area high schools, celebrating Pi Day with fellow students, and

assisting with our STEAM programs such as BEST Robotics.

**Multicultural Club** - develops students' awareness of diverse cultures within our community. The club is open to all students interested in exploring new cultural traditions, community development, and interaction with students from dissimilar backgrounds.

**NW-SCC Fishing Club** - competes in various collegiate fishing tournaments throughout north Alabama.

**Patriots for Christ** - Seeks to be a shining light for Northwest-Shoals Community College and to provide a spiritual support system to all searching for a closer relationship with God and the truth about His Word.

**Phi Theta Kappa** - Alpha Sigma Beta Chapter is a national honor society that has as its objective the promotion of scholarship and fellowship among students with superior achievement. Students are selected for membership in Phi Theta Kappa based on the completion of 12 semester hours and a cumulative GPA of 3.5 or higher.

**Science Club** - Northwest-Shoals' Society for Technology and Science (The Science Club) is organized to promote the academic welfare of students interested in science, medicine, pharmacy, engineering and other technical areas. Members participate during the year in a variety of academic, social, and community service activities such as National Chemistry Week, the Science With Santa Show, National Technology Week, picnics, field trips, meetings featuring outside speakers, and science demonstrations in public school classrooms.

**Skills USA** - is a national organization for students enrolled in technical, skilled, and service occupations. It provides quality education, experiences for students in leadership, teamwork, citizenship and character development.

**Student Government Association (SGA)** - represents student views to the college administration and coordinates the student activities program. The SGA serves as an umbrella for all other clubs/organizations on campus. Students must meet qualification requirements to seek positions on the SGA. Positions available each year include President, Vice-President, Secretary/Treasurer and Senators.

The sponsors and student leaders from the campus-based clubs/organizations make up the Student Leadership Councils. These councils are chaired by the Coordinators of Student Activities and meet with the President each year to discuss student and College activities planned and student concerns. Students have an important role in the College's decision-making process. The Student Leadership Councils serve as advisory groups to channel communication to the College President and other college administrators. Student leaders are appointed as voting members of various standing committees by the College President.

## Fundraising

All fund raising activities conducted by student clubs and organizations must be approved by the President.

The Intramural Program on each campus provides opportunities for students to participate in a variety of recreational sports and table games. This program enhances student enjoyment, fitness, and personal skills. Events are held throughout the year including: pool, basketball, ping pong, softball, tennis, flag football, and table games. Staff are designated on each campus to survey student interests, plan activities and implement the programs under the supervision of the Coordinators of Student Activities.

# Campus Facilities

## Food and Snacks

Vending machines with assorted snacks and drinks are available on the Shoals Campus in Buildings 100, 112, 115, 118, 121 and 122. Problems with vending machines should be reported to the Cashier's Office. On the Phil Campbell Campus, vending machines are located in the Student Center, Occupational Building, and the Fine Arts Center, and the cafeteria is located in the student center. Problems should be reported to the Cashier.

## Check Cashing Policy

The College is no longer able to cash checks. Also, the College does not accept counter checks for any reason.

## College Email

Northwest-Shoals Community College supplies all students with an NW-SCC email account. Communication from the College will be transmitted through this account. To activate, students should visit <https://www.nwscc.edu/current-students/studentemail> and follow directions.

## Personal Mail

The mailroom does not accept incoming or outgoing personal mail. All personal packages or mail delivered to NW-SCC will be returned to the sender.

## Health Services

Medical facilities are not provided on campus for College students. Medical treatment for students and faculty is not to be obtained from the PN instructors, RN instructors or students except when they set up a time and place to check blood pressure or in the case of an emergency. Health services are limited to first aid and the response of advanced life support units from the local hospitals. The College assumes no responsibility for medical treatment to its students. Any accident or injury requiring more than basic first aid treatment is referred to one of the local hospitals or to the student's private physician. The expense of hospitalization or medical treatment will be borne by the student.

For the Shoals Campus, the emergency phone number for the Helen Keller Ambulance Service is 256.386.4601. This service will transport to Helen Keller, Medical Center Shoals, or ECM Hospital. Limited first aid supplies are located in the Admissions Office on both campuses and in each of the Occupational Program Offices on the Shoals Campus. For the Phil Campbell Campus, the emergency phone number for the Phil Campbell Rescue Squad is 205.993.4242 or 911.

# Student Insurance Benefits

## ELIGIBILITY

All eligible students of Northwest-Shoals Community College are covered for the activities while under the care and direction of the school with the exception of Dual Enrollment/Dual Credit.

## POLICY EFFECTIVE DATE

The Policy is effective from August 16, 2018 to August 16, 2019.

## MEDICAL EXPENSE BENEFITS

If the Insured Student incurs eligible expenses as the result of a covered injury, directly and independently of all other causes, the Company will pay the charges incurred for such expense within 52 weeks, beginning on the date of accident. Payment will be made for eligible expenses not to exceed \$10,000. The first such expense must be incurred within 60 days after the date of the accident. "Eligible Expense" means charges for the following necessary treatment and service, not to exceed the usual and customary charges in the area where provided, including:

1. Medical and surgical care by a physician;
2. Radiology (X-rays);
3. Prescription drugs and medicines;
4. Dental treatment of sound natural teeth;
5. Hospital care and service in semi-private accommodations, or as an outpatient;
6. Ambulance service from the scene of the accident to the nearest hospital;
7. Orthopedic appliances necessary to promote healing.

## CLAIM PROCEDURE

In the event of an accident, the student should:

1. Report immediately to the nearest doctor or hospital.
2. A completed claim form is required for each accident in order to process the claim. Secure a claim form from the cashier's office or online at [www.studentplanscenter.com](http://www.studentplanscenter.com). Complete and sign the claim form, attach all medical and hospital bills and mail to the Plan Underwriter below.

For a detailed brochure on the NW-SCC Student Insurance Policy, please contact the NW-SCC Cashiers' Office at 256.331.5226 (Shoals Campus) or 256.331.6382 (Phil Campbell Campus).

## NW-SCC Policies

### Campus Security Policies

#### Campus Security

At Northwest-Shoals Community College (NW-SCC), the NW-SCC Security works to help you maintain your personal safety by providing security, emergency preparedness, and educational programming services. While NW-SCC can never guarantee that accidents and criminal activity will not occur, we make every effort to ensure that students, employees and visitors to campus enjoy a safe learning environment.

In compliance with the Clery Act, crime statistics relating to incidents occurring on the campuses of Northwest-Shoals Community College for the calendar years 2018-2020 (January 1, 2018 - December 31, 2020) are posted in the [Annual Security Report](#).

Please direct any questions or concerns regarding the College's security policy to the Dean of Finance, telephone 256-331-5310. For more information regarding College Emergency Preparedness, Emergency Notifications, Title IX, and more please visit the NW-SCC Campus Security website at <https://www.nwscc.edu/about-nw-scc/college-departments/campus-security>.

## A. Reporting Criminal Actions or Other Emergencies

1. It is the policy of the College that any criminal act; act or threat of violence; injury; destruction of college or personal property; traffic accident; or other situation which occurs on any campus of, or any other site operated by, the College, and which may constitute an emergency, a danger to the health, safety, or property of any person, or a threat to the public order be reported to Campus Security at 256.627.1526, Shoals Campus or 256.417.4731, Phil Campbell Campus. If this is unsuccessful, the situation should be reported to the President's Office.
2. All witnesses to any situation which fits into any of the above-described categories shall make themselves available to make written statements and otherwise assist college officials and law enforcement officers in the investigation of the situation. It shall be an offense subject to appropriate disciplinary action for any College employee or student to file false report of, knowingly make a false statement about, or interfere with the investigation of, any situation of the nature described in paragraph A.1. above.
3. It shall be the duty of the College, upon its designated official or officials being made aware of any situation of a nature described in Paragraph A.1. above, to immediately take all reasonable action to prevent or minimize any harm or threat of harm to the employees, students, and visitors of the College. Furthermore, it shall be the duty of said official(s) to notify the appropriate law enforcement agency in the event of an act of a criminal nature, or of any other nature (for example, a traffic accident) which would ordinarily involve law enforcement officials. Additionally, it shall be the duty of said official(s) to contact the appropriate fire department, emergency medical agency, or other authority or agency which is due to be notified of the respective incident.
4. Firearms/weapons of any kind are prohibited on all properties of NW-SCC. Violation of this policy will result in being trespassed from the campus and may result in arrest.

## B. Security of Campus Facilities

The College has a security system for monitoring buildings.

## Crime Statistics

As required by Public Law 101-542, statistics will be made available concerning such crimes as murders, rapes, robberies, aggravated assaults, burglaries, and motor vehicle thefts occurring at any College site.

In compliance with the Clery Act, statistics relating to incidents occurring on the campuses of Northwest-Shoals Community College for the calendar years 2018-2020 (January 1, 2018 - December 31, 2020) are posted in the [Annual Security Report](#).

Please direct any questions or concerns regarding the College's security policy to the Dean of Finance, telephone 256-331-5310. For more information on NW-SCC Campus Security please visit <https://www.nwscc.edu/about-nw-scc/college-departments/campus-security>.

# Children on Campus Policy

Students, faculty and staff are expected to arrange childcare through personal means; however, special needs may arise for the control and placement of children during College activities. Unsupervised children on campus should be reported to Campus Safety or the appropriate supervisor. Children are expected to be under the direct supervision and control of the parent, guardian, or adult who has brought the child onto College property.

Students requesting a child be allowed to attend class should address the individual instructor. Each instructor will make the determination on the appropriateness of such attendance. This occurrence should not be routine and is discouraged to the extent possible. A child who is sick should not be allowed to attend class.

# NW-SCC Clean Air Policy

Northwest-Shoals Community College (NW-SCC) is committed to providing a safe and healthy environment for its employees, students and visitors. The College recognizes the right of persons to make their own decisions about their personal use of tobacco products away from the College. However, in light of findings of the U.S. Surgeon General that exposure to secondhand tobacco smoke and use of tobacco products are significant health hazards, it is the intent of the College to establish a smoke-free environment on its campuses and in its college-owned vehicles. Consequently, the use of tobacco smoking products, including the carrying of any lighted smoking instrument, in College buildings or upon other College premises or inside College-owned, rented or leased vehicles, is prohibited. For the purposes of this policy, a “tobacco product” is defined to include any lighted cigarette (including electronic cigarettes), cigar, pipe, bidi, clove cigarette, and any other smoking product. All College employees, students, visitors and contractors are required to comply with this policy, which shall remain in force at all times. Any College employee or student found to be in violation of the clean air policy will be subject to a monetary fine. Tickets will be issued by campus police officer for violations. Monetary fines will be imposed as listed below, depending on whether the offender is an employee or student. Any visitor or contractor found to be violating this policy shall be asked to discontinue the disallowed activity, and any failure by a visitor or contractor to discontinue the disallowed activity after being requested to do so shall result in the visitor or contractor being escorted off the college premises by campus police. NW-SCC will continue to uphold the current policy that the use of ALL tobacco products is prohibited in all buildings on each campus. Failure to adhere may result in the below listed fines.

## Student Fines

Any NW-SCC student found to have violated this policy shall be subject to the following fines: 1st ticket - Warning, 2nd ticket - \$25.00 fine. All fines must be paid within 7 days of ticketing. Fines that are not paid within the 7 days shall automatically double in amount. A student who has a pending fine or fines may not register for classes nor have transcripts released until all fines are paid in full. Any student wishing to appeal a fine arising from the finding of a tobacco-free violation under this policy may do so with the Assistant Dean, Tom Carter.

## Employee Fines

Any NW-SCC employee found to have violated this policy shall be subject to the following fines: 1st ticket – Warning, 2nd ticket - \$25.00 fine. All fines must be paid within 7 days of ticketing. Fines that are not paid within the 7 days shall automatically double in amount. Any employee wishing to appeal a fine arising from the finding of a violation of this policy may do so with the Instructional Dean’s Office. With the exception of advertising in a newspaper, magazine, or similar publication that is not produced by NW-SCC, no tobacco-related advertising or sponsorship shall be permitted on college campuses or at college-sponsored events. No tobacco-related advertising or sponsorship shall appear in any publications produced by the College or by any club or association authorized by NW-SCC. For the purposes of this policy, the term “tobacco-related” applies to the use

of a tobacco brand or corporate name, trademark, logo, symbol or motto, selling message, recognizable pattern of colors or any other indicia of product identification identical to or similar to, or identifiable with, those used for any brand of tobacco products or company which manufactures tobacco products.

# Substance Abuse Prevention Policy

It is the College's policy for all students and College personnel that the possession of, the distribution of, or the use of drugs and alcohol is prohibited. We are committed to providing a drug-free learning and working environment. We have included in our orientation credit course, which is required of all entering students, a section on drug awareness. The College has and shall maintain a drug-free awareness program as an in-service requirement (annually) to inform employees about:

- the dangers of drug abuse in the workplace;
- the College's policy of maintaining a drug-free workplace;
- any available drug counseling, rehabilitation, or employee assistance program; and
- the penalties that may be imposed upon employees for drug abuse violations.

**WARNING:** As set out more fully in Section 5301 of the Anti-Drug Abuse Act of 1988, for anyone convicted of drug distribution or possession, the court may suspend eligibility for Title IV financial aid. Anyone convicted three or more times for drug distribution may become permanently ineligible to receive Title IV financial aid.

## Philosophy

The College is concerned with both the welfare of the College community and with the academic and personal development of each student. The College strives to create a safe and healthy environment; one in which the high risk of alcohol and other drugs does not interfere with learning, performance and development. Substance abuse disrupts this environment and places at risk the lives and well-being of the members of the College as well as the potential of students for contribution to society. It is important for all members of the College to take responsibility for preventing the illegal or high risk use of alcohol or other drugs from negatively affecting the College's learning environment and the academic physical and emotional well-being of its students.

The College assumes that students are mature adults who have developed mature behavior patterns, positive attitudes, and conduct above reproach. Students must assume responsibility for their own actions.

The College recognizes that the use of drug and alcoholic beverages poses potential risk to the health and safety of members of the College and to the community at large. The College policies and procedures regarding standards of conduct and enforcement; legal sanctions regarding unlawful use, possession or distribution; federal, state, and local ordinances; health risks, and where to get assistance are offered here to serve as a guide in Northwest-Shoals' Drug and Alcohol Prevention Policy.

## I. Policy

It is the policy of the College that during the month of September of each academic year, information regarding the College's drug and alcohol abuse prevention policy shall be distributed to each student and employee of the College. Each year, the Coordinator of Student Success shall review its Drug and Alcohol Abuse Prevention Program and shall:

1. Determine the effectiveness of its program and report to the President any revisions needed by the program to make it more effective;
2. Ensure that the standards of conduct described in Part II hereof are fairly and consistently enforced; and
3. Submit a written report to the President stating the findings and recommendations of the Team.

The President shall implement such of the Team's recommended revisions as he shall deem appropriate and reasonable.



## II. Standards of Conduct and Enforcement

The College is a public educational institution of the State of Alabama and, as such, shall not permit on its premises, or at any activity which it sponsors, the possession, use, or distribution of any alcoholic beverage or any illicit drug by any student, employee, or visitor. In the event of the confirmation of such prohibited possession, use, or distribution by a student or employee, the College shall, within the scope of applicable federal and state due process requirements, take such administrative or disciplinary action as is appropriate. For a student, the disciplinary action may include, but shall not be limited to, probation, suspension or expulsion. For an employee, such administrative action may include, but shall not be limited to, reprimand, or suspension, or termination of employment, or requirement that the employee participate in and/or successfully complete an appropriate rehabilitation program. Any visitor engaging in any act prohibited by this policy shall be called upon to immediately cease such behavior and/or leave the premises, be trespassed by Campus Safety or arrested.

If any employee, student, or visitor shall engage in any behavior prohibited by this policy which is also a violation of federal, state, or local law or ordinance, that employee, student, or visitor shall be subject to referral to law enforcement officials for arrest and prosecution.

## III. Where to Get Assistance

Help is available for persons who are in need of counseling or other treatment for substance abuse. Following are several agencies and organizations which can assist those in need of such services.

### A. On-Campus Assistance

On-campus assistance is available at the College for students and employees of the College through the Division of Student Services on both the Phil Campbell and Shoals Campuses. The Campus Assistance Program offers initial assessment and counseling services, information on substance abuse, and assistance in obtaining off-campus community services. Services provided on-campus are free of charge to the student and/or employee. Costs for off-campus services are the responsibility of the recipient. Confidentiality is maintained in accordance with state and federal laws.

### B. National Toll-Free Hotlines

1.800.622.2255  
National Council on Alcoholism

### C. Local Agencies and Referral Numbers

Northwest Alabama Mental Health Center  
1100 7th Avenue  
Jasper, Alabama 35501  
205.387.0541

#### Satellites

Northwest Alabama Mental Health  
71 Carraway Drive  
Haleyville, Alabama 35565  
205.486.4111

Northwest Alabama Mental Health  
409 1st Street S.E.  
Hamilton, Alabama 35570  
205.921.2186

Bradford Health Services  
1.800.879.7272  
Riverbend Mental Health  
P.O. Box 941  
Florence, Alabama 35631  
256.764.3431

Sunrise Lodge  
1163 Washington Avenue S.W.  
Russellville, Alabama 35653  
256.332.0078

# Expressive Activities by the Campus Community

All requests must be in writing and submitted to the Assistant Dean at least five (5) business days before the event.

Effective January 1, 2021, the Alabama Community College System Board of Trustees adopts this policy to comply with ACT 2019-396 of the Alabama Legislature.

## I. Findings/Policy Statements

In accordance with ACT 2019-396 the Board of Trustees finds the following:

A. A primary function of the Community and Technical Colleges within the Alabama Community College System is the discovery, improvement, transmission, and dissemination of knowledge by means of research, teaching, discussion, and debate, and that to fulfill that function, the Colleges will strive to ensure the fullest degree possible of intellectual freedom and free expression.

B. It is not the proper role of the Colleges to shield individuals from speech protected by the First Amendment to the United States Constitution and Article I, Section 4 of the Constitution of Alabama of 1901, including without limitation, ideas and opinions they find unwelcome, disagreeable, or offensive.

C. Students, administrators, faculty, and staff are free to take positions on public controversies and to engage in protected expressive activity in outdoor areas of the campus, and to spontaneously and contemporaneously assemble, speak, and distribute literature.

D. The Colleges should support free association and shall not deny a student organization any benefit or privilege available to any other organization based on the expression of the organization, including any requirement of the organization that the leaders or members of the organization affirm and adhere to an organization's sincerely held beliefs or statement of principles, comply with the organization's standard of conduct, or further the organization's mission or purpose, as defined by the student organization.

E. The Colleges shall strive to remain neutral, as institutions, on the public policy controversies of the day, except for administrative decisions that are essential to the day-to-day functioning of the Colleges, and the Colleges will not require students, faculty, or staff to publicly express a given view of a public controversy.

F. The Colleges should prohibit all forms of harassment as defined in Act 2019-396, which includes expression so severe, pervasive, and objectively offensive that it effectively denies access to an educational opportunity or benefit provided by the College.

## II. Speech and Expression in Outdoor Areas

A. For purposes of this policy, the Campus Community includes a College's students, administrators, faculty, and staff, as well as the invited guests of the College and the College's recognized student organizations (including organizations seeking recognition), administrators, faculty and staff.

B. Members of the Campus Community shall be permitted to engage in expressive activities in outdoor areas of College property with general access during regular hours of College operation, subject to the limitations described below. Expressive activities are defined as those activities protected under the First Amendment to the United States Constitution and Article I, Section 4 of the Alabama Constitution, including any lawful verbal, written or electronic communication of ideas; lawful forms of peaceful assembly, protests, and speeches; distributing literature; carrying signs; and circulating petitions.

C. Outdoor areas where expressive activities are not allowed include areas of restricted access as identified by the College, which may include but are not limited to areas adjacent to classrooms or places of residence; athletic facilities; areas being used as outdoor classrooms or educational training; or areas where access is restricted due to operational or safety protocols, such as energy or maintenance control areas.

D. Except for Section II.H. below, this policy does not apply to expressive activities that take place in indoor areas of College property including, but not limited to, classrooms or classroom buildings; interior hallways and breezeways; administrative buildings or offices; auditoriums; performing arts venues; events centers; and recreational facilities. Expressive activities in these areas are governed by College policies related to academic freedom, facilities use, and other applicable policies and protocols, subject to the requirement that all Colleges must be open to any speaker whom the institution's student organizations or faculty have invited. These areas may be used for official events sponsored by the College or for non-college use under Board of Trustees Policies 500.01 and 507.01.

E. Members of the Campus Community who engage in expressive activities in permitted outdoor areas may do so freely, spontaneously, and contemporaneously as long as the conduct is lawful, in accordance with laws applicable to conduct and activities on College property, and does not materially and substantially disrupt the functioning of the College or infringe upon the rights of others to engage in expressive activities.

F. Conduct that may materially and substantially disrupt the functioning of the College or infringe upon the rights of others to engage in expressive activities may include:

1. Obstruction of vehicular, bicycle, pedestrian, or other traffic;
2. Obstruction of entrances or exits to buildings or driveways or impeding entry or exit from any building or parking lot or vehicular path;
3. Violations of a state, federal or local law, regulation, or ordinance;
4. Threats to passersby or the use of fighting words, which are words that by their mere utterance inflict violence or would tend to incite a reasonable person to violence or other breach of the peace;
5. Following, badgering, or forcibly detaining individuals;
6. Interference with scheduled College classes, ceremonies or events, including memorials, dedications or classroom activities, whether indoors or outdoors;
7. Damage to property, including buildings, benches, sidewalks, fixtures, grass, shrubs, trees, flowers, or other landscaping;
8. Use of sound amplification, including bullhorns, except within reasonable limits that will not disrupt normal College operations;
9. Use of placards, banners, or signs that are dangerous or cause obstruction as described in subsections 1 and 2 above;
10. Engaging in expressive activities in prohibited or restricted areas as defined in Sections II.B. and II.C. above;
11. Any other interference with normal College operations beyond a minor, brief, or fleeting nonviolent disruption that is isolated or brief in duration; or
12. Any other conduct or activity not protected by the First Amendment to the United States Constitution and Article I, Section 4 of the Alabama Constitution, or other state law.

G. Nothing herein shall be construed to limit the application of laws related to disruptions, disturbances, or interference with the Colleges and the functions of educational institutions.

H. A College may employ police and security officers and use other security measures to ensure the safety of all participants, the Campus Community, and the public. Nothing in the policy shall prohibit the institution from charging a fee for security for events, provided that such fees may not be calculated or otherwise based on the content of the protected expressive or the anticipated reaction to the protected expressive activity. The Board of Trustees encourages Colleges to establish a security fee schedule for events that is based on factors unrelated to the content of the expressive activity, such as number of expected attendees or the time duration of the event.

Presidents may waive security fees at their discretion, but may not exercise their discretion on the basis of the content of the expressive activity or the anticipated reaction to the protected expressive activity, except in emergency situations in which there is a clear and present danger to the campus community or to the public.

Additional fees for the use of campus facilities, such as for the use of IT resources or cleanup costs, are not prohibited under this Policy, as long as such fees are not based on the content of the expressive activity.

I. To promote a safe and effective event, individuals or groups from the Campus Community planning to engage in expressive activity that they anticipate will require the assistance of security should provide sufficient notice to the President or his/her designee, and to the Chief of Police or appropriate campus security personnel, in advance of the event. Such arrangements enable a College to ensure the event takes place in a safe and constructive manner. Each institution will determine the amount of advanced notice that will be required in order for security to be provided.

J. Individuals or groups who engage in expressive activity in outdoor areas on College property are subject to College policies relating to the use and operation of College and campus facilities, including without limitation policies relating to firearms and weapons, alcohol, smoking, and trespass. A College may limit the possession or use of clubs, bats, weapons, open flames, or other material objects on campus property during such events.

K. Each College shall not permit members of the Campus Community to engage in conduct that materially and substantially disrupts protected expressive activity or infringes on the right to engage in expressive activity. Any act of reprisal, interference, coercion, or restraint, by a student or employee, of protected expressive activity, violates this policy and will result in appropriate disciplinary action. Disciplinary sanctions for members of the Campus Community under the jurisdiction of the College who violate this subsection shall be handled through existing processes provided for under law and individual College policy. Each College shall ensure that it has in place appropriate disciplinary sanctions to address any such violations.

L. Nothing in this policy shall be construed to prevent Colleges from regulating and restricting expressive activity that is not protected by the United States Constitution, the Constitution of Alabama of 1901, or state law, including, but not limited to, any of the following:

1. Violations of state or federal law, including, but not limited to, actions that damage institutional property.
2. Expressions that a court has deemed unprotected defamation.
3. Harassment.
4. True threats, which are defined as statements meant by the speaker to communicate a serious expression of an intent to commit an act of unlawful violence to a particular individual or group of individuals.
5. An unjustifiable invasion of privacy or confidentiality not involving a matter of public concern.
6. An action that unlawfully disrupts the function or security of the institution.
7. Any constitutional time, place, and manner restrictions for outdoor areas of campus when they are narrowly tailored to serve a significant institutional interest and when the restrictions employ clear, published, content-neutral, and viewpoint-neutral criteria, and provide for ample alternative means of expression.

M. Complaints or questions regarding the application of this policy should be addressed by use of the ordinary complaint process at the College for students, faculty, and staff.

### III. Commercial Activity on Campus

Individuals, organizations and groups, both internal and external to a College, may not conduct commercial transactions or engage in commercial speech on College property unless authorized pursuant to Board of Trustees Policy 515.01 and approved in accordance with the College's policy regarding solicitation on campus. Commercial speech means speech in which the speaker is engaged in commerce, the intended audience is commercial or actual or potential consumers, and the content of the message is commercial. Fundraising, including political fundraising, is considered solicitation and is therefore deemed commercial speech under this policy.

### IV. Policy Distribution

Colleges shall include in new student, new faculty, and new staff orientation programs a section describing this policy. Colleges shall disseminate this policy to all members of the campus community and shall make this policy available in College handbooks and on College websites.

### V. Inconsistent Policies

This policy shall supersede and nullify any previous policies of the Board of Trustees or of the institutions that restrict speech on the College campuses.

This policy is not intended to supersede, nullify, or amend any policies of the Board of Trustees or the institutions that regulate the reservations and use of interior spaces on the College campuses, or that charge incidental fees for the use of such spaces.

### VI. Reports

A. The Chancellor, on behalf of the Board of Trustees, shall submit to the Governor and Legislature the adopted policy and course of action implemented to ensure compliance with Act 2019-396 within 30 days of the policy's adoption. Any changes or updates to the policy shall be submitted within 30 days after making the changes or updates.

B. The Colleges shall prepare and submit reports to the Chancellor and Board of Trustees by August 15 for the prior 12-month period ending July 31 that include the following:

1. The date and description of each violation of the policy.
2. A description of the administrative handling and discipline relating to each violation.
3. A description of substantial difficulties, controversies, or successes in maintaining a posture of administrative and institutional neutrality.
4. Any additional assessments, criticism, commendations, or recommendations the Colleges see fit to include. The Chancellor, on behalf of the Board of Trustees, shall compile this information into a comprehensive report that shall be displayed in a prominent location on the ACCS website by September 1 of each year. In addition, a copy of the report shall be provided to the Alabama Commission on Higher Education

## Policy on Intellectual Property Rights

Based upon the State Board of Education policy 321.01: copyright, Trademark, and Patent Ownership, it is the policy of NW-SCC that in a situation where a student or college employee develops an intellectual property, and such development arises in whole or in part from the use of college resources (including the work time of any college employee), the College shall have complete and exclusive ownership of all resulting copyrights and/or patents. However, it shall be the policy of NW-SCC that in such a situation, the employee/ student who develops the textbook, workbook, technology, or other product shall be entitled to a designated share of any royalties or

license fees received by the College from such a copyright or patent, provided that prior to the development of the respective product, there shall be a contract executed between NW-SCC and the employee by which the employee will be authorized to use the resources of NW-SCC in the product's development. In particular, the contract shall specify:

- The nature, scope, type, and number of NW-SCC resources which are anticipated to be used in the product's development.
- The proportionate share of royalties or fees which the employee/student shall be eligible to receive and shall further specify the types of documentation to be provided to the College as to what College resources were used and what outside resources were used to develop the product.
- That the portion of any royalties or fees to be received by the employee/student must have a direct relationship to the verifiable amount of the employee's/student's personal time, resources, and/or funds which are to be used in the product's development, as compared to the verifiable amount of all time, resources, and funds to be devoted to the development of the product.
- That any compensation to the employee/student arising from the development of the product must be made from proceeds derived directly from the publication, manufacture, sale, lease, or distribution of the products, and not from any State or Federal funds.
- That the contract does not provide an exemption from, and does not imply compliance with, the Alabama Ethics Law, and that it shall be subject to the scrutiny of the Alabama Ethics Commission, which shall be provided with a copy of the contract.
- That prior to the payment of any compensation to any college employee/student under a contract of the type described above, such contract or payment must be approved in writing by the appropriate dean level administrator.

All revenue derived from the creation and production of intellectual property by any NW-SCC employee/student, which is not designated as the employee/student share, shall be placed into the College's general fund to cover the cost of the College resources which were used in the development of the product.

Any NW-SCC employee/student who is interested in entering into an agreement with the College for the development of any intellectual property subject to this policy shall begin the process by submitting to the appropriate dean a written proposal which describes in detail the proposal, and which contains a list of all anticipated college resources needed for the development of the product as well as all resources to be provided by the employee or any other person or source other than the College.

# PC Network/Internet Acceptable Usage Policy

## Introduction

The College owns and operates a variety of computing systems which are provided for the use of College students, faculty, and staff in support of the programs of the College and are to be used for education, academic development, and public service only. Commercial uses are specifically excluded. All students, faculty and staff are responsible for seeing that these computing facilities are used in an effective, efficient, ethical, and lawful manner.

These regulations establish rules and prohibitions that define acceptable use of these systems. Unacceptable use is prohibited, and is grounds for loss of computing privileges, as well as discipline or legal sanctions under Federal, State, and local law.

## Statement of Policy

### A. Audience and Agreement

1. All users of the College computing systems must read, understand, and comply with the policies outlined in this document, as well as any additional guidelines established by the administrators (AS400 and PC Network) of each system. Such guidelines will be reviewed by the College and may become subject to approval as a college policy or procedure.
2. By using any of these systems, users agree that they will comply with these policies.

## **B. Rights**

1. These computer systems, facilities, and accounts are owned and operated by the College. The College reserves all rights, including termination of service without notice, to the computing resources that it owns and operates. These procedures shall not be construed as a waiver of any rights of the College, nor shall they conflict with applicable acts of Law.
2. Users have rights that may be protected by federal, state, and local law.

## **C. Privileges**

1. Access and privileges on College computing systems are assigned and managed by the appropriate system administrator. Eligible individuals may become authorized users of a system and be granted appropriate access and privileges by following the approval steps prescribed for that system.
2. Faculty/staff and students may use a lab at any time the facility is not in use. If the lab is in use the permission of the instructor should be obtained. A faculty/staff member or a student should not use a lab if the use monopolizes equipment or disrupts the scheduled use of the facility.
3. Faculty making assignments requiring students to use a computer (other than classes already scheduled) must make arrangements with the appropriate system administrator

## **D. Responsibilities**

1. Users are responsible for maintaining the following:
  - a) An environment in which access to all College computing resources are shared equitably among users:
  - b) The system administrator of each system sets minimum guidelines within which users must conduct their activities.
2. An environment conducive to learning:
  - a) A user, who uses the College's computing systems to harass, or make defamatory remarks, shall bear full responsibility for his or her actions. Further, by using these systems, users agree that individuals who transmit such remarks shall bear sole responsibility for their actions. Users agree that the College's role in managing this system is only as an information carrier, and that they will never consider transmission through this system as an endorsement of said transmission by the College.
  - b) Many of the College computing systems provide access to outside networks both public and private which furnish electronic mail, information services, bulletin boards, conferences, etc. Users are advised that they may encounter material that may be considered offensive or objectionable in nature or content. Users are further advised that the College does not assume responsibility for the contents of any of these outside networks.
  - c) The user agrees to comply with the acceptable use guidelines for whichever outside networks or services they may access through College systems.
  - d) Further, the user agrees to follow proper etiquette on outside networks. Documents regarding etiquette are available through system administrators and through specific individual networks.
  - e) The user agrees never to attempt to transmit, or cause to be transmitted, any message in which the origination is deliberately misleading.
  - f) The user agrees that, in the unlikely event that someone does transmit, or cause to be transmitted, a message that is inconsistent with an environment conducive to learning or with a misleading origination, the person who performed the transmission will be solely accountable for the message, not the College, which is acting solely as the information carrier.
3. An environment free of illegal or malicious acts:
  - a) The user agrees never to use a system to perform an illegal or malicious act. Any attempt to increase the level of access to which (s)he is authorized, or any attempt to deprive other authorized users of resources or access to any College computer system shall be regarded as malicious, and may be treated as an illegal act.
4. A secure environment:

- a) Any user who finds a possible security lapse on any system is obliged to report it to the system administrators. The system must not be used until the system administrator has investigated the problem.
- b) Knowledge of passwords or of loopholes in computer security systems shall not be used to damage computing resources, obtain extra resources, take resources from another user, gain unauthorized access to resources or otherwise make use of computing resources for which proper authorization has not been given.
- c) Users are responsible for backup of their own data.

### **E. Accounts**

1. All accounts allowing access to the College computer resources must approve by the appropriate system administrator including the issuing of passwords.
2. In the event an individual is no longer employed by the College it is the responsibility of the employee's supervisor to notify the appropriate system administrator to close the former employee's account.
3. Users may not, under any circumstances, transfer or confer these privileges to other individuals. Others shall not use any account assigned to an individual without written permission from the system's administrator. The authorized user is responsible for the proper use of the system, including any password protection.

### **F. Confidentiality**

The College reserves the right to access all information stored on College computers without notice. File owners will be notified of file access and/or maintenance, in advance, if such notice is practical. When performing maintenance, every effort is made to insure the privacy of a user's files. However, if policy violations are discovered, they will be reported immediately to the appropriate systems administrator.

### **G. System Usage**

Electronic communications facilities (such as e-mail) are for College related activities only. Fraudulent, harassing or obscene messages and/or materials are not to be sent or stored.

### **H. System Performance**

No one should deliberately attempt to degrade the performance of a computer system or to deprive authorized personnel of resources or access to any College computer system.

### **I. Unauthorized Access**

No one should deliberately attempt to degrade the performance of a computer system or to deprive authorized personnel of resources or access to any College computer system.

### **J. Copyright**

Computer software protected by copyright is not to be copied from, into, or by using campus computing facilities, except as permitted by law or by the contract with the owner of the copyright.

Peer-to-Peer file sharing is prohibited by Northwest-Shoals Community College

College networks and equipment may not be used to violate copyright laws. The unauthorized reproduction of copyrighted materials, including illegal downloading or sharing of copy righted music, movies, books, etc., is a serious violation of NW-SCC's Network Usage Policy as well as U.S. Copyright Laws.



# Summary of Civil and Criminal Penalties for violation of Federal Copyright Laws

Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement.

Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or “statutory” damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For “willful” infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys’ fees. For details, see Title 17, United States Code, Sections 504, 505.

Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense.

For more information, please see the Web site of the U.S. Copyright Office at [www.copyright.gov](http://www.copyright.gov), especially their FAQ’s at [www.copyright.gov/help/faq](http://www.copyright.gov/help/faq).

## **K. Violations**

Appropriate disciplinary action will be taken against individuals found to have engaged in prohibited use of the College AS400 or PC network/internet resources. The following sanctions could be imposed for a violation of any of the policies and procedures stated herein.

1. Immediate loss of access.
2. Additional disciplinary action to be determined by the college in line with existing policies.
3. Legal action, when applicable.

## **L. Additional Guidelines**

System administrators will establish more detailed guidelines, as needed, for specific computer systems and networks. These guidelines will cover such issues as allowable connect time and disk space, handling of irretrievable mail, responsibility for account approval and other items related to administering the system.

# Title IX Sexual Harassment Complaint Procedures

Northwest-Shoals Community College is committed to providing a campus community free of sexual misconduct and harassment. As required by Title IX of the Education Amendments of 1972, the College does not discriminate on the basis of sex in its educational programs and activities. This includes discrimination affecting employees of the College and applicants for employment, students and applicants for admission, or members of the public. All members of the College community are expected to conduct themselves in a manner that does not infringe upon the rights of others, whether on College premises or at any College owned off campus location and while participating in any educational program or activity of the College.

Sexual harassment, which includes sexual misconduct and sexual assault, is a form of sex discrimination which is prohibited under Title IX of the Education Amendments of 1972 and the Violence Against Women Act. This policy is intended to reaffirm the College’s commitment to address sexual harassment and take steps to prevent its reoccurrence and preserve or restore equal access to the College’s educational programs and activities. Dating

violence, domestic violence, and stalking may also be considered forms of sexual discrimination. Due to the seriousness of these offenses, the College has adopted specific policies and procedures, outlined in the Student Handbook, in employment policies, and on the College's webpage, to address alleged instances of sexual harassment, sexual misconduct, sexual assault, dating violence, domestic violence, and stalking. The College believes that no person should bear the effects of sexual harassment alone. When such conduct occurs, the College's paramount concern is for the safety and wellbeing of those impacted. To support and assist students, the College provides a range of resources that include a trained counselor.

Under Title IX, individuals reporting allegations related to sexual harassment and/or sexual violence have the right to a resolution of their complaint, to have the College conduct a prompt, thorough, and impartial investigation, and to receive supportive measures to ensure the safety and wellbeing of the individuals involved and the College community.

When allegations of sexual harassment and/or sexual violence in any form are brought to the attention of the Title IX Coordinator, and if a responding party is found to have violated this policy, serious sanctions will be used to prevent its reoccurrence. Northwest-Shoals Community College does not tolerate or condone retaliation. Individuals wishing to report sexual harassment and/or sexual violence and/or to make inquiries concerning the application of Title IX at the College may contact:

Dr. Crystal Reed  
Assistant Dean - Student Services Division  
P.O. Box 2545  
Muscle Shoals, AL 35662  
Phone: 256-331-5291  
Email: [crystal.reed@nwsc.edu](mailto:crystal.reed@nwsc.edu)

and/or

Assistant Secretary  
U.S. Department of Education  
Office for Civil Rights  
Lyndon Baines Johnson Department of Education Building  
400 Maryland Avenue, SW  
Washington, DC 20202-1100  
Telephone: 800-421-3481  
Fax: 202-453-6012; TDD: 800-877-8339  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)

Information regarding the Title IX Coordinator and their role will be provided to all faculty, staff, students, applicants for admissions, and applicants for employment. Also, this information is available on the College's website at [www.nwsc.edu](http://www.nwsc.edu) on the Title IX webpage.

## **POLICY**

The U.S. Department of Education's Office for Civil Rights (OCR) enforces, among other statutes, Title IX of the Education Amendments of 1972. Title IX protects people from discrimination based on sex in educational programs or activities that receive Federal financial assistance. Title IX states that: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

## **DEFINITIONS RELATING TO SEXUAL HARASSMENT**

Many terms are used in the context of sexual harassment. The following will provide some common definitions and examples.

**Actual knowledge:** The notice of sexual harassment or allegations of sexual harassment to the Title IX Coordinator or any official of the College who has authority to institute corrective measures of behalf of the College shall be deemed actual knowledge on the part of the College.

**Complainant:** is an individual who is alleged to be the victim of conduct that could constitute sexual harassment. For the purposes of this procedure a complainant may be an individual applying for admission or employment, an employee, a student or an individual otherwise participating in or attempting to participate in the College's education programs and activities.

**Respondent:** is an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

**Formal complaint:** is a document filed by the complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the College investigate the allegation of sexual harassment. Note: At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in an educational program or activity of the College at which the formal complaint is filed.

**Consent:** "Consent" must be informed, voluntary, and mutual and can be withdrawn at any time. There is no consent when there is force, expressed or implied, or when coercion, intimidation, threats, or duress is used. Whether or not a person has taken advantage of a position of influence over another person may be a factor in determining consent. Silence or absence of resistance does not imply consent. Past consent to sexual activity with another person does not imply ongoing future consent with that person or consent to that same sexual activity with another person.

**Incapacitation:** An individual who is incapacitated is unable to give consent to sexual contact. States of incapacitation include sleep, unconsciousness, intermittent consciousness, intoxication, or any other state where the individual is unaware that sexual contact is occurring or is otherwise unable to give informed and voluntarily consent. Incapacitation may also exist because of a mental or developmental disability that impairs the ability to consent to sexual contact. Example: A person who is taking pain medication and falls asleep under the influence of the medication can be incapacitated and not be able to give consent to sexual contact.

**Sexual Misconduct:** Committing sexual abuse, sexual assault, sexual harassment, sexual exploitation, or statutory rape, as defined below or under Alabama state law.

**Harassment:** The striking, shoving, kicking, or otherwise touching or making physical contact in regard to another for the purpose of harassing, annoying or alarming; and/or directing abusive or obscene language or making an obscene gesture toward someone for the purpose of harassing, annoying, or alarming. Example: making or using persistent derogatory comments, epithets, or slurs that place a person in a hostile or fearful environment or where the person's safety is in jeopardy.

**Sexual harassment:** Conduct on the basis of sex that satisfies one or more of the following:

- A school employee conditioning education benefits on participating in unwelcome sexual conduct (i.e. quid pro quo);
- Unwelcomed conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity; or
- Stalking, dating violence, or domestic violence.

### **Definitions of Sexually Based Offenses**

Sexual abuse in the first degree:

- (a) A person commits the crime of sexual abuse in the first degree if:
  - (1) He subjects another person to sexual contact by forcible compulsion; or
  - (2) He subjects another person to sexual contact who is incapable of consent by reason of being physically helpless or mentally incapacitated.
- (b) Sexual abuse in the first degree is a Class C felony (Alabama Code 13A-6-66).

Sexual abuse in the second degree:

- (a) A person commits the crime of sexual abuse in the second degree if:

- (1) He subjects another person to sexual contact who is incapable of consent by reason of some factor other than being less than 16 years old; or
- (2) He, being 19 years old or older, subjects another person to sexual contact who is less than 16 years old, but more than 12 years old.
- (b) Sexual abuse in second degree is a Class A misdemeanor, except that if a person commits a second or subsequent offense of sexual abuse in the second degree within one year of another sexual offense, the offense is a Class C felony (Alabama Code 13A-6-67).

#### Rape in the first degree:

- (a) A person commits the crime of rape in the first degree if:
  - (1) He or she engages in sexual intercourse with a member of the opposite sex by forcible compulsion; or
  - (2) He or she engages in sexual intercourse with a member of the opposite sex who is incapable of consent by reason of being physically helpless or mentally incapacitated; or
  - (3) He or she, being 16 years or older, engages in sexual intercourse with a member of the opposite sex who is less than 12 years old.
- (b) Rape in the first degree is a Class A felony (Alabama Code 13A-6-61).

#### Rape in the second degree:

- (a) A person commits the crime of rape in the second degree if:
  - (1) Being 16 years old or older, he or she engages in sexual intercourse with a member of the opposite sex less than 16 and more than 12 years old; provided, however, the actor is at least two years older than the member of the opposite sex.
  - (2) He or she engages in sexual intercourse with a member of the opposite sex who is incapable of consent by reason of being mentally defective.
- (b) Rape in the second degree is a Class B felony (Alabama Code 13A-6-62).

#### Sodomy in the first degree:

- (a) A person commits the crime of sodomy in the first degree if:
  - (1) He engages in deviate sexual intercourse with another person by forcible compulsion; or
  - (2) He engages in deviate sexual intercourse with a person who is incapable of consent by reason of being physically helpless or mentally incapacitated; or
  - (3) He, being 16 years old or older, engages in deviate sexual intercourse with a person who is less than 12 years old.
- (b) Sodomy in the first degree is a Class A felony (Alabama Code 13A-6-63).

#### Sodomy in the second degree:

- (a) A person commits the crime of sodomy in the second degree if:
  - (1) He, being 16 years old or older, engages in deviate sexual intercourse with another person less than 16 and more than 12 years old.
  - (2) He engages in deviate sexual intercourse with a person who is incapable of consent by reason of being mentally defective.
- (b) Sodomy in the second degree is a Class B felony (Alabama Code 13A-6-64).

#### Domestic Violence:

Includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person cohabitating with or has cohabitated with the victim as a spouse, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction (34 U.S.C.12291(a)(8)).

In Alabama, domestic violence includes felony and misdemeanor crimes of violence committed by a current or former spouse, parent, child, any person with whom the defendant has a child in common, a present or former household member, or a person who has or had a dating or engagement relationship with the defendant (Alabama Code Section 13A, Article 7 Domestic Violence in 1st, 2nd, and 3rd Degrees).

Dating Violence:

Means violence committed by a person –

- (a) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- (b) Where the existence of such a relationship will be determined based on a consideration of the following factors:
  - The length of the relationship,
  - The type of relationship,
  - The frequency of interaction between the persons involved in the relationship (34 U.S.C.12291(a) (10).

In Alabama, dating violence is covered under Alabama Code Section 13A, Article 7 Domestic Violence in 1st, 2nd, and 3rd Degrees.

Stalking:

Means engaging in a course of conduct directed at a specific person that would cause a reasonable person to a) fear for his or her safety or the safety of others; or b) suffer substantial emotional distress 34 U.S.C.12291(a)(30).

In Alabama, stalking is when a person intentionally and repeatedly follows or harasses another person and who makes a threat, either expressed or implied, with the intent to place that person in reasonable fear of death or serious bodily harm (13A-6-90 Stalking in the first degree) or a person who, acting with an improper purpose, intentionally and repeatedly follows, harasses, telephones, or initiates communication, verbally, electronically, or otherwise, with another person, any member of the other person's immediate family, or any third party with whom the other person is acquainted, and causes material harm to the mental or emotional health of the other person, or causes such person to reasonably fear that his or her employment, business, or career is threatened, and the perpetrator was previously informed to cease that conduct (Section 13A-6-91 Stalking in the second degree).

Sexual assault:

Means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting systems of the Federal Bureau of Investigation 20 U.S.C.1092 (f)(6)(A)(v).

### **Victims Option to Report**

Students and employees who are victims of crime including rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking, are encouraged by the College to report but do have the option not to report the incident to campus law enforcement or local law enforcement. In those cases, the victim may still seek assistance confidentially from Crisis Services of North Alabama or any other victim service agency of their choosing.

### **Formal Complaint Process**

#### **A. INITIAL STEPS**

Any student or employee of the College or applicant for employment or admission who has a complaint against a student or a member of the College faculty, staff, or administration concerning sexual harassment (Title IX of the Educational Amendments of 1972) or has knowledge of any conduct constituting sexual harassment in an educational program or activity of the College or which occurred on property owned by the College or controlled by the College should report the complaint to the campus Title IX Coordinator [[www.nwscc.edu](http://www.nwscc.edu)]. An educational program or activity of the College includes, but is not limited to locations, events or circumstances over which the College exercised substantial control over both the respondent and the context in which the sexual harassment occurs, and also includes buildings owned or controlled by a student organization that is officially recognized by the College.

#### **B. REPORTING A COMPLAINT**

Any individual may report a sexual harassment incident to the Title IX Coordinator in person, by email, by telephone, or in writing. The report must include the names of the complainant(s) and respondent(s), approximate date of incident, facts of the incident, and contact information for the person submitting the complaint.

The Title IX Coordinator will respond in writing to the person submitting the complaint as soon as practicable, but not exceeding five (5) business days. If the person submitting the complaint is not the complainant, the Title IX Coordinator will also contact the complainant within five (5) business days.

If after a discussion with the complainant, the Title IX Coordinator determines that the complaint does not qualify as a Title IX Complaint, the Title IX Coordinator will notify the complainant in writing and may redirect the complaint to the appropriate committee.

If after a discussion between the complainant and the Title IX Coordinator, the Title IX Coordinator determines that the complaint meets the criteria of a Title IX Complaint and the complainant requests to file a formal complaint, the Title IX Coordinator will initiate the formal complaint process.

### C. SUPPORTIVE MEASURES

Supportive measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the College's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the College's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The College must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

Supportive measures will be offered to the complainant within five (5) business days of receipt of the complaint.

Supportive measures will be offered to the respondent simultaneously with the Notice of Allegations.

### D. Standard of Evidence for Determining Responsibility

For the purposes of College Title IX procedures, the College will use a "preponderance of evidence" standard for determining responsibility. Preponderance of the evidence means evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is evidence which as a whole shows that the fact sought to be proved is more probable than not.

### E. FORMAL COMPLAINT PROCESS

A formal complaint must be submitted in electronic (email) or written format to the Title IX Coordinator and must be signed by the complainant. In the event that under the circumstances a formal complaint should be pursued notwithstanding a complainant's desire not to file a formal complaint, the Title IX Coordinator may sign the complaint. The complaint must include the following:

- the date of the original complaint,
- names of complainant and respondent,
- facts and description of the complaint, and
- the request to investigate complaint.

A complainant must be participating in or attempting to participate in a College sponsored program or activity at the time the complaint is filed.

### F. DISMISSAL OF FORMAL COMPLAINT

The College may dismiss a formal complaint or allegations therein if:

- the complainant informs the Title IX Coordinator in writing that the complainant desires to withdraw the formal complaint or allegations therein,
- the respondent is no longer enrolled or employed by the school, or
- specific circumstances prevent the school from gathering sufficient evidence to reach a determination.

The College must dismiss a formal complaint or allegations therein if:

- the allegations do not meet the definitions of sexual harassment
- the alleged conduct did not occur within the United States, or
- the alleged conduct did not occur within a College sponsored program or activity.

If the College determines the formal complaint or allegations therein will be dismissed, the Title IX Coordinator will provide written notice to both parties of the dismissal of allegations, and the reason for dismissal within five (5) business days of the decision to dismiss the complaint.

#### G. NOTICE OF ALLEGATIONS

The Title IX Coordinator will provide simultaneous written notice of allegations, including sufficient details, and intent to investigate to the complainant and respondent no later than ten (10) calendar days after receipt of the formal complaint. The Title IX Coordinator will also provide both parties with the formal complaint, grievance and appeal process, possible sanctions and remedies, and availability of advisors. The written notice shall include a statement that the respondent is presumed not responsible for the alleged conduct, that the parties and their advisors may review and inspect evidence, and that the parties are advised of the provisions of the College Code of Conduct relating to making false statements or submitting false information during the grievance process.

The Title IX Coordinator will additionally notify the Title IX Investigator of the pending investigation and provide a copy of the formal complaint.

#### H. ADVISORS

In addition to providing the complainant and respondent with written notice of allegations and intent to investigate, the Title IX Coordinator will inform the parties of the availability of advisors. Both parties shall have the right to retain, at the respective party's own cost, the assistance of legal counsel or another personal representative advisor. In the alternative, either or both parties may also request an advisor provided by the College.

Only an advisor may conduct cross-examination during the live hearing.

Neither party may dismiss a College appointed advisor.

#### I. INVESTIGATION PROCEDURE

The Title IX Investigator is responsible for conducting an investigation of the submitted formal complaint. The Title IX Investigator will have received Title IX Investigator training within the current academic year.

The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the College and not on the parties.

The Title IX Investigator will notify the complainant and respondent in writing of the intent to investigate within five (5) business days of receipt of the formal complaint and will commence interviews within ten (10) business days or receipt of the formal complaint. The Title IX Investigator will notify the complainant and respondent and their respective advisors in writing of all individuals the investigator intends to interview.

Either party may identify other witnesses with relevant information for interview or other evidence for review by the Investigator.

The Title IX Investigator will conduct a factual investigation of the formal complaint and shall research applicable statutes, regulations, and/or policies, if any. The Title IX Investigator will notify any interviewees in writing of the intent to interview. Interviewees will have at least five (5) business days' notice of an interview. Notice will include the participants, date, place, purpose, and time of the interview.

The College will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory (tending to establish fault or guilt) and exculpatory (clearing or tending to clear from alleged fault or guilt) evidence. Creditability determinations may not be based on a person's status as a complainant, respondent, or witness.

The College will provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; however, the College may establish restrictions regarding the extent to which the advisor may participate in proceedings, as long as the restrictions apply equally to both parties.

The College will provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the College does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.

The College will make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal access opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

Prior to the completion of the investigative report, the Title IX investigator will submit all reviewed evidence to the Title IX Coordinator. The Title IX Coordinator will provide copies of all evidence reviewed during the investigation to the complainant, respondent, and their respective advisors. All parties will have ten (10) business days to review the evidence and respond in writing to the Title IX Coordinator. Subsequent to the ten (10) business day review period, the Title IX Coordinator will direct any responses from the complainant, respondent, or their respective advisors to the Title IX Investigator for additional review. The Title IX Investigator will submit a final report and the reviewed evidence to the Title IX Coordinator. At least 10 days prior to the live hearing, the Title IX Coordinator will simultaneously provide the complainant, respondent, their respective advisors, with the final report and all reviewed evidence for their review and written response. The President will select a Hearing Officer to conduct the live hearing. The Hearing Officer shall be provided a copy of the investigative report and reviewed evidence.

#### J. LIVE HEARING PROCEDURE

Upon receipt of the final investigative report, the Hearing Officer will convene a Decision Maker Panel and schedule a live hearing. The panel will consist of three (3) individuals selected by the Hearing Officer who have completed Decision Maker training during the current academic year. The Hearing Officer will designate one of the Decision Makers as Primary Decision Maker. Hearing Officer will notify the complainant, respondent, their respective advisors, Title IX Coordinator, Title IX Investigator, witnesses named in the final report, and the Decision Makers of the live hearing date within five (5) business days of receipt of the final investigative report. The live hearing date must provide the complainant, respondent, and their respective advisors with no less than ten (10) business days to review the final investigative report and all supporting evidence.

The hearing must be a live, recorded hearing with the opportunity for both advisors to conduct cross-examinations. The hearing shall be recorded by either a court reporter or on audio or video tape or by other electronic recording medium. In addition, all items offered into evidence by the parties, whether admitted into evidence or not, shall be marked and preserved as part of the hearing record.

Upon request, the complainant and respondent may participate in the hearing via on-campus video conferencing provided that all parties, including the Decision Making Panel, are able to see and hear the party or witness answering questions in real-time. The Hearing Officer, Decision Makers, Complainant, Respondent, and their respective advisors will attend the hearing. The Title IX investigator, Title IX Coordinator and witnesses will be called



to provide testimony if requested by the Decision Makers, parties or their respective advisors. If a party does not have an advisor present at the live hearing, the College shall provide without fee or charge to that party, an advisor of the College's choice, who may be, but is not required to be an attorney.

The hearing process will consist of:

- Opening statement by Hearing Officer
- Review of hearing procedures, formal complaint, and notice of allegations by Hearing Officer
- Review of potential hearing outcomes and sanctions by Hearing Officer
- Complainant Testimony
- Cross-examination of complainant by respondent advisor
- Testimony of witnesses of complainant
- Cross-examination of complainant witnesses by respondent advisor
- Respondent Testimony
- Cross-examination of respondent by complainant advisor
- Witnesses of respondent testimonies
- Cross-examination of respondent witnesses by complainant advisor
- Decision Maker inquiries
- Review of appeal process by Hearing Officer
- Closing statement by Hearing Officer
- Dismissal of parties
- Decision Maker deliberations

At the hearing, the Hearing Officer shall read the hearing procedures, notice of allegations, formal complaint, potential hearing outcomes, and potential sanctions. After the Hearing Officer concludes opening statements, the complainant shall have the opportunity to present such oral testimony and offer such other supporting evidence as deemed relevant to the formal complaint. Subsequent to complainant testimony, the respondent advisor may conduct cross-examination. The Decision Makers may question the complainant after the cross-examination.

The complainant may call witnesses to provide testimony as deemed appropriate to the formal complaint. The respondent advisor may conduct cross-examination of the witnesses. The Decision Makers may question the witnesses after the cross-examination.

The respondent shall then be given the opportunity to present such testimony and offer such other evidence as deemed relevant to the respondent's defense against the formal complaint. Subsequent to respondent testimony, the complainant advisor may conduct cross-examination. The Decision Makers may question the respondent after the cross-examination. The respondent may call witnesses to provide testimony as deemed appropriate to the formal complaint. The complainant advisor may conduct cross-examination of the witnesses. The Decision Makers may question the witnesses after the cross-examination.

Only relevant cross-examination and other questions may be asked of a party or witness. During cross-examination, the advisor will pose each question orally to the Primary Decision Maker. The Primary Decision Maker will determine if the complainant, respondent, or witnesses may respond to the question. If the Primary Decision Maker chair determines that the question is not relevant, the Primary Decision Maker will explain the rationale for dismissing the question. Rape shield protection is provided for complainants which deems irrelevant questions and evidence about a complainant's prior sexual behavior unless offered to prove that someone other than the respondent committed the alleged misconduct or if the questions and evidence concern specific incidents of complainant's prior sexual behavior with respect to the respondent and offered to prove consent.

If a witness or party is not available or declines cross-examination, the Decision Makers must not rely on any statement of that witness in reaching a determination regarding responsibility; provided, however, that the Decision Makers cannot draw an inference about the determination regarding responsibility based solely on a party or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

Upon conclusion of the presentation of the evidence and cross-examinations, the Hearing Officer shall read the appeal process and closing statements. The complainant, respondent, their respective advisors and all witnesses shall be dismissed.

The Decision Makers will deliberate to determine if the respondent is deemed responsible and submit a written hearing report which contains:

- identification of the allegations potentially constituting sexual harassment;
- a description of the procedural steps taken from the receipt of the formal complaint through determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- findings of fact supporting the determination;
- conclusions regarding the application of the College's code of conduct to the facts;
- a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the College imposes on the respondent, and whether remedies designed to restore or preserve equal access to the College's education program or activity will be provided by the College to the complainant; and
- the College's procedures and permissible bases for the complainant and respondent to appeal.

The Primary Decision Maker will submit the hearing report to the Hearing Officer within ten (10) business days of the live hearing.

The Hearing Officer will submit the hearing report simultaneously to the Title IX Coordinator, complainant, respondent, and their respective advisors within three (3) business days of receipt of the hearing report.

The College must provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the College provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

The Title IX Coordinator will retain the recording of the hearing, the hearing report, the investigative report, and all evidence obtained during the investigation and all evidence offered at the hearing.

#### K. APPEAL PROCEDURE

Appeals of a determination regarding responsibility and from the College's dismissal of a formal complaint or any allegations therein are available to both parties on the following grounds: (1) procedural irregularity that affected the outcome of the matter; (2) new evidence that was not reasonably available at the time the decision regarding responsibility or dismissal was made, that could affect the outcome; and/or (3) the Title IX Coordinator, Investigator, or a Decision Maker had a conflict of interest or bias that affected the outcome.

The President of Northwest-Shoals Community College or his/her designee shall be the appeal authority in upholding, rejecting, or modifying the recommendations of the Decision Maker Panel. The President or his/her designee shall not be bound in any manner by the recommendation(s) of the Decision Maker Panel, but shall take it (them) into consideration in rendering his/her decision.

Either party may file a written request with President requesting that the President review the decision of the Decision Maker Panel. The written request must be filed within ten (10) business days following the party's receipt of the hearing report. If the appeal is not filed by the close of business on the tenth (10th) business day following the party's receipt of the report, the party's opportunity to appeal shall have been waived.

As to all appeals, the College will:

- notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
- ensure that the Decision-Maker(s) for the appeal is not the same person as the Decision Maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator.
- ensure the Decision-Maker(s) for the appeal complies with the standards set for in 34 C.F.R. § 160.45(b)(iii);
- give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
- issue a written decision describing the result of the appeal and the rationale for the result; and
- provide the written decision simultaneously to both parties.

A decision on a party's appeal shall be rendered within 30 calendar days of the initiation of the appeals process. The time for decision may be extended for exigent circumstance or as may be otherwise agreed by the parties.

If the respondent is also an employee of the College, the individual may also file a claim with the Equal Employment Opportunity Commission within 180 days of the alleged discriminatory act.

Informal Resolution. The College may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent with this section. Similarly, the College may not require the parties to participate in an informal resolution process under this section and may not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility the College may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the College does the following:

- i. provides to the parties a written notice disclosing: the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- ii. obtains the parties' voluntary, written consent to the informal resolution process; and
- iii. does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

#### L. RETALIATION PROHIBITED.

Neither the College nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated in any manner an investigation, proceeding, or hearing conducted under this policy. Complaints alleging retaliation may be filed according to the grievance procedures included in the formal complaint process. The College shall keep confidential the identity of any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness except as may be permitted by FERPA statute, 20 U.S.C. 1232g or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

#### **Range of Possible Sanctions**

On final determination of responsibility the following sanctions may be imposed against a respondent:

For Students:

- An oral warning
- A written letter of warning
- A letter of reprimand
- Mandatory attendance at an educational program on discrimination, harassment, and/or sexual misconduct
- Mandatory referral for psychological or chemical dependency assessment and compliance with any resulting treatment plan
- Barring participation in student organizations, official College programs, or College sponsored activities
- Probation
- Suspension or expulsion from the College

For Faculty Members:

- An oral warning
- A written letter of warning
- A letter of reprimand
- Mandatory attendance at an educational program on discrimination, harassment, and/or sexual misconduct

- Mandatory referral for psychological or chemical dependency assessment and compliance with any resulting treatment plan
- Restriction of responsibilities
- Reassignment
- Barring leadership or participation in domestic or international off-campus educational programs
- Canceling College related travel
- Suspension without pay or dismissal/termination of employment

For Administrator or Staff Members:

- An oral warning
- A written warning
- A letter of reprimand
- Mandatory attendance at an educational program on discrimination, harassment, and/or sexual misconduct, or retaliation
- Mandatory referral for psychological or chemical dependency assessment and compliance with any resulting treatment plan
- Restriction of responsibilities
- Reassignment or transfer to another department
- Suspension without pay
- Final written warning
- Dismissal/termination or employment

For Individuals other than employees or students:

- Oral warning
- Written warning
- Up to and including removal from campus and termination of contractual arrangements
- Trespass from campus

At any time in the grievance process, the College may impose a temporary delay or limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness, concurrent law enforcement activity, or the need for language assistance or accommodation of disabilities.

Neither the College assigned Investigator or Decision Makers or any person who facilitates an informal resolution process shall require, rely upon, or otherwise use questions or evidence that constitute or seek disclosure of information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

The College's Title IX Coordinators, Investigators, Decision Makers shall all have received training for their respective roles prior to participating in a Title IX Complaint or grievance process. All materials used to train the Title IX Coordinators, Investigators, Decision Makers and any person who facilitates an informal resolution process may be found on the College's website at [www.nwscc.edu](http://www.nwscc.edu).

## Restroom Policy

Restrooms and locker rooms are designated separately for women or men unless otherwise posted. Any individual using the other biological gender's restroom or locker room shall be subject to discipline. If unisex or separate facilities are available, they may be offered as an alternative for the transgender individual.

## Services for Persons with Disabilities

The College has the following physical facilities for disabled students:

1. All parking lots have designated parking areas equipped with wheelchair ramps and guard rails.
2. Restrooms are equipped with holding rails and stalls large enough to accommodate wheelchairs.
3. All buildings have elevated entrances to accommodate wheelchairs.
4. Drinking fountains and lavatories are designed to accommodate wheelchair persons.
5. The residence hall facility has rooms designated to accommodate the physically challenged.

All programs and facilities are available for qualified disabled applicants. Career guidance is available to assist disabled applicants in selecting a program in which they can be reasonably sure of success. Counselors and academic advisors will assist applicants in selecting an appropriate program of study. If needed, appropriate accommodations are available for disabled students through the ADA office.

Students who believe that special instructional accommodations should be made for them due to a disability should obtain an Accommodations Request Form from the ADA Coordinator, 256.331.5262. Information regarding special accommodations is also included in each course syllabus. It is the student's responsibility to request accommodations. Documentation of need for accommodation may be required. The College will make every effort to provide reasonable accommodations. Contact the ADA Coordinator for more information, 256.331.5262.

## Criteria for Disability Documentation

The Rehabilitation Act of 1973 (Section 504) and the Americans with Disabilities Act of 1990 state that qualified students with disabilities who meet the technical and academic standards at Alabama Community College institutions are entitled to reasonable accommodations. Under these laws, a disability is defined as any physical or mental impairment which substantially limits a major life activity, a history of such an impairment, or the perception of such an impairment. Alabama Community College System institutions do NOT provide disability documentation for students. It is the student's responsibility to request accommodations and to provide appropriate documentation to the College office responsible for handling the request. Appropriate documentation is defined as that which meets the following criteria:

### Health Condition, Mobility, Hearing, Speech or Visual Impairment

A letter or report from treating physician, orthopedic specialist, audiologist, speech pathologist, ophthalmologist, or other specialist as appropriate, to include the following:

1. clearly stated diagnosis;
2. defined levels of functioning and any limitations;
3. current treatment and medication; and
4. current letter/report, dated and signed.

### Psychological Disorder

A letter or report from a mental health professional (psychologist, neuropsychologist, licensed professional counselor), to include the following:

1. clearly stated diagnosis (DSM-IV criteria),
2. defined levels of functioning and any limitations;
3. supporting documentation (i.e. test data, history, observations, etc.);
4. current treatment and medication; and
5. current letter/report, dated and signed.

### Traumatic Brain Injury (TBI)

A comprehensive evaluation report by a rehabilitation counselor, speech-language pathologist, orthopedic specialist, and/or neuropsychologist (or other specialist as appropriate), including:

1. assessment of cognitive abilities, including processing speed and memory;
2. analysis of educational achievement skills and limitations (reading comprehension, written language, spelling, and mathematical abilities);
3. defined levels of functioning and limitations in all affected areas (communication, vision, hearing, mobility, psychological, seizures, etc.);
4. current treatment and medication; and
5. current letter/report, post-rehabilitation, dated and signed.

## Learning Disabilities

A comprehensive evaluation report from a clinical psychologist, psychiatrist, neuropsychologist, school psychologist, learning disability specialist, or diagnostician, including:

1. clear statement of presenting problem; diagnostic interview;
2. educational history of documenting the impact of the learning disability;
3. alternative explanations and diagnoses are dismissed;
4. relevant test data with standard scores are provided to support conclusions, including at least:
  - (a) WAIS-R;
  - (b) Woodcock-Johnson Psycho-educational Battery-Revised, including Written Language;
  - (c) Woodcock-Johnson Cognitive Processing Battery to substantiate any processing problems;
5. clearly stated diagnosis of a learning disability based on DSM-IV criteria;
6. defined levels of functioning and any limitations, supported by evaluation data; and
7. current report, dated and signed.

Note: High School IEP, 504 Plan, and/or a letter from a physician or other professional will not be sufficient to document a learning disability.

## Attention Deficit Disorder (ADD) or Attention Deficit Hyperactivity Disorder (ADHD)

A comprehensive evaluation report from a physician, psychiatrist, clinical psychologist, neurologist, or neuropsychologist, including:

1. clear statement of presenting problem; diagnostic interview;
2. evidence of early and current impairment in at least two different environments (comprehensive history);
3. alternative explanations and diagnoses are ruled out.
4. relevant test data with standard scores are provided to support conclusions, including at least:
  - (a) WAISR;
  - (b) Woodcock-Johnson Psycho-educational Battery-Revised including Written Language;
  - (c) Behavioral Assessment Instruments for ADD/ADHD formed on adults;
5. clearly stated diagnosis of ADD or ADHD based on DSMIV criteria;
6. defined levels of functioning and any limitations, support by evaluation data; and
7. current report, dated and signed.

Note: High School IEP, 504 Plan, and/or letter from a physician or other professional will not be sufficient to document ADD or ADHD. Medication cannot be used to imply diagnosis.

## Providing Services for Students with Disabilities

Services and reasonable accommodations are provided pursuant to Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. The Alabama Community College System is committed to working with individuals with disabilities. It is a goal of the Alabama Community College System to ensure that students with disabilities have the programmatic and architectural accesses needed for integration into campus life. All applicants must meet the academic and technical standards requisite to admission or participation in programs and/or activities at Alabama Community College System institutions. Alabama Community College System institutions will

not reduce standards in the grading and/or evaluation of students. Academic requirements that are determined by Northwest-Shoals Community College to be essential or fundamental will not be modified. Alabama Community College System institutions strive to eliminate barriers to learning or participation in other institutional activities, and provide the following services for students and faculty:

- screening of disability documentation;
- determination of appropriate accommodations;
- communication with faculty and/or staff regarding student needs; and
- referral to other available campus and/or community resources.

Providing reasonable accommodations for students with disabilities requires an individual assessment of need and is a problem solving process. Specific accommodations depend upon the nature and requirements of a particular course or activity and the skills and functional abilities of a particular student. Appropriate accommodations may include:

- extended time on exams;
- permission to tape lectures;
- change in test format;
- priority registration;
- enlarged print/graphics;
- textbooks on tape;
- handouts of overhead materials;
- removal of structural barriers;
- class note taker;
- use of spell check;
- extra time for assignments; or
- alternative evaluation methods.

Students with disabilities are responsible for informing the College about the disability and the need for reasonable accommodation. This should be done prior to or upon enrollment at the College. Students must furnish adequate documentation of their disabilities from medical or other appropriate professionals in order to substantiate the need for services.

## Contact Information

Rose Jones - Associate Dean of Health Studies: 256.331.5313

## Student Rights, Responsibilities and Campus Standards

### Student Conduct

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

For the protection and convenience of all students and the community, regulations prohibit misconduct on the campus and in the classroom. Students participating in any unauthorized mass demonstration, or whose presence and/or actions constitute or abet a general disturbance, or who fail promptly to obey any order to disperse given by any College official are subject to immediate suspension from the College. A reasonably quiet environment shall be maintained at all times in and around College buildings.

Students conducting themselves in such a manner as to disturb or disrupt a class will be told by the instructor to leave the classroom. The student may return to class as soon as he/she is capable of conducting himself/herself as

a mature adult. However, the second such offense would require the student to meet with the Assistant Dean and could result in charges being brought against the student. Charges against a student must be resolved by a formal due process hearing. NW-SCC will uphold a disciplinary suspension from another College/institution. Potential students that are currently on disciplinary suspension from another college/institution must have a disciplinary hearing prior to admission to the College.

## Code of Student Conduct

The publication of this Code of Student Conduct documents the standard of conduct by which students and organizations are expected to abide. Students and organizations shall be aware of the College Code and knowledgeable of the fact that they will be held accountable for compliance with its provisions. By enrollment at and affiliation with the College, a student or organization neither relinquishes the right nor escapes responsibilities of local, state, or federal laws and regulations. The College is committed to maintaining an environment that contributes to its educational mission as well as the safety, health, and well-being of all students and other persons on campus. Therefore, students and organizations are obligated to abide by the rules and policies established by the College.

It is assumed that students enrolling in the College are mature and have a desire for constructive learning and are attending with that purpose in mind. Common courtesy and cooperation are expected of all students. Interference, injury, or the intentional attempt to injure or interfere with the personal or property rights of any person-whether a student, visitor, faculty or staff member-or the College itself, is strictly prohibited.

Where there has been a serious violation of College regulations and a student's continued presence will materially threaten the welfare of the College, the President's designated representative, may immediately suspend the student. The student shall be entitled to a hearing according to the regular disciplinary procedures.

## Application

The Code of Student Conduct applies to individual students as well as formal and informal groups either involved in College-related activities or functioning as official representative(s) of the institution. It is applicable to the behavior of students and organizations, both on and off the College campus, which is determined to be incompatible with the educational environment and mission of the College.

## Misconduct

### Academic Misconduct

The College seeks to promote an atmosphere conducive to learning. Academic misconduct undermines the purpose of education. Such behavior is a violation of the trust between the students and faculty that must exist for the College to cultivate intellectual growth. Academic misconduct and dishonesty is commonly defined as:

1. Any form of dishonesty, including cheating on an exercise, test, problem, or examination submitted by a student to meet course requirements. Cheating includes the use of unauthorized aids (such as crib sheets, written materials, drawings, lab reports, discarded computer programs, the aid of another instructor on a take-home test, etc.), copying from another student's work, soliciting, giving and/or receiving unauthorized aid orally or in writing, or similar action contrary to the principles of academic honesty.
2. Plagiarism on an assigned paper, theme, report, or other material submitted to meet course requirements. Plagiarism is the act of stealing the ideas or writings (phrases or passages) from another and using them as one's own, without indicating that source.
3. Use of texts or papers prepared by commercial or noncommercial agents and submitted as student's own work.
4. Violation of any College honor code or confidentiality agreement.



It is recognized that most matters involving academic dishonesty should be handled by the faculty member meeting with the students involved who are in their classes. Consequently, sanctions are determined by the individual faculty member: “F” on an assignment or test, “F” in the course, a stipulation that an assignment or test be redone or retaken, and similar sanctions. A student dissatisfied with such a sanction may appeal through the existing appeal process. (See Grade Appeal Procedures)

## General Misconduct

The College expects the conduct of each student and organization to be in conformity with standards of common decency and decorum, with recognition of and respect for personal and property rights of others and the educational mission of the College. A student or organization may be disciplined and is in violation of the Code of Student Conduct for the following:

1. The College reserves the right to dismiss any student whose on or off-campus behavior is considered undesirable or harmful to the College.
2. Any student that is a registered sex offender must register with Campus Security before attending class.
3. Forgery, alteration, or misuse of College documents, records, or identification;
4. Issuance of worthless checks made payable to the College;
5. Failure to comply with the authority of College officials acting within the capacity and performance of their positions may be considered disorderly conduct;
6. Violation of written College rules, policies, and regulations; (i.e. use of bottled or canned drinks, food or tobacco products in classroom);
7. Obstruction or disruption of teaching, research, administration, disciplinary procedures, other college activities, or other activities on college premises being conducted by either college or non-college persons or groups; specifically, car radios, or similar equipment must be turned down so they cannot be heard outside of the vehicles (cite Tusculumbia ordinance). Additionally, students may not have cell phones or beepers ringing in class;
8. Burglary, theft, destruction, damage, or misuse of college, public, or private property (the student or organization is responsible for any damage done to property);
9. Conduct in violation of federal or state statutes or local ordinances which threatens the health and/or safety of the college community or adversely affects the educational environment of the College.
10. Conviction of any misdemeanor or felony which adversely affects the educational environment of the College;
11. Obtaining college services by false pretenses including, but not limited to, misappropriation or conversion of college funds, supplies, equipment, labor, material, space, facilities, or services;
12. Hazing, i.e., any mental or physical requirement or obligation placed upon a person by a member of any organization, or by an individual, or by a group of individuals which could cause discomfort, pain, or injury, or which violates any legal statute or college rule, regulation, or policy. Hazing has been defined as, but not limited to, the striking, laying open hand upon, treating with violence, or offering to do bodily harm to a person with intent to punish or injure the individual, or other treatment of a tyrannical, abusive, shameful, insulting or humiliating nature. Hazing is an action taken or situation created to produce mental or physical discomfort, embarrassment, harassment, or ridicule. Hazing is also considered to include the creation of a situation which results in or might result in mental or physical discomfort, embarrassment, harassment or ridicule, including servitude often called “personal favors.” Activities of this nature shall be dealt with promptly and sternly;
13. Lewd, indecent/immodest, obscene or unduly offensive behavior or expression. This offense includes, but is not limited to the wearing of attire; the usage of verbal, written or symbolic expressions; or behavior which would tend to be reasonably interpreted as insulting to one’s race, gender, religion, age, national origin or disability and/or is in the opinion of the administration of the College to the extent that it would tend to disrupt the educational process and infringe upon the rights of any other student or employee of the College.
  - NOTE: The College does not promote or condone the loading and/or display of pornographic, religious, sacrilegious, satanic, nor any other text or graphic that may be deemed offensive on its computer systems. Individuals loading such software, text, or graphics are subject to the disciplinary rules of the College.
14. WEAPONS POLICY - No person shall keep, use, possess, display, or carry any rifle, shotgun, handgun, knife, bow and arrow, or other lethal or dangerous weapons or devices capable of casting a projectile by air, gas or explosion, or mechanical means on any property or in any building owned or operated by Northwest-Shoals Community College or in any vehicle on campus. Realistic facsimiles of weapons are also not allowed.

- If an instructor approves such items to be demonstrated for class purposes only, the instructor and student must obtain permission from Campus Security.
  - Any such person seen with or using such weapons on campus will be subject to disciplinary and criminal charges.
  - **Firearms are prohibited on campus or any other facility operated by the College. Exceptions to this policy are: Law enforcement officers legally authorized to carry such weapons who are officially enrolled in classes or are acting in the performance of their duties or an instructional program in which firearms are required equipment.** If the off-duty officer is a student, he/she must notify campus police once a semester. A weapon is prohibited from any type of hearing for personal business.
15. Possession, sale, and/or consumption of alcoholic beverages or non-prescribed, controlled drugs on College property or at a student or College-sponsored function;
  16. Being under the influence of alcoholic beverages or non-prescribed, controlled drugs on college property or at a student or college-sponsored function;
  17. Unauthorized manufacture, sale, delivery, or possession of any drug or drug paraphernalia defined as illegal under local, state, or federal law;
  18. Filing a false report or knowingly making a false statement about or interfering with the investigation of any situation described in this conduct code;
  19. Physical or verbal abuse, threat of violence, intimidation, and physical or mental harassment;
  20. Trespassing or unauthorized entry;
  21. Entering false fire alarms, tampering with fire extinguisher, alarms, or other equipment;
  22. Placement, establishment, or maintenance of any mobile, impermanent, or temporary living quarters on property of the College;
  23. Any form of gambling;
  24. Disruptive or disorderly conduct which interferes with the rights and opportunities of those who attend the College to utilize and enjoy educational facilities;
  25. Any other activity or conduct not specifically stated herein which impairs or endangers any person, property, or the educational environment of the College.

Violations of any of the above will render a student subject to disciplinary action under the procedures which provide for adequate notice and a fair hearing, outlined in this catalog. Penalties for violations may include: reprimand; probation; loss of privileges; suspension; expulsion; and other penalties which may be set forth in college regulations published in this catalog.

## Cellular Phones and Pagers

Cellular phones and pagers shall be turned off in classrooms and laboratories.

## Misconduct Disciplinary Procedures

Any case involving violation of published policies and regulations in this bulletin will be brought to the immediate attention of the Assistant Dean, who will discuss the case with the student, attempting to arrive at a mutually satisfactory conclusion of the matter. If a satisfactory conclusion is not reached at this point, the student may appeal the case to the Disciplinary Committee.

The Disciplinary Committee; or a similarly functioning group, is authorized to hear the student appeal and may choose to modify, uphold, or reverse the written recommendations of the Assistant Dean in this case. It is important to note that in the chronology of events, the student receives a copy of these recommendations first in his or her initial meeting with the Assistant Dean. His or her decision to appeal will be based on disagreement with these recommendations. After appeal to the Disciplinary Committee, the Assistant Dean will ensure that the student is granted due process through the following steps:

1. written notice will be provided the student at least three calendar days in advance of the hearing date. Further, the student will be given a list of witnesses and a copy of their statements or complaints, along with other evidence and affidavits which the College intends to submit against the student;

2. the student is permitted to have counsel present at the hearing to advise him or her. Attorneys are present in advising capacity only.
3. the student is permitted to hearing the evidence presented against him or her and will be permitted the opportunity to present his or her own case, his or her own version of the incident, and any exhibits, affidavits, or witnesses on his or her behalf;
4. a full and complete record of the hearing will be made. Unless otherwise specified, a videotaped record will be used; and
5. the Disciplinary Committee will provide a written decision to the student and the Assistant Dean.
6. if the student disagrees with the decision of the College Disciplinary Committee, he or she may appeal that decision to the College President. Each appeal must be submitted in writing. A copy of all written documents is Archived on file in the Assistant Dean's office.

Final local responsibility for discipline is vested in the President of the College. Any disciplinary probation or suspension will be recorded on the student's permanent record.

The College seeks to guarantee that the fundamental principles of fair play are observed and to assure that no disciplinary action is taken on grounds which are not support by substantial evidence.

Conscious effort is made to assure that all of the College's regulations are within the scope of the lawful missions of tax-supported higher education. It is recognized that it is not a lawful mission of the College to prohibit the exercise of a right guaranteed by the Constitution or a law of the United States. However, the President will take direct and appropriate action in any case involving the integrity of the College and the well-being of the students.

## Sanctions

A student or organization deemed to be in violation of the Code of Student Conduct by the Assistant Dean is subject to one or more of the following sanctions:

- **Reprimand:** A written notice that continuation or repetition of improper conduct may be cause for further disciplinary action.
- **Restitution:** Compensation for damages to property limited to the actual cost of repair or replacement.
- **Probation:** This sanction is for a designated period of time which may include exclusion from privileges such as extracurricular activities and/or on-campus driving privileges. Additionally, if the student or organization is determined by any of the disciplinary procedures herein set out to be in subsequent violation of the Code of Student Conduct during the probationary period, the student or organization may be either suspended or expelled.
- **Suspension:** Separation from the College for a definite period of time. To qualify for readmission after suspension from the College, approval must be secured from the College Disciplinary Committee.
- **Expulsion:** An indefinite termination of student or organization status from the College. Under certain conditions, expulsion could mean permanent severance from the College. To qualify for readmission after expulsion, approval must be secured from the College Disciplinary Committee.

## Disciplinary Committee Composition and Responsibilities

1. The College Disciplinary Committee shall consist of three faculty members and staff as appropriate.
2. The College Disciplinary Committee shall be chaired by a member of the Student Development staff appointed by the President of the College.
3. A quorum will consist of three committee members. Business may not be conducted without a quorum.
4. All College Disciplinary Committee hearings shall be confidential and closed to all persons except the following:
  - a. The student or organization;
  - b. Counsels;
  - c. Witnesses who shall:
    - i. Give testimony singularly and in the absence of other witnesses;
    - ii. Leave the committee meeting room immediately upon the completion of the testimony.

- All hearings will be videotaped. The video record will become the property of the College and access to them will be determined by the Vice President. All hearing case files will be located and archived in the Assistant Dean's office.
5. The decision reached by the Disciplinary Committee will be by a majority vote. The Chairperson will vote only in case of a tie vote.
  6. Within five (5) working days after the decision has been reached by the committee, The Chairperson of the College
  7. Disciplinary Committee shall send a certified letter to the student or organization's last known address to provide written notification of the committee's decision. Copies of decisions and recommendations from the College Disciplinary Committee shall be forwarded to the appropriate administrator.

## Process of Right of Appeal

1. The President of the College shall be the final authority in the appeal process.
2. The student may file a written request asking that the President of the College review the decision and recommendations of the Assistant Dean and/or the College Disciplinary Committee. The written request must be filed within five days (excluding Saturday, Sunday, and holidays) of the hearing.

# Student Grievance/Complaint Procedures

## Informal Student Complaint Process

Northwest-Shoals Community College has a variety of procedures for dealing with student-related issues, including grade appeals, student discipline, harassment complaints, and Student Grievance policies. The informal complaint provides students with a procedure for addressing complaints about faculty/staff treatment of students that are not covered by other procedures. The following procedures apply to both traditional on campus students and distance education students. Additional information regarding grievance procedures for Distance Education students may be found in the Distance Education Student Handbook on the college website.

Whenever possible, complaints at Northwest-Shoals Community College are handled in an informal manner. Administrators, faculty, and staff maintain an "open-door" policy to discuss issues of concern for all students. Students are encouraged to first attempt to resolve complaints with the faculty or staff person. If unresolved, students should speak to the departmental chairperson or supervisor of the program. If no resolution is reached, the student should lodge his or her complaint with the Assistant Dean of Student Success.

## Formal Student Complaint Process

If an informal conference regarding a complaint fails to reach the outcome requested by the student, the student may initiate the formal process by filing a written complaint with the Assistant Dean of Student Success. Complaints will be handled as expeditiously as possible. Complaints by students will be processed within at least five days of the written report. Intensive student complaints can take as long as 30 days to reach resolution. The student will be notified in writing should the response require a longer evaluation. The response will be made by the Department Head/ Division Chair or the Assistant Dean of Student Success. The President of the College will make the final judgment.

The College supports the student's right to file a formal complaint; therefore, assurances are given that no adverse action will be taken against the student. All student complaints and issues will be handled objectively.

# Grievance Procedures Involving Discrimination, Sexual Harassment, and Rights of the Disabled

## Introduction

Any student who has a grievance against any other student or member of the College faculty, staff, or administration concerning any form of discrimination (Title VI, Civil Rights Act of 1964), sexual harassment (Title IX of the Educational Amendments of 1972), violation of the rights of the disabled (Section 504 of the Rehabilitation Act of 1973) or the Americans with Disabilities Act of 1999 should first attempt to resolve the matter with the individual involved. If for some reason resolution of the grievance is not possible, the student should make his/her grievance known to the immediate supervisor of the individual against whom the student has a grievance, the Assistant Dean of Student Services or Senior Personnel Officer in order to seek informal resolution of the problem.

In the event that the grievance involving discrimination (Title VI), sexual harassment (Title IX), or violation of the rights of the disabled (Section 504) cannot be informally resolved, the formal procedures listed below should be followed. The following procedures attempt to protect the student's rights to file a grievance involving discrimination (Title VI), sexual harassment (Title IX), or violation of the rights of the disabled (Section 504) against students or member of the College faculty, staff, or administration, yet providing the right of due process for the accused. Students and members of the College faculty, staff, or administration are guaranteed procedural due process and the right to review and defend any evidence related to the grievance.

In order to accommodate the resolution of such situations, Northwest-Shoals Community College offers the following grievance procedures as the appropriate course of action for settling disputes and resolving problems.

## I. Initial Steps

Any student of Northwest-Shoals Community College who has a grievance against another student or a member of the Northwest-Shoals faculty, staff, or administration should first seek to resolve the issues with the individual involved. However, a student who believes herself or himself to be a victim of sexual harassment is not required to speak with the perpetrator before filing a formal complaint. If a resolution is not met, the student should make his/her grievance know to the individual's immediate supervisor or to the Assistant Dean of Student Services to seek an informal resolution to the problem. If no resolution is met, the student may file a formal student complaint.

If the student requires a formal student complaint, a formal written report must be submitted to the Assistant Dean of Student Services. If the student's complaint cannot be resolved in the manner described above, the unresolved complaint becomes an official grievance.

## II. Interim Resolution

If the Assistant Dean of Student Services deems that an interim resolution should be enforced pending a final outcome, the Assistant Dean will recommend such accommodations to the President or his/her designee. The President or designee will have the discretion to impose or not impose an interim resolution.

### III. Formal Grievance Process

A student who submits a complaint to the Assistant Dean of Student Services or appropriate College personnel and is not satisfied with an informal resolution may file a formal grievance. Grievance charges made by a student must be submitted to the Assistant Dean in writing. The grievance must be signed and as detailed as possible. The grievance should contain the following elements:

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

The Assistant Dean will notify the student or a member of the College faculty, staff, or administration of the charge(s) against him/her within five working days of the filed grievance. The Assistant Dean may suspend the student being charged, or the President of the College or his/her designee may suspend with pay the faculty member, staff member, or administrator being charged until a hearing is held and a decision rendered, if charges so warrant.

The Assistant Dean may then schedule the time and location of the Grievance Committee session. The Assistant Dean will make all reasonable attempts to notify the student or member of the College faculty, staff, or administration of the charges against him/ her and provide the time, date, and location of the Student Grievance Committee hearing. If the student or member of the College personnel who is charged with the grievance so desires, he/she may request a Grievance Committee hearing after initially meeting with the Assistant Dean. If the Assistant Dean is unable to notify the student or College personnel of the charges and Grievance hearing after a reasonable attempt, then the student may be suspended. The President of the College or his/her designee may suspend with pay the faculty member, staff member, or administrator until a hearing is held and a decision rendered.

The College shall have 30 calendar days from the date of receipt by the Assistant Dean of Student Services of the grievance to conduct an investigation, hold a formal hearing, and submit a written report to the appropriate parties.

### IV. Investigation Procedure

The Assistant Dean of Student Services or his/her designee will conduct a factual investigation of the grievance allegations. The Assistant Dean, after reviewing all of the evidence, will determine if substantial evidence exist to support the grievance. The factual findings of the investigation will be stated in the preliminary written report and submitted to the Grievant and to the party or parties against whom the complaint was made. The report will be made a part of the hearing record if a hearing is subsequently conducted. Parties will have the opportunity to submit a written report objecting to any of the factual findings. If the Assistant Dean finds the grievance is supported by substantial evidence, she/he will make recommendations to the hearing committee for the resolution of the grievance. Upon receipt of the Assistant Dean's report, the Grievant has 5 working days to notify the Assistant Dean of a hearing request. The Assistant Dean, at his/her discretion, may choose to schedule a grievance hearing in the best interest of the College. In the event of no hearing, the Assistant Dean's report will be deemed a final report and will be filed with the President.

### V. Hearing Procedure

In the event that the Assistant Dean of Student Services schedules a hearing, the Vice President or designee will appoint a qualified five-member committee. The chairperson shall be the Assistant Dean or her designee. A quorum shall consist of four members and the chairperson. The hearing may not be conducted without a quorum. All Student Grievance Committee hearings shall be confidential and closed to all persons except the Grievant, party of whom the grievance is accused, counsels, and witnesses. Witnesses will give testimony and leave the committee

meeting room immediately upon the completion of the testimony. All hearings will be taped and minutes recorded. Tapes, hearing minutes, and evidence will become the property of the College and access to them will be determined by the Vice President. All case files will be located and archived in the Office of the Assistant Dean of Student Services. The decision reached by the Student Grievance Committee shall be by a majority vote.

## VI. Report of Findings

Within five (5) working days after the decision has been reached by the committee, the Chairperson of the Student Grievance Committee shall send a certified letter to the student or employee's last known address to provide written notification of the committee's decision. Decisions and recommendations will be forwarded to the Assistant Dean of Student Services for official confirmation and implementation. Decisions and recommendations issued by the Student Grievance Committee shall be implemented within the confines of the laws of the State of Alabama and of the laws of the United States of America. The report shall contain:

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

## VII. Appeal Procedure

The President of the College shall be the appeal authority in upholding, rejecting, or modifying the decision and recommendations of the institutional Student Grievance Committee. The charged student or College personnel may file a written request with the Assistant Dean of Student Services requesting that the President of the College review the decision of the Student Grievance Committee. The written request must be filed within five working days of the hearing's conclusion. The President of the College shall issue his/her opinion to accept, reject, or modify the decision of the Student Grievance Committee within five working days of the appeal.

If the decision of the Student Grievance Committee does not satisfy the complainant and should the grievance allege discrimination (Title VI), sexual harassment (Title XI), or violation of the rights of the disabled (Section 504), the complainant may file a written grievance with the Alabama State Board of Education as defined in Section 616, p. 104-105, of the State Policy and Procedure Manual, the regional office of the Office for Civil Rights of the U.S. Department of Education within 180 days of the act, and/or the Equal Employment Opportunity Commission within 180 days of the decision issued by the institution. The College complies with non-discriminatory regulations under Title VI and Title VII of the Civil Rights Act of 1964; Title IX Education Amendment of 1972; and Section 504 of the Rehabilitation Act of 1973; and the Americans with Disabilities Act (ADA) of 1990.

For Policy/Grievance Procedure, contact:  
Dr. Crystal Reed  
Assistant Dean of Student Services  
P.O. Box 2545  
Muscle Shoals, AL 35662  
256.331.5291

# ACCS Student Complaint Process

## ACCS Student Complaint Process

In 2015, the Alabama Legislature vested oversight of the state's public two-year institutions of higher education (known as the Alabama Community College System (ACCS)) with the Alabama Community College System Board

of Trustees. The Alabama Legislature further directed the Board of Trustees to delegate to the System's Chancellor the authority to act and make decisions concerning the management and operation of the community and technical colleges. The Chancellor is assisted in these duties by the staff of the System Office, formerly known as the Alabama Department of Post-secondary Education. Consumer and student complaints that are not resolved at the institutional level are thus arbitrated at the state level by the ACCS System Office.

The ACCS is committed to respecting and supporting the work of its member institutions and to providing a quality educational experience for all students. The objective of the student complaint process is to ensure that the concerns and complaints of students are addressed fairly and are resolved promptly. The Alabama Community College System requires each institution to establish its own procedures to address student grievances and complaints. A student must exhaust his/her rights under the institution's official complaint/grievance policy before advancing any complaint to the System Office of Alabama Community College System. Students may file consumer/student complaints with the Alabama Community College System by following these procedures:

- A) If, after exhausting all available institutional processes, a student's complaint remains unresolved, the student may appeal to the Alabama Community College System using the System's official Student Complaint Form, which is available online at the ACCS website ([www.accs.cc](http://www.accs.cc)). Students may submit completed complaint forms by printing the form, signing it, and then either:
  1. scanning it and e-mailing it to [complaints@accs.edu](mailto:complaints@accs.edu)
  2. or mailing it to: Alabama Community College System;  
Attention: Division of Academic and Student Affairs;  
P.O. Box 302130; Montgomery, AL 36130-2130
- B) The Division of Academic and Student Affairs will investigate the complaint within 30 days of receipt.
- C) The institution which is the subject of complaint has 30 days to provide a written response to questions and/or concerns raised during the investigation. Such response may or may not contain a resolution.
- D) The Division of Academic and Student Affairs will adjudicate the matter and write a report or letter to the institution and student detailing corrective action, if any is necessary, or stating that the school has no violation of policies.
- E) If corrective action is needed the institution will have 30 days to comply or develop a plan to comply with the corrective action.
- F) The System Office will monitor the institution's compliance to ensure the completion of any required corrective action.