

2022-2023

# STUDENT HANDBOOK

*Celebrating 50 Years of Excellence*



Mountain Empire  
Community College

On behalf of the staff and faculty of Mountain Empire Community College, it is my pleasure to welcome you to our campus. Our goal at MECC is to prepare you for meaningful employment or for successful transfer to a four-year college or university upon graduation. We are glad you have chosen MECC to pursue your educational goals. Our faculty and staff are dedicated to ensuring we provide an array of academic programs and training opportunities to create a better career and future for you and your family.

This handbook will serve as a guide to our College's policies and procedures. MECC staff are available to assist you with any questions or concerns you may have. Please consider taking advantage of the many student support services offered at our College designed to assist you in attaining your educational goals. Most importantly, get involved in a club, organization, or activity on campus. We believe your experience at MECC will be academically and personally rewarding.

I wish you the very best in your future endeavors!



Kristen Westover, Ed.D.  
President, Mountain Empire Community College



**Message from the  
President**



# Web Privacy, Security & Content Disclaimer

## Web Privacy Statement

It is the policy of the Commonwealth of Virginia that agencies of the Commonwealth will collect and retain personal information about citizens only to the extent necessary to provide the service or benefit desired; collect only appropriate information; provide the reason the information is collected so that citizens shall understand that reason clearly and enable citizens to examine their personal record which is maintained by a public body.

The Mountain Empire Community College Web site:

1. May collect one or more of the following pieces of personal information: your email address, name, social security number, date of birth, phone number, or course assignments. Any of this information is collected to meet your specific online requests. If you choose not to provide this personal information, you will be unable to receive some of the services this Web site offers.
2. Collects your IP address, pages browsed, and date and time of your visit. This information is used for internal College statistical purposes only.
3. Uses only temporary cookies (i.e., files which may contain a variety of information) on some Web pages for screen colors and graphics or to track movement on the site but will not place them permanently on your hard drive. When you exit the Web site, the file is automatically removed.
4. May link to other Web sites that may or may not collect data that does not have a relationship to the College through using cookies. You should check for a policy on the linked to Web page.
5. Safeguards any information gathered in compliance with the laws of the Commonwealth of Virginia and does not supply any gathered information to other individuals or organizations, except in compliance with those laws.

## Security Statement

Mountain Empire Community College ensures the integrity of our systems and that the data we store is protected. The college has gone beyond industry standards to protect our systems by using firewalls, IDS/ISP devices, NAC protection, requiring authentication (systems, networks and data), requiring encryption of all sensitive data and applying all physical security possible. We perform monitoring of all systems and networks; network modeling and shaping, employ the latest Anti-virus / Anti-Spam protection, and performing audits of all systems and networks. We instill the concept of security and data protection in everything we do including our day to day business practices; new systems, network and building designs; and as a overall part of the colleges desire to keep our environment and data safe and private.

## Content Disclaimer

Mountain Empire Community College provides its website, catalog, handbooks, and any other printed materials or electronic media for your general guidance. The college does not guarantee that the information contained within them, including, but not limited to, the contents of any page that resides under the DNS registrations of www.mecc.edu is up-to-date, complete and accurate, and individuals assume any risks associated with relying upon such information without checking other credible sources, such as a student's academic advisor. In addition, a student's or prospective student's reliance upon information contained within these sources, or individual program catalogs or handbooks, when making academic decisions does not constitute, and should not be construed as, a contract with the college. Further, the college reserves the right to make changes to any provision or requirement within these sources, as well as changes to any curriculum or program, whether during a student's enrollment or otherwise.

Links or references to other materials and websites provided in the above-referenced sources are also for information purposes only and do not constitute the college's endorsement of products or services referenced.

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# About the College

## Accreditation and Program Approvals

Mountain Empire Community College is accredited by the Southern Association of Colleges and Schools Commission on Colleges to award the associate degree. Contact the Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097 or call 404-679-4500 for questions about the accreditation of Mountain Empire Community College. Normal inquiries about the institution, such as admission requirements, financial aid, educational programs, etc., should be addressed directly to the institution and not to the Commission's office. Degree programs are approved by the State Council of Higher Education for Virginia, and are also approved for listing in the U.S. Office of Education directories for participation in various federally-sponsored programs of student aid and educational assistance. This institution is approved to offer GI Bill® educational benefits by the Virginia State Approving Agency and is approved by the Department of Health and Human Services for students who receive Social Security and Vocational Rehabilitation benefits. The Respiratory Therapy program is accredited by the Commission on Accreditation for Respiratory Care. The Nursing program is approved by the Virginia State Board of Nursing and accredited by the Accreditation Commission for Education in Nursing (3343 Peachtree Road NE, Suite 850, Atlanta, GA 30326). The Practical Nursing and Nursing Assistant programs are approved by the Virginia State Board of Nursing. The Emergency Medical Services Technology program is accredited by the Commission on Accreditation of Allied Health Education Programs. The Health Information Management accreditor of Mountain Empire Community College is the Commission on Accreditation for Health Informatics and Information Management Education (CAHIIM). The College's accreditation for the Associate of Applied Science degree in Health Information Management has been reaffirmed through 2027. The Phlebotomy program is approved by the National Phlebotomy Association. The Computer Aided Drafting & Design Technology, Technical Studies- Welding, Computer Manufacturing Technology – Electromechanical Technology, and Computer Manufacturing Technology -Industrial Electronics are accredited by the Association of Technology, Management, and Applied Engineering (ATMAE).

## Non-Discrimination Statement

Mountain Empire Community College (MECC) is an open entry institution. Its mission is to provide quality higher education and workforce training programs and services that are financially and geographically accessible and meet individual, business, and community needs. The following pathways exist:

Allied Health	College Transfer	Engineering	Manufacturing
Arts & Music	Construction	Environmental	Public Safety
Business	Education	Health Sciences	Technology

MECC is committed to a policy of nondiscrimination in employment and education opportunity. No person shall be discriminated against in the terms and conditions of employment, personnel practices, or access to and participation in, programs, services, and activities with regard to race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, sexual orientation, or membership or activity in a local commission as defined by law.

Harassment of an individual or group on the basis of race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, sexual orientation, or membership or activity in a local commission has no place in a learning or work environment and is prohibited. Sexual violence has no place in a learning or work environment. Further, MECC shall work to eliminate violence in all its forms. Physical contact by designated system, college, and university staff members may be appropriate if necessary to avoid physical harm to persons or property.

Lack of English skills will not be a barrier to admission or participation. In order to eliminate barriers, we take appropriate measures to assess each student's ability to participate and benefit through placement testing and counseling. Based on the assessment and counseling, students are then provided with campus services or a referral to community services to be better prepared for successful participation.

### Nondiscrimination Coordinators:

- Title IX Coordinator – Ron Vicars, Room 136, Godwin Hall, 276.523.7480
- Title IX Coordinator (Students) – Lelia Bradshaw, Room 133, Holton Hall, 276.523.9107
- Title IX Coordinator (Employees) – Val Lee, Room 138, Godwin Hall, 276.523.9079
- Disabilities Coordinator – Dale Lee, Room 131, Holton Hall, 276.523.9108

This document is available in alternative formats to individuals with disabilities. Consumers with hearing or speech disabilities may contact us via their preferred Telecommunications Relay Service.

## **Mission Statement**

Mountain Empire Community College's mission is to provide our region with accessible, quality higher education, workforce training, and community programs to ensure an educated population and globally competitive workforce.

Mountain Empire Community College's mission is fulfilled through the following avenues:

- **General Education:** General Education, a component of academic programs, includes the following competencies: Communication, Critical Thinking, Cultural and Social Understanding, Information Literacy, Personal Development, Quantitative Reasoning, and Scientific Reasoning.
- **Career -Technical Education:** The career and technical education programs meet the increasing demand for technicians, professionals, and a skilled workforce.
- **Transfer Education:** The transfer education program, which includes freshman and sophomore courses in arts and sciences and pre-professional education, allows students to transfer into baccalaureate degree programs at four-year colleges and universities.
- **Developmental Studies:** Developmental courses are offered to correct deficiencies in basic areas, such as English, reading, and mathematics, and to prepare students who have not had the required course prerequisites for admission to specific programs.
- **Dual Enrollment:** Dual enrollment courses allow high-achieving students to meet the requirements for high school graduation while simultaneously earning college credit.
- **Distance Education:** Distance education courses and programs offer accessibility through a number of delivery modes, to include the internet, video, and off-campus locations.
- **Student Services:** The College provides programs, services, and resources that facilitate college access, enhance student success, develop career readiness, promote student leadership, and provide opportunities for student engagement.
- **Workforce Development:** Workforce development encompasses credit and non-credit training to meet workforce needs and promote economic development through programs, customized training, and on-going workshops.
- **Community Services:** College facilities and personnel support the cultural and educational needs of the region through cultural events, workshops, meetings, lectures, conferences, seminars, community projects, and service learning.

## **Vision Statement**

Mountain Empire Community College's vision is to be recognized by our community as the leader in preparing our region's educated workforce.

Mountain Empire Community College will pursue its vision by acquiring the following traits:

- Teaching will be characterized by the use of the best practices for knowledge and skills to be developed, including the involvement of businesses, the use of hands-on interactive mediums, and opportunities for real-life applications of knowledge and skills.
- Instructional delivery will employ non-traditional methods with emphasis on the use of technology. Faculty members will be facilitators of learning, mentors, and role models, exhibiting to students the importance of knowledge, competence, and a thirst for learning.
- The College will be the major provider of workforce training and a leader in community development, partnering with businesses, educational institutions, non-profits, and government to strengthen the competitiveness of the region for attracting and retaining jobs.
- The College will be an exemplary model of service and involvement to our students and the community, promoting economic development, appreciation of culture, and the quality of living in rural, southwest Virginia.

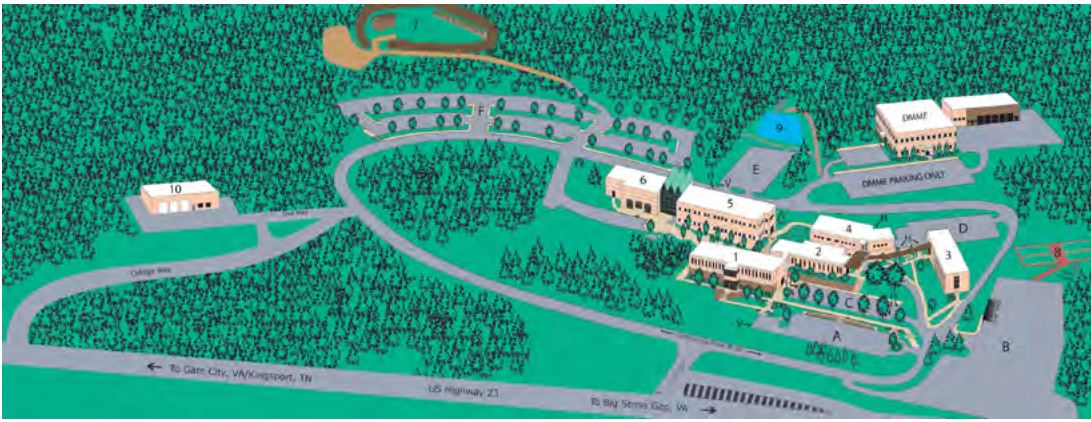
## **College Values**

Mountain Empire Community College is committed to these values:

- Community and Cultural Preservation
- Creativity and Innovation
- Diversity, Inclusion and Equity
- Honesty, Integrity and Trust
- Leadership and Service
- Learning
- Student Success
- Teamwork and Communication



# College Map



1. Godwin Hall
2. Holton Hall
3. Dalton-Cantrell Hall
4. Robb Hall
5. Phillips-Taylor Hall
6. Goodloe Center
7. Firing Range
8. Tennis Courts
9. Environmental Pond
10. Maintenance Building

## Parking Lots:

A, B, D, E, & F – Student Parking      H – Handicapped Parking  
 C – Faculty/Staff Parking              V – Visitor Parking

## Hours of Operation

MECC campus offices are open Monday through Friday, 8 a.m. to 4:30 p.m. Offices may experience schedule changes during peak periods and summer.

## Student Services Hours

Monday through Friday, 8 a.m. to 4:30 p.m.\*  
 \*After hours appointment can be made

## Wampler Library Hours

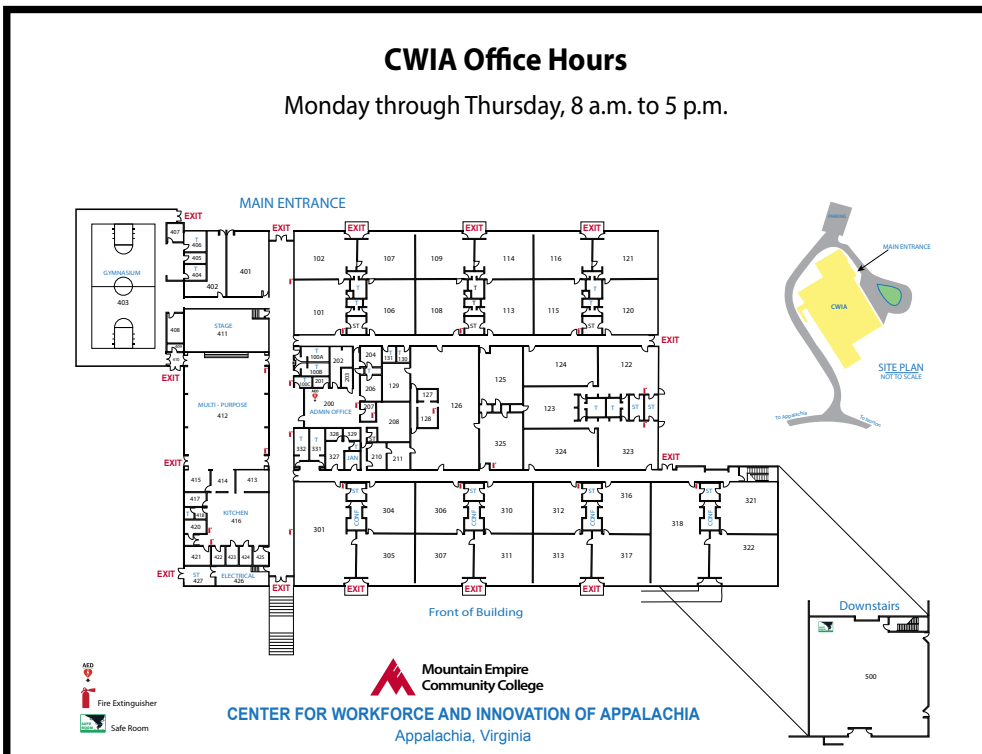
Fall, Spring, and Summer Semesters:

Monday - Thursday: 8 a.m.- 6 p.m.

Friday: 8 a.m.- 4:30 p.m.

Interession:

Monday – Friday: 8 a.m. – 4:30 p.m.



# Academic Information

## Enrollment/Registration

Enrollment procedures and class times are published online at [www.mecc.edu](http://www.mecc.edu) several weeks before enrollment. Questions about enrollment not answered online should be directed to the Admissions Office. Students are responsible for assuring that they are enrolled in the appropriate classes and that adds, drops, swaps, and withdrawals are implemented as expected.

Class registration is available online at MyMECC (<https://identity.my.vccs.edu/idp/AuthnEngine#/authn>) for students who have completed the admission process. You are encouraged to enroll as early as possible. You may adjust your schedule by adding, dropping, and/or swapping classes throughout the enrollment period. After the schedule adjustment period, you may drop classes or withdraw completely only in accordance with regulations stated in the current College Catalog.

You are urged to promptly report any changes in your status online using MyMECC so your official records are accurate and up-to-date. Address and telephone number changes are especially important so that correspondence from the College can reach you without delay.

## Advising

When you have declared a program of study at MECC, you will be assigned a faculty advisor to assist you in choosing the appropriate classes during your pursuit of a degree or certificate. When you are assigned a faculty advisor, he or she will become your main point of contact for academic issues that impact educational progress. Because faculty schedules vary throughout the year, scheduling an appointment to meet with your faculty advisor is recommended. However, if you have not yet chosen a program of study, or if your faculty advisor is not available, academic advising is also available through the Office of Student Services or other faculty within your area of interest.

The mission of academic advising is to partner with students to help them define, plan and progress towards their educational goals by fostering independence, facilitating a professional, supportive environment and promoting student development skills.

In general, all academic advisors assist students in selecting proper courses as related to their declared program, interpreting curriculum requirements and assessing academic progress. Academic advisors are familiar with the College and with the programs for which they advise. They can either answer questions directly, or direct students to the appropriate campus resource.

Specifically, your academic advisor can help you by providing:

- Academic planning assistance and guidance for course selection for upcoming semesters
- Advice and planning during times of academic difficulty
- Referrals to College or community resources

You should visit with an academic advisor when you:

- Are a new student or a student returning after an absence of several years
- Need placement test results interpreted
- Want to talk about courses, review your academic plan, or discuss graduation requirements
- Need to discuss courses for the upcoming semester

Visit the Office of Student Services when you:

- Are non-degree seeking and want to discuss courses for the upcoming semester
- Are having academic difficulties
- Need help locating someone to talk to about community resources
- Have questions about changing or adding additional programs
- Have questions about transferring

## **MyMECC**

MyMECC, the student information system, enables you to complete convenient and secure transactions online. Student IDs (EMPLID) and passwords are provided upon admission and allow access to online services.

Using MyMECC you can:

- Enroll in classes including adding, dropping, and/or swapping classes
- Pay tuition and fees by credit card
- Obtain grades
- Identify your advisor
- Request an official transcript or print an unofficial transcript
- Update mailing address, telephone number, and email address
- Print individual class schedules
- View financial aid awards, payment, disbursement, refund activity, and application status
- View any service indicators ("holds") placed on your record
- View any "to do" requirements for financial aid

## **College Success Skills/New Student Welcome Week**

The College Success Skills course (SDV 100) is designed to improve students' success by acquainting new students with college policies, procedures and curricular offerings. Students are introduced to college resources and services that will assist them in making appropriate adjustments to their new academic environment. All curricular students, except those in career studies certificate programs, are required to participate in SDV 100, 101, or 108, which are courses designed primarily to foster student success. SDV 100 will be held the first week of the semester as the New Student Seminar during Student Welcome Week. All new students are required to attend. Requests for a waiver may be considered on a case-by-case basis. For more information, visit [www.mecc.edu/newstudent](http://www.mecc.edu/newstudent).

# **Academic Integrity**

Academic work is evaluated on the assumption the work presented is the student's own, unless designated otherwise. Anything less is unacceptable and is considered academically dishonest. Specific terms related to academic dishonesty are defined as follows:

- Cheating – Using or attempting to use unauthorized materials, information, or study aids in any academic work submitted for credit. Alteration or misuse of college documents pertaining to academic records by any means including computer resources or other equipment also is included within this definition of "cheating."
- Plagiarism – Submitting academic work for credit that includes material copied or paraphrased from published or unpublished work(s) without documentation.
- Fabrication – Deliberately falsifying or inventing any information or citation in academic work.
- Facilitating Academic Dishonesty – Knowingly helping, attempting to help, or being helped by another to violate the College's policy on academic integrity.
- Any violations of academic integrity are subject to sanctions and/or disciplinary actions as outlined in the Student Conduct section of this handbook.

# Grade Appeal Policy

Faculty members at Mountain Empire Community College are responsible for assigning course grades and providing objective grading criteria for which those grades are assigned in the course syllabus. As such, most student disagreements regarding course grades are best resolved informally between the student and faculty member.

The Grade Appeal Procedure provides a fair and orderly process for students who wish to pursue a formal appeal of a course grade. In taking such action, students shall assume the burden of proof concerning any perceived error in the grade assigned. Further, students shall follow the sequence of steps outlined in this procedure with the presumption that, as a matter of rule, instructors do not assign arbitrary and unreasonable course grades.

## Grade Appeal Procedure

- Step 1: Students are encouraged to resolve course grade disagreements with their instructor on an informal basis. Should the dispute not be resolved at this level, the student may proceed to Step 2.
- Step 2: Should the student not be satisfied with the outcome of the informal instructor/student meeting; the student shall submit a **Request for Grade Appeal** form (available in The Office of Enrollment Services) to the Dean of that Division no later than ten (10) working days after the first day of classes for the next academic term. The Dean of Enrollment Services will forward the request to the academic dean under whose division the course was offered within ten (10) working days. Within ten (10) working days of receiving the request for grade appeal form, the academic dean shall hold conferences with the student and instructor to consider the grade appeal. The dean shall provide a written report of his/her findings to both parties within ten (10) working days of the conference. For the record, a copy of the report shall be kept on file in the division office, but the original report along with the Request for Grade Appeal form must be returned to the Dean of Enrollment Services.
- Step 3: Should the student wish to advance his/her grade appeal to the next level, he/she may notify the Dean of Enrollment Services to submit the **Request for Grade Appeal** form to the Student Affairs Committee within ten (10) working days of receipt of the dean's report. The committee shall conduct its investigation, make its decision by simple majority vote, and communicate its findings in writing to the student, faculty member, dean and the Vice President of Academic and Student Services. This investigation will take place no later than ten (10) working days after receipt of the written appeal by the student. The final report and any supporting documents along with the Request for Grade Appeal form must be returned to the Dean of Enrollment Services.
- Step 4: Should the student wish to advance his/her grade appeal to the next level, he/she may notify the Dean of Enrollment Services to submit the **Request for Grade Appeal** form to the Vice President of Academic and Student Services to attempt to satisfactorily resolve the appeal. The Vice President of Academic and Student Service shall consider the student's final grade appeal only within the context of assuring that the decision as rendered by the Student Affairs Committee was supported by the evidence presented and, as such, was neither arbitrary nor unreasonable. The Vice President of Academic and Student Services will notify the student, faculty member, and the division dean of his/her decision within ten (10) working days after hearing the appeal. The final report and any supporting documents along with the Request for Grade Appeal form must be returned to the Dean of Enrollment Services.
- Step 5: Should the student wish to advance his/her grade appeal to the next level, he/she may notify the Dean of Enrollment Services to submit the **Request for Grade Appeal** form to the President of the College. The President shall consider the student's final grade appeal only within the context of assuring that the decision as rendered by the Vice President of Academic and Student Services was supported by the evidence presented and, as such, was neither arbitrary nor unreasonable. The President will notify the student, faculty member, division dean, and the Vice President of Academic and Student Services of his/her decision within ten (10) working days after hearing the appeal. The President's decision is final. The final report and any supporting documents along with the Request for Grade Appeal form must be returned to the Dean of Enrollment Services.

### Time Limitations:

The time limitations specified for the Grade Appeal Procedure are binding on all parties involved. If any of the time limitations are surpassed, the Grade Appeal at that time will be considered null and void.

# Campus Safety & Security

## Accidents/Health Care

All serious accidents and/or illnesses should be reported immediately by dialing 0 from any College telephone or by dialing 276.523.2400 from any other telephone. In the event of an emergency, dial 911. Students with chronic health conditions may wish to contact disability services. As a commuting institution, the College does not provide organized health services or infirmary facilities. It is expected that routine health care will continue to be a responsibility of the student and/or the family.

## Safety in the Classroom

Mountain Empire Community College recognizes that the safety of its students and employees on College property, or when engaged in College-authorized functions, is a fundamental responsibility. Faculty, staff and students are encouraged to exercise proper care in using any apparatus, and in moving from one area to another.

The College further recognizes and is committed to providing a safe environment in the operation of all courses and College functions. Through the combined efforts of the Board, the administration, the faculty, staff, and students, the College's Safety Program provides an "on-going" process to promote and reinforce safety regulations. A complete list of safety procedures is outlined in the Lab Safety Policy Manual, located at [www.mecc.edu/labsafety](http://www.mecc.edu/labsafety).

## Campus Police

Campus Police is committed to providing a safe environment that is free from violence, threats, harassing, and/or disruptive behavior. Any threat or action that violates College policies will be taken seriously and dealt with appropriately.

To contact the MECC Campus Police:

- From off campus, call 276.523.7473
- From on campus, dial 647473 from any campus phone
- Send email to [campuspolice@mecc.edu](mailto:campuspolice@mecc.edu)
- MECC's Campus Police office is located in Godwin Hall, Room 153, Parking Lot A Entrance
- Police personnel are available seven days per week. Police officers are certified Law Enforcement and Campus Safety Officers and undergo required continuing training

## Report Threats of Violence, Crimes, and Other Concerns

In an emergency, call or text 911. If you have knowledge of a threat of violence, a crime, or any other safety concern, please fill out and submit an MECC Incident Report Form located on the MECC website at [www.mecc.edu/forms](http://www.mecc.edu/forms). You may also report concerns by calling Campus Police at 276.523.7473. Telephones for reporting emergencies are available in every classroom, hallway, and the main entrance to each building.

## Crime Awareness and Campus Security Policy

MECC has adopted the following policy for the protection of the College campus:

- All criminal actions and other emergencies are reported by students to the most available College employee, to Campus Police at extension 647473, or by calling or texting 911.
- A licensed officer is on duty at all times when the College is open for classes or events. Campus Police's authority focuses on enforcement of College rules and regulations. In the case of criminal activity, Campus Police are sworn to uphold the laws of the Commonwealth of Virginia and has authority to issue summons or arrest violators of the law.
- Access to campus facilities after business hours by students is allowed only with written permission of an instructor. A log is maintained of students and employees on campus when the College is closed.
- Students are informed of the procedures for reporting criminal actions and other emergencies during the Student Success Skills course (SDV 100).

MECC's program of education and prevention contains the following components:

- Inclusion of the Crime Awareness and Campus Security Policy and Jeanne Clery Disclosure of Campus Security Policy in the general Student Success Skills courses for new students (SDV100). This includes a discussion in the small group orientation activity of security and safety precautions;
- Seminars and workshops offered by Student Services that focus on prevention of crimes and safety awareness upon request;
- Brochures & pamphlets that are available in Student Services;
- Notices of procedures for reporting criminal action or other emergencies are posted in every classroom and office.
- A daily crime log that lists all crimes reported to Campus Police is maintained and is available in the Campus Police office in Godwin Hall room 153.
- Statistics concerning the occurrences of criminal offenses on the campus of MECC will be published annually online at [www.mecc.edu/safety](http://www.mecc.edu/safety) and are available upon request from Campus Police.

## **Violent, Threatening, or Disruptive Behavior**

MECC has established a Violence Prevention and Campus Safety Committee and a Threat Assessment Team to review policies and practices, assess situations, and take or recommend appropriate actions. Any threat or act of violence will be taken seriously and dealt with appropriately. Violations of this policy may result in academic sanctions, disciplinary action, termination of employment, arrest, and/or prosecution. This policy applies to any act of violence, harassment, intimidation, or other threatening behavior including:

Physical assault including but not limited to: hitting, pushing, kicking, impeding or blocking the movement of another person, beating, stabbing, suicide or attempted suicide, shooting, rape.

Verbal abuse and/or harassment including but not limited to: verbal threats, shouting, swearing, or obscene phone calls or stalking. Threatening behavior and threatening or intimidating writings including: electronic mail, posters, cartoons, publications, drawings, or gestures.

Possessing, brandishing, or using a weapon by students while on state premises is prohibited except where possession is a result of participation in an organized and scheduled instructional exercise for a course, or where the student is a law enforcement professional, or when the weapon is secured in the student's vehicle. Compliance with this policy is a condition of admission and subsequent enrollment for students, a condition of employment for employees, and a condition of conducting business with the College for business invitees. This policy applies whether a weapon is functional or not. Any device designed to look like a weapon and/or is used by an individual to cause reasonable apprehension or harm is considered a weapon by this policy. The possession and use of firearms by students enrolled in and faculty teaching ADJ 127, ADJ 139, ADJ 195, ADJ 295, and by those participating in approved firearms recertification training are exempt from this policy for the dates and times scheduled for those classes and/or training, and only in strict compliance with the requirements of those classes and/or training.

MECC prohibits any form of retaliation against any employee, student, or other individual making a report under this policy.

Students or other individuals who witness or are subjected to behavior prohibited by this policy should immediately report the incident to the nearest College employee.

## **Student Behavior Concerns**

Students should immediately report concerns about a fellow student who may seem at risk of harming him/herself or others. In emergency situations, students should call or text 911 and/or Campus Police at 276.523.7473. In non-emergency situations of concern, contact the Dean of Student Services.

Although there is no single predictor of suicide, there are common warning signs:

- Talking about suicide
- Always talking or thinking about death
- Making comments about being hopeless, helpless, or worthless
- Saying things like "It would be better if I wasn't here" or "I want out"
- Depression (deep sadness, loss of interest, trouble sleeping and eating) that gets worse
- A sudden, unexpected switch from being very sad to being very calm or appearing to be happy
- Having a "death wish," tempting fate by taking risks that could lead to death, like driving fast or through red lights
- Losing interest in things one used to care about
- Visiting or calling people to say goodbye
- Putting affairs in order, tying up loose ends, changing a will

The American Psychological Association lists these immediate warning signs that violence is a serious possibility:

- Loss of temper on a daily basis
- Frequent physical fighting
- Significant vandalism or property damage
- Increase in use of drugs or alcohol
- Increase in risk-taking behavior
- Detailed plans to commit acts of violence
- Announcing threats or plans for hurting others
- Enjoying hurting animals
- Carrying a weapon
- 

## **Crime Statistics**

Campus crime statistics are available for the past three years and include information about crimes occurring on the College campus, at public areas immediately adjacent to the campus, and at certain non-campus locations. The current report is available online at [www.mecc.edu/safety](http://www.mecc.edu/safety). A printed copy is available upon request by contacting the Campus Police at 276.523.7473. A daily log of crimes reported to campus police is available to the public during normal business hours by contacting the department.

## Emergency Notifications

The fire alarm system will be activated when emergency situations exist that require immediate evacuation of buildings. The alarms will be activated in the event of fire, bomb threats, and danger of explosion or other emergencies posing a potential threat to health or safety. Sirens will be activated when emergency situations exist that require the immediate lockdown of all or part of the campus. All emergency messages will be broadcast through telephones, will be displayed on the College web site, and will be sent via text message and email.

## Emergency Procedures Evacuation

In the event of an emergency requiring evacuation, students must assume a life-threatening situation exists and immediately evacuate the building according to the routes posted and proceed to the following designated areas:

- Parking Lot B - employees and students in Godwin Hall, Robb Hall, Dalton-Cantrell Hall
- Phillips-Taylor Field - employees and students on the first floor of Phillips-Taylor Hall
- Parking Lot E - employees and students on the second floor of Phillips-Taylor Hall

Students are instructed to:

- Take any belongings readily available but do not return to classrooms or lockers to retrieve personal belongings.
- Remain in the designated areas until otherwise directed by the administrator in charge. Do not assume the College will be closed for the day or that classes will be canceled. Do not attempt to return to buildings or to vehicles in lots adjacent to buildings until so directed by the administrator in charge.

## Lockdown/Shelter in Place

When a situation requires that building occupants take shelter inside classrooms and offices, notification will be provided by every appropriate and available method.

- Emergency Siren
- Text Message
- Telephone
- Email
- In person

When notified that a lockdown has been ordered, students should stay in their classroom or take shelter in the closest classroom or office.

- Direct students and others out of the hallways and public areas and into classrooms and/or offices
- Lock the door and turn off the lights
- Close and lock windows and close blinds. Desks can be used to barricade the door if necessary.
- Keep everyone quiet and out of view. If possible, cover door window.
- Keep telephone lines (including cellular) free for emergency communications. Answer incoming calls if you can get to the telephone safely, but keep lines free unless communicating with emergency officials.
- Remain in the secured area until notified by emergency or College officials.

## High Winds, Tornadoes, etc.

The following areas have been designated as emergency shelters:

- Occupants of Godwin Hall and Holton Hall: bottom floor of Godwin - G104, G118, G119, G149
- Occupants of Robb Hall: bottom floor - R116, R118, R120
- Occupants of Dalton-Cantrell Hall: DC102, DC132, & West end of hallway at vending machines
- Occupants of Phillips-Taylor Hall: bottom floor - PT115, PT117, PT121, PT123

Building occupants will be directed to the emergency shelter areas by text and telephone messages and security and/or physical plant employees. Employees and students should remain in those areas away from exterior hallways, doors, walls and windows until otherwise directed.

## Weapons on Campus

Possessing, brandishing, or using a weapon by students while on state premises is prohibited except where possession is a result of participation in an organized and scheduled instructional exercise for a course, or where the student is a law enforcement professional, or when the weapon is secured in the student's vehicle. Students enrolled in and faculty teaching approved law enforcement related courses and approved firearms recertification training are exempt from this policy for the dates and times scheduled for those classes and/or training, and only in strict compliance with the requirements of those classes and/or training.

# General Information

## Books and Materials

Students are expected to obtain their own books, supplies, and consumable materials needed in their studies. The cost varies according to the number of credit hours taken and courses the student is enrolled in. Students are urged to check exact book titles and authors required in each course before purchasing books. The College Bookstore has very specific guidelines about returning books for a refund. Students are encouraged to familiarize themselves with these guidelines before making any purchases.

## Bookstore

The Bookstore is located in Room #119 in Holton Hall. Normal hours of operation are 8 a.m. to 4:30 p.m., Monday-Friday. Hours of operation may be extended during peak times. Students are urged to check the requirements for each course with the instructor to be sure that proper materials are purchased. Visit <http://bookstore.mecc.edu> for more information.

## Bookstore Refund/Exchange Policy

Refunds/exchanges will be made during the add/drop period of the semester under the following conditions: (These conditions apply to cash, check or credit card payments as well as financial aid or third party charges.)

- Proof of purchase is available in the form of the original cash register receipt or record of charge to a third party which specifically identifies the item purchased. Credit card receipts or canceled checks do not constitute proof of purchase because they do not identify the item purchased.
- Books sold wrapped in plastic and displaying the "No Return If Unwrapped" label must still be in the original wrap to receive a full refund.
- New books must be in new condition—free of markings, stains, or damage to binding.
- New books that are unwrapped, damaged, or marked may receive a partial refund equal to the used book price if the book will be used in subsequent semesters and can be resold as a used book.
- Full refunds/exchanges will be made for books returned due to classes canceled by the College if returned within five days of the class cancellation. This condition is especially important to students who charge textbooks to financial aid awards. Class cancellation may result in a reduction of a student's total financial aid award. When a reduction in the total award occurs, the excess amount of charges over the adjusted total award becomes an over-award for which the student will become personally liable.

Full refunds/exchanges will be made in cases of College error including: inappropriate class placement, change to another class due to test results, and other situations on a case-by-case basis.

Full refunds will be made for merchandise other than textbooks within five (5) business days of the purchase accompanied by the original cash register receipt. Merchandise must be returned in "new" condition with all tags and packaging.

No refund will be made for special order items, review books, study guides, general interest books, or software.

## Procedures/Processes

Refunds are issued according to tender type used for the original purchase. Financial aid and third party refunds are credited back to the account charged. Refunds for cash and check purchases are issued by check only and are mailed to the student's home address within 14 days of return. No cash refund will be given. The student's signature and address are required for all refunds. The signature of other College officials is required in cases of College error. Bookstore staff will provide the necessary forms and instructions.

## Appeals

Students may appeal the requirements of this policy by contacting the Business Manager located in G142. If the student is not satisfied with the decision of the Business Manager, the second step in the appeal process is the Vice President of Financial and Administrative Services located in G137. If the student is still not satisfied, the third and final step in the process is with the President located in Dalton-Cantrell Hall.

## Bulletin Boards

Bulletin boards for general use are identified as such and are located throughout the campus. Items to be posted on bulletin boards designated for student use must be stamped in the Office of Student Services. All other bulletin boards are for official College use only.

## College Catalog

The College Catalog is available online at [www.mecc.edu/students/catalog-and-student-handbook/](http://www.mecc.edu/students/catalog-and-student-handbook/). Students may request a copy of the printed Catalog from the Student Services or Enrollment Services Offices.



## College Committees

The College has standing committees composed of members of the College community. These committees advise the Vice-President and/or the President on important matters. Student representatives are appointed to all standing committees with the exception of the Student Affairs Committee and Professional Development Committee. For information regarding College committee appointments, please contact the Dean of Student Services at 276.523.9107.

## Contagious Disease Policy

### 1. Scope

The policy applies to all members of the College community, including students and employees, as well as all visitors to the College's campuses and facilities, including contractors, vendors, and guests.

### 2. Policy Statement

Mountain Empire Community College is committed to maintaining, to the extent reasonably possible, a safe environment for all students and employees (the "College community"). The purpose of this policy is to help prevent the spread of contagious diseases through measures that focus on safety, prevention, and education. As needed, Mountain Empire Community College will make available to its College community information about the transmission of diseases and precautions that infected persons should take to prevent the spread of disease. Mountain Empire Community College will rely on information and guidance issued by the Centers for Disease Control and Prevention ("CDC"), the Virginia Department of Health ("VDH") and local public health officials. This policy is not intended to cover common illnesses, such as colds and viruses, or upper respiratory infections.

### 3. Definitions

**Contagious disease:** an infectious disease that is spread from person to person through casual contact or respiratory droplets, which may lead to an epidemic or pandemic and threaten the health or safety of the Campus community. These diseases include but are not limited to: tuberculosis (TB), measles or German measles (rubella), certain strains of hepatitis and meningitis, as well as SARS and certain strains of influenza. Other potentially less serious infectious diseases, such as chicken pox, seasonal flu, and pneumonia will be addressed on a case-by-case basis.

**Epidemic:** the occurrence in a community or region of cases of an illness clearly in excess of normal expectancy.

**Pandemic:** a disease epidemic that has spread across multiple continents or worldwide.

### 4. Procedures

Persons who know or have reason to believe they are infected with a contagious disease that, according to public health officials, creates a risk of death or significant injury or impairment, must stay home and notify appropriate College personnel, e.g., instructor(s) or immediate supervisor. They also should contact their healthcare provider and advise the local health department. They must follow the directions of the local health department to prevent the spread of infection and to protect their own health. The Vice President of Financial and Administrative Services will serve as the point(s) of contact between the local health department and the College.

#### 4.1. Students

Students who know or have reason to believe they are infected with a contagious disease that poses a direct threat to the health or safety of others, i.e., creates a risk of death or significant injury or impairment, must stay home and notify the Dean of Student Services and/or their instructor(s).

Faculty or staff who suspect a student is exhibiting symptoms of a contagious disease shall report what they have observed to the Dean of Student Services but may not take any other direct measures with respect to the student. The Dean of Student Services may send students home if they exhibit or report experiencing symptoms of the contagious disease. Failure to follow the Dean of Student Services instructions will be considered a violation of the student code of conduct and may result in disciplinary action.

Before returning to the College, students who reported having, or have been diagnosed as having a contagious disease must be free of all symptoms of the disease for at least seven (7) days since the date of the first report or diagnosis, or as otherwise recommended by a healthcare provider, the VDH, CDC, or other public health officials. The College may require students to provide written documentation from a healthcare provider or local health department that the student may return to campus safely, unless state officials advise agencies to not make such requests, in which case students may return after the appropriate period as established by public health officials.

Students have a responsibility to stay in contact with faculty/instructors regarding their absence and missed class assignments and should contact the Dean of Student Services if they have any difficulties or concerns. The College will provide reasonable accommodations as requested and required by law.

## **4.2. Employees**

Employees who know or have reason to believe they are infected with a contagious disease that poses a direct threat to the health or safety of others must notify their immediate supervisor and the Director of Human Resources that they have symptoms associated with the disease. Employees should stay home or leave the workplace if symptoms occur while already present at work. Supervisors have the authority to send employees home if they exhibit symptoms of a contagious disease while at the workplace. Employees will be charged sick or annual leave if sent home.

Before returning to the College, employees who have been diagnosed as having a contagious disease as listed above must be free of all symptoms of the disease for at least seven (7) days since the date of the first report or diagnosis or as otherwise recommended by a healthcare provider, the CDC, or other public health officials. Employees must provide written documentation from a healthcare provider that the employee may return to work safely, unless state officials advise agencies to not make such requests, in which case employees may return following the appropriate period as established by public health officials.

Employees must comply with all policies and procedures related to sick leave and supervisor notification regarding their ability to return to work. The College will provide reasonable accommodations as requested and required by law.

Failure to follow a supervisor's directive is considered insubordination and is subject to formal disciplinary action under the Department of Human Resource Management's ("DHRM") Standards of Conduct or faculty human resource policy.

When the State Health Commissioner and the Governor of the Commonwealth of Virginia declare a Communicable Disease of Public Health Threat as defined in Section 32.1-48.06 of the Code of Virginia, employees, pursuant to DHRM Public Health Emergency Leave Policy (Policy No. 4.52), are permitted or required to attend to the medical needs of themselves and immediate family members and will be afforded up to the maximum hours of paid leave per leave year as established by DHRM for this purpose.

## **4.3. College**

Should any disease reach a pandemic stage, the College will rely on information and guidance from local and state health officials to provide appropriate information to the College community. College officials may temporarily close the College or its campuses, if such closure serves the best interest of the College community.

Mountain Empire Community College will inform the College community of plans to provide continuity of operations that will minimize disruption to campus operations. Such continuity measures may include requiring and/or permitting employees to transition to temporary telework through a telework agreement; modifying or shifting responsibilities and duties based on College needs and access to the campus; or modifying or altering normal working hours and schedules. Other measures may include implementing new safety and sanitary measures at the workplace based on current and applicable recommendations by the VDH, CDC or any other state or federal agency, and in compliance with any Executive Orders issued that would require such measures. Students and employees will be notified of specific measures and may be asked to acknowledge receipt and understanding of those measures as well as agreement to abide by them.

The College will consult with local and state health officials to provide any specific instructions for individuals returning to the College following infection of a contagious disease.

## **4.4. Visitors, Guests, Contractors, and other Third Parties**

The College reserves the right to limit access to its facilities to any third parties (visitors, guests, contractors, etc.), in the event of an epidemic, pandemic or any outbreak of a contagious disease that alters normal business operations. The College may institute additional safety measures based on the recommendations of public health officials that would be applicable to third parties visiting or working on campus.

## **4.5. Confidentiality**

No person, group, agency, insurer, employer, or institution should be provided any medical information without the prior specific written consent of the student, employee, or other College community member unless required or allowable under state and/or federal law. Furthermore, all medical information relating to contagious diseases of students and will be kept confidential, according to applicable state and federal law. Medical information relating to contagious diseases of persons within the College community will only be disclosed to responsible college officials on a need-to-know basis.

## **4.6. Non-Discrimination/ Harassment**

Discrimination or harassment of employees having or regarded as having a contagious disease is prohibited.

## **4.7. Sanctions**

Students who fail to comply this policy and applicable state and federal laws are subject to sanctions in accordance with the Student Code of Conduct.

Employees who fail to comply with all applicable Mountain Empire Community College, VCCS, and DHRM policies and procedures, and applicable state and federal laws are subject to formal disciplinary action.

## **5. Authority**

DHRM Policy 4.52, Public Health Emergency Leave  
VCCS Policy 6.0.8.1, Contagious Diseases

## **HIV/AIDS Policy**

MECC is committed to creating an environment which supports the intellectual and personal development of its community. A primary goal of the College is to assure that the quality of life for students, staff, and faculty is conducive to and facilitates the learning process at all stages of personal growth and development.

Acquired Immune Deficiency Syndrome (AIDS) is a result of infection with the Human Immune Deficiency Virus (HIV). Persons who are HIV positive or who live with AIDS are susceptible to bacteria, fungi, and diseases that would not normally affect others so adversely. The virus serves to break down and eventually destroy our immune system. Presently, there is no cure for HIV or AIDS. Therefore, comprehensive education is recognized as the key to the prevention of AIDS and the spread of HIV.

Persons in the College community who need assistance in dealing with issues regarding HIV/AIDS are encouraged to seek the services of a variety of community agencies. Confidential referrals are available by contacting the counseling department. MECC recognizes the concern of its students, staff, and faculty about HIV/AIDS, and has adopted the following policies for the education and protection of the campus community.

Students, staff, and faculty who are HIV positive or who live with AIDS will be able to remain in the College community as long as they are physically and mentally able to perform their role. Confidentiality of any person with HIV or AIDS will be protected. Information concerning an individual's HIV status will not be provided to faculty, administrators, or even families, without the expressed written consent of the individual.

## **Developmental Studies**

Mountain Empire Community College offers unique courses to enable students to make a successful transition into college curricula. These courses offer a complete practical review of high school reading, grammar, composition and math skills, specifically preparing students for college-level work. The courses use a lecture/lab format. Regular classroom instruction may be supplemented with individualized assignments. Computer-assisted instruction is used whenever appropriate.

## **Food Service**

The Red Fox Grill food service is located in Holton Hall. Vending machines are located throughout the campus.

## **Expressive Activity**

Mountain Empire Community College's (MECC) property is primarily dedicated to academic, student life and administrative functions. But it also represents the "marketplace of ideas," and especially for students, many areas of campus represent a public forum for speech and other expressive activities. MECC reserves the right to place restrictions on expressive activities occurring indoors, but especially for students and student organizations, the outdoor areas of campus remain venues for free expression, including speeches, demonstrations, and the distribution of literature.

This policy applies to all buildings, grounds, and other spaces owned or controlled by Mountain Empire Community College (MECC). The term "expressive activity" includes:

- Meetings and other group activities of students and student organizations;
- Speeches, performances, demonstrations, rallies, vigils, and other events by students; Student organizations, and outside groups invited by student organizations;
- Distributions of literature, such as leafleting and pamphleting; and
- Any other expression protected by the First Amendment to the U.S. Constitution.

Indoors or outdoors, MECC shall not interfere with the rights of individuals and groups to the free expression of their views or impermissibly regulate their speech based on its content or viewpoint. Nevertheless, MECC has the right to establish a reasonable time, place, and manner restrictions on expressive activity. Such restrictions must be content neutral, narrowly tailored to serve a significant governmental interest, and allow ample alternative channels for communication of the information. To report incidents of disruption of constitutionally protected speech, please contact the Dean of Student Services or Campus Police.

No event or expressive activity shall be permitted to violate or hinder the rights of others within the campus community or substantially disrupt normal College operations.

## **Expressive Campus Procedures**

### **A. Reserving Campus Facilities**

1. If students, student organizations, or college employees desire to reserve campus facilities, they shall submit their requests to the Dean of Student Services or his/her designee. Requests must be submitted with 24-hours advance notice. More notice may be required to allow for sufficient logistical support and to ensure the safety and security of the campus.
2. If individuals or organizations who are not members of the college community (i.e., not students, student organizations, or college employees) desire to reserve campus facilities, they must be sponsored by a recognized MECC student organization or the college to conduct expressive activities or events on campus.
3. MECC may designate certain indoor facilities as not available for expressive activity, such as administration offices, libraries, and (during instructional hours) classrooms and shall make the campus community aware of such areas. Any other restrictions on expressive activities occurring in indoor facilities must (a) apply equally to all individuals and organizations and (b) not depend upon the content or viewpoint of the expression or the possible reaction to that expression.
4. Students, student organizations, and college employees may request to reserve campus facilities on a first-come, first-served basis. These requests may be denied for the following reasons only:
  - a. The requested venue is an indoor facility that the MECC has designated as not available for expressive activity under this policy;
  - b. The requested venue is an indoor facility and the request conflicts with restrictions enacted pursuant to this policy;
  - c. The venue is already reserved for another event;
  - d. The activity will attract a crowd larger than the venue can safely contain;
  - e. The activity will substantially disrupt another event being held at a neighboring venue;
  - f. The activity will substantially disrupt college operations (including classes);
  - g. The activity is a clear and present threat to public safety, according to the college's police or security department;
  - h. The activity will occur during college examination periods; or
  - i. The activity is unlawful.
5. During an event, the student, student organization, or college employee requesting the reservation is responsible for preserving and maintaining the facility it reserved. If it causes any damage to those facilities, the person(s) or organization (and its officers, if applicable) shall assume responsibility.
6. When assessing a request to reserve campus facilities, MECC and its administrators must not consider the content or viewpoint of the expression or the possible reaction to that expression. MECC and its administrators may not impose restrictions on students, student organizations, or college employees due to the content or viewpoint of their expression or the possible reaction to that expression. In the event that other persons react negatively to a student's, student organization's, or college employee's expression, MECC officials (including college police or security) shall take all necessary steps to ensure public safety while allowing the expressive activity to continue.

### **B. Spontaneous Expressive Activity:**

1. MECC is not required to designate any indoor area as available for spontaneous expressive activities. In the event that MECC elect to do so, college officials shall prominently post the areas in which students, student organizations, and their sponsored guests may engage in spontaneous expressive activities. Any areas so designated must (a) apply equally to all students and student organizations and (b) not depend upon the content or viewpoint of the expression or the possible reaction to that expression.
2. For outdoor campus facilities and areas, students, student organizations, and their sponsored guests may freely engage in spontaneous expressive activities as long as they do not (a) block access to campus buildings, (b) obstruct vehicular or pedestrian traffic, (c) substantially disrupt previously scheduled campus events, (d) substantially disrupt college operations, (e) constitute unlawful activity; or (f) create a clear and present threat to public safety, according to MECC's Campus Police Department.
3. No college personnel may impose restrictions on students, student organizations, or their sponsored guests who are engaging in spontaneous expressive activities due to the content or viewpoint of their expression or the possible reaction to that expression. In the event that other persons react negatively to these activities, college officials (including Campus Police or security) shall take all necessary steps to ensure public safety while allowing the expressive activity to continue.

## **Inclement Weather**

When it is necessary to change the College schedule due to inclement weather or other unforeseen circumstances, the announcement will be made on the College's website at [www.mecc.edu](http://www.mecc.edu), via text message, email, and radio and television stations. The following radio and television stations will announce the schedule change:

- WCYB-TV (Channel 5)
- WJHL-TV (Channel 11)
- WDIC-FM 92.1
- WJNV-FM 99.1
- WQUT-FM 101.5
- WAXM-FM 93.5
- WXBQ-FM 96.9

Students may register at [www.mecc.edu/textalerts](http://www.mecc.edu/textalerts) to receive announcements of schedule changes by text message and email.

### **Understanding Announcements:**

- Snow Schedule or Two Hour Delay: Classes begin at 10 a.m. Employees report at 9:30 a.m.
- College Closed: Day and evening classes and all services are canceled.
- Day and/or Evening Classes are Canceled: College is open for all other services.

## **Snow Schedule**

Schedule of Classes when operating on a Snow Schedule:

<b>Normal Schedule</b>	<b>Snow Schedule</b>
8:15 a.m. - 9:30 a.m.	10:00 a.m. - 11:00 a.m.
9:40 a.m. - 10:55 a.m.	11:05 a.m. - 12:05 p.m.
11:05 a.m. - 12:20 p.m.	12:10 p.m. - 1:10 p.m.
12:20 p.m. - 12:50 p.m.	1:10 p.m. - 1:40 p.m.
12:50 p.m. - 2:05 p.m.	1:45 p.m. - 2:45 p.m.
2:15 p.m. - 3:30 p.m.	2:50 p.m. - 3:50 p.m.
3:40 p.m. - 4:55 p.m.	3:55 p.m. - 4:55 p.m.
5:00 p.m.	Classes meet as normal

## **Intellectual Property**

MECC abides by the VCCS policy regarding intellectual property, found in Section 12 of the VCCS Policy Manual. Pursuant to Section 12.0.4 responsibility for administration of this policy is vested in the Chancellor. The President of MECC is responsible for administration of this policy at the College. The policy administrator shall be assisted by an appropriate College committee in implementing the provisions of this policy. The College President shall designate the committee when claims or disputes arise.

## **Library**

The mission of the Wampler Library is to provide materials and services which support not only the educational programs of the College but also provide broad exposure to various disciplines, cultures, and ways of understanding. The library houses over 67,000 print and 42,000 electronic book volumes; 90 print and 27,000 electronic magazine, journal, and newspaper issues; and 9,400 reels of microfilm. In addition, the library provides access to the electronic research databases licensed by the VCCS and the Library of Virginia, as well as to the vast electronic resources of VIVA (The Virtual Library of Virginia).

All library collections are accessible online at [www.mecc.edu/library](http://www.mecc.edu/library). There are 33 public access computers in the library which are provided for conducting research and for completing self-paced instruction, classroom assignments, or personal projects. Enrolled students can access online library resources from off campus via the Internet.

The library staff provides circulation, reference, and interlibrary loan services, as well as technical assistance with the computers and computer software. The library staff also provides information literacy instruction for using the library's collections and services for research. Books, magazine articles, or other materials, which are not owned by the Wampler Library can usually be obtained through interlibrary loan. All interlibrary loans are free; the library pays any charges for them.

## **Library Use Policy and Procedures**

### **Photocopy and Printing Policies**

A photocopier, microfilm reader-printers, and a computer printer are provided in the library for student use. All copies made on the photocopier, the microfilm reader-printers, and the computer printer are 5 cents each, with the exception of copies of academic work made by current MECC students.

When MECC students present a current student ID at the time of making copies of academic work, there will be no charge for copies. All copying must be in compliance with the United States Copyright Act.

### **Notice Warning on Copyright Restrictions**

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Under certain conditions specified in the law, libraries and archives are authorized to furnish a photocopy or other reproduction. One of these specified conditions is that the photocopy or reproduction is not to be "used for any purpose other than private study, scholarship, or research." If a user makes a request for, or later uses, a photocopy or reproduction for purposes in excess of "fair use," that user may be liable for copyright infringement. This institution reserves the right to refuse to accept a copying order if, in its judgment, fulfillment of the order would involve violation of copyright law.

### **Library Fines**

Fines are no longer charged on overdue library materials at Wampler Library. When library materials are overdue, the student or library patron will receive two email notices of the overdue materials as a courtesy reminder. If overdue materials have not been returned within three weeks of the due date, the materials are marked as lost and a billing letter for replacement costs is mailed to the student or library patron. Lost materials are billed at the purchase price of the materials plus a processing fee of \$5 per item for

book jacket covers, spine labels, barcodes, date due pockets and cards, and cataloging service fees. When the overdue library materials are billed, students will be blocked from receiving a financial aid refund, an official College transcript, or charging items in the bookstore until the library materials have been returned. Students and community patrons who have overdue library materials and unpaid replacement charges on overdue books will not be allowed to check out additional items until materials have been returned or the replacement costs have been paid.

Unreturned library materials in the Commonwealth of Virginia is considered a theft of public property and constitutes a misdemeanor (Code of Virginia, §42.1-74) . As required by the Commonwealth of Virginia, unpaid debts for overdue library materials will be submitted to the Virginia Department of Taxation under the Set-Off Debt Collection Program, with the debts deducted from the individual's state income tax refund or lottery winnings. To avoid having overdue materials, call 276.523.7468 to renew library materials.

## **Lockers**

Lockers are provided as a service to the students; however, students must provide their own locks. Lockers are assigned by the Office of Student Services. Students requesting lockers may obtain applications from the Office of Student Services. The lockers must be cleaned and locks removed within five days after the last exam day of the spring semester. Failure to comply will result in forcible entry by the College. The College reserves the right to open and inspect the lockers at any time. Maintenance problems should be reported to the Office of Student Services.

## **Lost and Found**

Lost and Found is located in the Office of Student Services, Holton Hall, Room 128.

## **Parking**

All students are required to obtain an MECC parking permit. Parking permits may be obtained by visiting the Bookstore in Holton Hall. There is no charge for parking permits. Students must complete a vehicle registration form that includes listing the vehicle make, model year, and license tag number for each vehicle they expect to drive. One parking permit is issued to each student for use in all vehicles listed.

Students who require special parking permits due to a temporary disability should contact the Office of Student Services in Holton Hall. All requests will be reviewed by the Dean of Student Services or designee for approval. Special parking permits are intended to be used for short durations and are not intended to take the place of handicapped permits issued by the DMV. If approved, a student will receive a special parking permit for a specified period of time, which authorizes the use of special parking areas designated by Campus Police. Special parking permits issued from the Office of Student Services must be displayed on the lower right corner of the front windshield while the vehicle is parked on the campus. Parking areas for students, faculty and staff, visitors, and persons with disabilities are clearly designated. Parking in unauthorized spaces may result in a parking violation fine. Fines may include:

- \$3.00 for each ticket received for the following violations:
  - Improperly parked
  - Parked in no-parking zone
  - No MECC parking permit
  - Parked in Faculty lot
  - Parked on road
  - Parked in Small Business Only
  - Parked in Employee of the Year space
  - Parked in State Vehicle Only space
- \$10.00 for each ticket received for parking in visitor's space
- \$25.00 for each ticket received for parking in handicapped space
- Vehicles parked in a fire zone will be towed away at owner's expense.

All posted traffic regulations and speed limits must be observed. Excessive speeds and reckless driving habits must be avoided. White lines indicate boundaries of parking spaces. Do not straddle or park on these lines.

Students driving unregistered vehicles on a temporary basis (maximum of one week) may park in the student parking lot and register with the Business Office daily.

No overnight parking is permissible unless authorized by the Chief of Police.

## **Photographic Release**

There will be occasions throughout the year when students are photographed or videotaped for purposes such as news releases, publications, and other marketing media. Students may be asked to sign a photographic release allowing use of their photos for the above purposes.

## **Red Fox TV**

TV monitors are located throughout the campus. Our Red Fox TV provides information on College activities.

## **Selling on Campus**

The sale or solicitation of any products, goods, food, beverages, or services on campus by student organizations is subject to the guidelines established by the Office of Student Services. The privilege of selling merchandise of any variety on campus is limited to the Bookstore, recognized MECC student organizations, and those that have valid contracts as concessionaires. The Dean of Student Services or his/her designee has the authority to specify or limit the places and times of such sales. Solicitation for the benefit of recognized charitable or civic organizations on campus shall be made only with the prior written approval of the Dean of Student Services for each specific fund or drive. Other types of solicitation for funds are specifically prohibited. For sales authorization, contact the Office of Student Services at 276.523.9107 or visit the Office of Student Services.

## **Social Media**

MECC hosts several social media sites that provide notices of student events, deadlines, and pertinent academic information. Like MECC on Facebook at [www.facebook.com/mountainempirecollege](http://www.facebook.com/mountainempirecollege). Follow MECC on Twitter @meccva. Follow MECC on Instagram @MECCedu. Student activities, tutoring, MECC bookstore, as well as some instructional courses also utilize social media sites to provide student information.

## **Student IDs**

Student photo identification cards are provided to all students at MECC. ID cards are needed for library material use, campus copying and printing, Bookstore, and so forth. To obtain an MECC student ID, visit MECC Bookstore in Holton Hall. You must have a valid photo identification (driver's license), a current class schedule, and your student ID number. One ID will be issued to a student every two years at no cost. Lost cards will be replaced at a fee of \$5.

## **Student Publications**

MECC's policy on student publications is based on the principle of responsible journalism, i.e., avoidance of libel, indecency, undocumented allegations, harassment, and innuendos.

- Student groups or organizations may distribute written material on campus without prior approval unless such distribution disrupts the operations of the College.
- All publications containing opinion and commentary will state that the opinions expressed are not necessarily those of the College.
- Official student publications, such as MECC's Explorations magazine, will have a faculty or staff advisor.

## **Student Services**

### **Mission Statement**

The Office of Student Services exists to help students adjust to college life, to assist in co-curricular concerns, and to aid in the selection of careers and lifetime goals. Among the functions of this office are counseling, testing, new student orientation, student activities and wellness events, student conduct, college success skills courses, disability services, career services, student support services, and service learning. The Office of Student Services is located in Holton Hall.

### **Counseling**

As a service to students, the College maintains a staff of academic counselors and advisors to assist students in making decisions regarding career and educational plans. The College does not provide mental health service, but works closely with local community services and makes referrals for students with issues beyond those which can be addressed in an educational setting. Currently enrolled students may access counselors by making an appointment in the Office of Student Services, Holton Hall.

### **Career Services**

The Career Center offers computerized career assessments and career planning to help students determine career goals and thus a college major. To schedule an appointment, call 276.523.9106.

### **Disability Services**

Consistent with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, the VCCS guarantees that no qualified individual shall by reason of disability be denied access to, participation in, or the benefits of college. Each qualified person shall receive appropriate, reasonable accommodations upon request to insure full and equal access to educational opportunities, programs, and activities.

In order to provide appropriate, reasonable accommodations to students with disabilities who seek them, colleges should require

documentation from a qualified professional that includes a full clinical description and current functional limitations. This documentation should also include information about the methodology used to make a diagnosis, specific results of the assessments used, summary data, and specific assessment scores based on adult norms where having such additional information will assist colleges in engaging in a deliberative and collaborative decision-making process that considers each student's unique situation and experience, but not where requesting such information becomes overly burdensome to a student. To schedule an appointment please contact the Disability Service Coordinator at 276.523.9108 or visit the Office of Student Services.

## **Policy for Service Animals, Service Animals In-Training, and Comfort Animals**

### **A. Background.**

Mountain Empire Community College is committed to complying with the Americans with Disabilities Act of 1990 (ADA) as amended by the ADA Amendments Act of 2008 (ADA Amendments Act) and Section 504 of the Rehabilitation Act of 1973 as amended. Mountain Empire Community College will also comply with the Code of Virginia, § 51.5. Rights of Persons with Disabilities (<http://law.lis.virginia.gov/vacode/title51.5/chapter9>) and all state laws pertaining to individuals with disabilities.

### **B. Purpose.**

This document establishes the policies governing the presence of service animals, service animals in-training, and comfort animals on College campuses facilities, and applies to faculty, staff, students, and the public who utilize any college-owned or leased facility. This document is written in accordance with ADA guidelines pertaining to the use of such animals ([https://www.ada.gov/service\\_animals\\_2010.htm](https://www.ada.gov/service_animals_2010.htm)) and Code of Virginia, § 51.5

### **C. Service Animals.**

1. Mountain Empire Community College uses the ADA-approved definition of a service animal as "any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability."
2. Mountain Empire Community College also recognizes service animals in-training as those animals that are being trained by both students/faculty/staff with disabilities and experienced trainers who may or may not be disabled, provided that all of the following Virginia law conditions are met (Va. Code Section 51.51-44).
  - The dog is at least six months of age;
  - The dog is either (i) in harness and in training as a guide dog for the blind or visually impaired, (ii) on a blaze orange leash and in training as a hearing dog, or (iii) in a harness, backpack, or vest identifying the dog as a trained service dog, and in all such cases accompanied by a person who is experienced trainer of such service dogs or is conducting continuing training of a guide/hearing/service dog and is wearing a jacket identifying the recognized service dog organization.
3. In addition to the provisions about service dogs, revised ADA regulations have a new, separate provision about miniature horses that have been individually trained to do work or perform tasks for people with disabilities. (Miniature horses generally range in height from 24 inches to 34 inches measured to the shoulders and generally weigh between 70 and 100 pounds.) These service animals shall be permitted in Mountain Empire Community College's facilities where it is reasonable to do so and where they can be accommodated within those facilities.
4. Service animals or service animals in-training are allowed in all public spaces including waiting areas, administrative offices, cafeterias, libraries, bookstores, walkways, streets, open outdoor spaces, theaters, etc., without seeking permission from any College official. Employees, students and invitees may also bring service animals and service animals in-training into classrooms, laboratories, kitchens and non-sterile environments.

### **D. Fraudulent Representation of a Service Animal.**

Under Code of Virginia 51.5 44.1, any person who knowingly and willfully fits a dog with a harness, collar, vest, or sign, or uses an identification card commonly used by a person with a disability, in order to represent that the dog is a service dog or hearing dog to fraudulently gain public access for such dog pursuant to provisions in 51.5-44 is guilty of a Class 4 misdemeanor.

### **E. Comfort Animals.**

1. Under ADA, comfort animals are not service animals. Comfort animals of any species, which may provide emotional support to a person but are not trained to perform work or tasks related to a person's disability, are not permitted inside College buildings and facilities.

### **F. Types of Service Animals.**

1. Guide animal is a carefully trained animal that serves as a travel companion for persons with severe visual impairments or who are blind.
2. Hearing animal is an animal that has been trained to alert a person with significant hearing loss or who is deaf when a sound alarm occurs.
3. Support animal is an animal that has been trained to assist a person with a mobility or health impairment. The common tasks a support animal performs include carrying, opening doors, activating elevator buttons, helping a person up after a fall, etc.
4. Seizure Response animal is an animal that has been trained to assist a person when a seizure occurs. Services provided by this trained animal depend on the person's needs. Animals may stand guard during a seizure, may go for help, or even predict a seizure and warn the person before it occurs.
5. Signal Dog is one trained to assist a person with autism. The dog alerts the partner to distracting repetitive movements common among those with autism, allowing the person to stop the movement (e.g., hand flapping). A person with autism



may have problems with sensory input and need the same support services from a dog that a dog might give to a person who is blind or deaf.

6. Emotional Response animal is an animal that has been trained to assist a person during a panic attack or onset of anxiety. Services provided by this trained animal may be to stand guard, go around corners to alert of possible danger ahead, to paw at the leg to either warn of an oncoming panic attack or avoid the onset by calming the person, or to lay across the lap or the body of a person in order to provide compression to relieve or avoid the onset of an anxiety or panic attack.

G. Faculty and Staff Responsibilities.

1. General rules:
  - Do not pet or feed service animals. They are working and must not be distracted. Service animals are working animals, not pets.
  - Do not separate or attempt to separate the service animal from his/her partner.
  - Allow service animals in all permissible places at Mountain Empire Community College pursuant to rules noted below.
2. When in doubt about whether an animal is either a service animal or service animal in-training, College employees can only ask the following two questions of the person with custody of the animal:
  - a. Is the service animal or service animal in-training required because of your disability?
  - b. What job or task has the animal either been trained to perform or is being trained to perform?
3. With respect to service animals, College faculty and staff cannot request medical documentation, ask about the person's disability, request an identification card, proof of training, or ask the person to make the animal perform the activity for which it either trained or is in the process of being trained to perform. If, after asking the two permissible questions, the employee still has concerns about the animal in question, he/she should contact the Office of Disability Services.
4. College faculty and staff may not consider allergies or fear from others as a reason to deny access or provide a service to a person accompanied by a service animal. When a person who is allergic to animal dander and a custodian with a service animal must spend time in the same room or facility, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility.

H. Student Responsibilities.

1. Suggested student guidelines
  - Speak to the custodian first. The service animal and the custodian are a service team. Remember the service animal is working, and the custodian's life could depend on the service animal staying focused on the job.
  - Treat the custodian with respect and sensitivity. Assume the service team can handle themselves. Do not ask personal questions about the custodian's disability or the service animal.
  - Do not pet the service animal without asking the custodian first.
  - Do not assume a sleeping service animal is off duty.
  - Do not deliberately startle a service animal.
  - Do not feed a service animal. Food is the ultimate distraction for a working service animal.
  - Do not separate or attempt to separate a custodian from his or her service animal.
  - Never agree to be a temporary caretaker for a custodian's service animal.

I. Animal Custodian's Responsibilities.

- Custodians are encouraged, but not required, to register their service animal or service animal in-training with Mountain Empire Community College's Office of Disability Services
- Service animals and service animals in-training will be the full responsibility of its custodian and shall be under the control of its custodian at all times, and must be harnessed, leashed, or tethered, unless these devices interfere with the animal's work or the individual's disability prevents using these devices. In that case, the custodian must maintain control of the animal through voice, signal, or other effective controls.
- Custodians must make sure that all requirements for the presence of a service animal or service animals in-training are met. Current vaccinations (to include rabies, distemper and parvovirus) and identity tags must comply with Virginia requirements and county specific requirements. Dogs must wear a vaccination tag.
- Custodians accompanied by service animals must follow local ordinances regarding animal feces. If a custodian with a disability cannot pick up the animal's feces, he/she must make arrangements for cleaning up after the animal.
- All service animals and service animals in-training must be in good health and custodians are responsible for their animal's behavior. If the accompanying animal exhibits unacceptable behavior, including but not limited to aggression when not being provoked, the custodian is expected to employ proper training techniques to correct such behavior.
- A service animal custodian is responsible for ensuring that the animal is kept clean and the service animal is regularly bathed, groomed and treated for ticks and fleas.
- Custodians will be responsible for any extensive damage to College facilities. This does not include normal wear and tear. Service animals may be asked to wear protective shoes to prevent slippage or damage to floors.

J. Reasons for Removing Service Animals from College Campuses or Facilities.

- The animal is out of control and the custodian does not take effective action to control it. This may include but is not limited to, a service animal presenting disruptive behavior such as barking, walking or running around without the custodian, growling, etc. Custodians will be asked to remove the animal from the classroom or premises until the owner takes measures to correct such behaviors.

- The animal's custodian is mistreating or neglecting the animal.
- The animal is not housebroken.
- The dog poses a direct threat to the health and safety of others. This may include, but is not exclusive to, showing unprovoked aggression, or serious illness.

K. Complaints.

1. Any student who is not satisfied with the decision made concerning a purported service animal, service animal in-training, or comfort animal may file a written complaint using MECC's Student Grievance Procedure found in the Student Handbook.
2. Any employee with a disability who is not satisfied with a decision made concerning a purported service animal, service animal in-training, or comfort animal may file a complaint under MECC's employee grievance or dispute resolution procedures, found on MECC's Human Resources webpage.

L. Inquiries.

For general inquiries about this policy, contact the Office of Disability Services (Dale Lee, Student Leadership and Disability Counselor)

M. Voluntary Registration of Service Animal.

Individuals using a service animal or service animal in-training may voluntarily register that animal with the Office of Disability Support Services.

**MOUNTAIN EMPIRE COMMUNITY COLLEGE**  
**Office of Disability Services**  
**SERVICE ANIMAL REGISTRATION FORM**  
**(Voluntary use only)**

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

Type of Animal: \_\_\_\_\_

Service Animal or Service Animal-in-Training: \_\_\_\_\_

Description (breed, color, weight): \_\_\_\_\_

\_\_\_\_\_

What work or task has the animal been trained to perform: \_\_\_\_\_

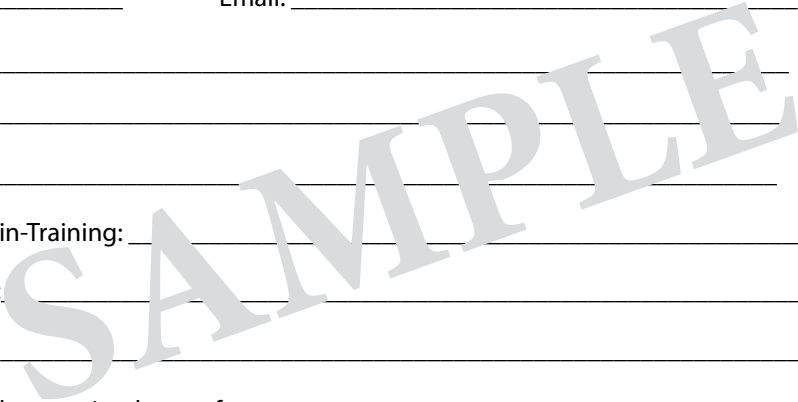
\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Attach documentation of vaccinations.



## **Educational Talent Search**

Educational Talent Search is an early intervention program that serves middle and high students in grades seven through twelve in Lee, Scott, and Wise Counties and the City of Norton. The goal of Educational Talent Search is to advise participants in preparing for college. Participants receive assistance with college admission and enrollment, college admission testing, financial aid, career options and improving study skills. For more information, contact the Educational Talent Search Office at 276.523.9073.

## **Testing**

The MECC Testing Center coordinates testing services for new and continuing students. The center administers placement testing, ability-to-benefit testing, and TEAS testing for Health Sciences. Please email [testing@mecc.edu](mailto:testing@mecc.edu) with questions you may have.

## **Transfer Services**

Transfer services are available to any student who plans on transferring to a four-year college or university to complete a baccalaureate degree program. The transfer counselor is available to assist students in planning their course work at MECC to review the transferability of courses to four-year colleges and universities of interest. Students are encouraged to meet with the Coordinator of Advising upon their decision to pursue a transfer degree by calling 276.523.9106.

## **Tutoring/Student Support Services**

The Student Support Services (SSS) Program is a federally funded academic support program. SSS is located in the Learning Center (G216) in Godwin Hall. Students receiving assistance from the SSS Program must be enrolled in a degree program and meet at least one of the following eligibility requirements:

- First generation college student (neither parent has a Bachelor's degree or higher).
- Low income as defined by federal income guidelines.
- A student with an appropriately documented learning or physical disability, who also meets income guidelines.

The Student Support Services Program offers these services free of charge:

- Tutoring - Tutoring is available for most classes upon request.
- Study Skills Development - Students may request assistance to improve study habits and skills.
- Information and Referrals - Information and referrals for on and off-campus services are available.
- Academic & Career Counseling - Academic and career counseling are available upon request. Referrals for other counseling services are available as appropriate.
- Mentoring - Experienced personnel and students are available to provide advice and encouragement.
- Transfer Assistance - A Transfer Counselor is available to ensure a smooth transfer to a four-year institution.
- Financial Aid - Students may receive assistance in locating scholarships, grants, and other financial awards while at MECC and during the transfer process.
- Resources - Resources such as calculators, textbooks, etc. are available on a limited basis for students who qualify for this service.
- Cultural Activities - Students may attend a wide variety of cultural arts and other special events throughout the academic year free of charge.
- Students who are not eligible for the SSS program will be served through the Parallel Program, funded by the MECC Foundation. All services listed above are included in the Parallel Program.

## **Telephone Calls**

The Office of Student Services will receive emergency messages for students and make every effort to see that they are delivered. College operated telephones should not be used by students for outgoing calls, with the exception of emergencies.

## **Tobacco Use**

The use of tobacco and related products inside College facilities is prohibited. The use of tobacco and related products is also prohibited within 20 feet of entrance doors. Tobacco and related products includes all forms of tobacco products and methods of use and shall also include any electronic or vapor device designed to simulate smoking.

## **Transcripts**

Mountain Empire Community College has partnered with Parchment.com to deliver secure electronic or paper transcripts to you. To request a transcript, visit [www.mecc.edu/transcript](http://www.mecc.edu/transcript) to either create a new account or sign in through Parchment.com. All electronic delivery requests will have a \$7.50 electronic processing fee through Parchment.com. To send your transcript via USPS, an additional \$2.50 fee will apply. Transcript mail requests can be expedited through FedEx for an additional fee, depending on mailing cost.

Official transcripts are generally processed within 3 business days of receipt. During peak times such as beginning and end of term, processing time will likely be extended. The status of your transcript request can be tracked through your Parchment account.

Transcript services are withheld for any student who owes Mountain Empire Community College money or property. Requests for transcripts via phone are not accepted.

Requests for unofficial student grade reports will be honored at any time during regular office hours. Unofficial transcripts will be faxed directly to offices of other educational institutions, employers, and the military. Incomplete transcripts will not be released. Sufficient time must be allowed for the posting of grades and computing of averages at the end of each semester.

The College observes Public Law 93-380 in providing for the privacy of official student records and the rights of students to review these records. Students may review their official records by making a request to the Office of Enrollment Services. The College will not release any personally identifiable information other than directory information about any student without the student's written permission, except to certain school and governmental officials as provided by the law. Requests by individuals and agencies for release of student information must be presented in writing. The student's permission for the College to release any information must also be in writing. Students may grant permission by completing the Permission to Release Education Record Information form, located in the Office of Enrollment Services, Fox Central, Holton Hall.

## **Updating Personal Information**

Students are responsible for maintaining their personal information while enrolled at MECC. Contact information such as address and phone number can be updated by visiting the Student Information System (SIS) at MyMECC or by completing an Information Change Form located at the Enrollment Services Office in Fox Central, Holton Hall. The Information Change Form is also available online at [www.mecc.edu](http://www.mecc.edu). Students who need to change their name or social security number must complete an Information Change Form and submit the form along with appropriate documentation to the Enrollment Services Office.

## **Visitors to Campus**

To maintain a campus environment that is safe and conducive to teaching and learning, the College reserves the right to decide whether visitors will be permitted in any particular location, including on and off campus classrooms, laboratories and shops. Visitors are those individuals who are not officially enrolled at the College, including children and guests of students and employees. Visitors are generally not allowed in areas where instruction is being delivered, except in situations where the instructor determines that extenuating circumstances make such attendance permissible. The instructor will determine what constitutes extenuating circumstances and will further determine whether or not a visitor is permitted to attend any given class. It is the responsibility of the student to request the instructor's permission to bring a visitor to class.

Visitors displaying threatening or disruptive behavior at any on campus or off campus location will be asked to leave. In the case of a child, supervision by a responsible parent or guardian is required at all times; disruptive behavior will result in both the child and the supervising adult being asked to leave.

# Computer Ethics Guidelines

Multiple users share MECC computing resources. Everyone must use these resources responsibly since misuse by even a few individuals has the potential to disrupt Mountain Empire Community College business. Therefore, you must exercise ethical behavior when using MECC computing resources.

## Definition

MECC computing resources include desktop computers, laptop computers, networks, software, data, phones, facilities, and related supplies.

## Guidelines

The following guidelines shall govern the use of all MECC computing resources:

- You must use only those computer resources that you have the authority to use. You must not provide false or misleading information to gain access to computing resources. MECC may regard these actions as criminal acts and may treat them accordingly. You must not use MECC resources to gain unauthorized access to computing resources of other institutions, organizations or individuals.
- You must not authorize anyone to use your computer accounts for any reason. You are responsible for all use of your accounts. You must take all reasonable precautions, including password maintenance and file protection measures, to prevent use of your account by unauthorized persons. You must not, for example, share your password with anyone.
- You must use your computer resources only for authorized purposes. Students or staff, for example, may not use their accounts for private consulting. You must not use your computer resources for unlawful purposes, such as the installation of fraudulently or illegally obtained software. Use of external networks connected to MECC must comply with the policies of acceptable use promulgated by the organizations responsible for those networks.
- Other than material known to be in the public domain, you must not access, alter, copy, move or remove information, proprietary software or other files (including programs, members or subroutine libraries, data and electronic mail) without prior authorization. MECC data trustee, security officer, appropriate College official or other responsible party may grant authorization to use electronically stored materials in accordance with policies, copyright laws and procedures. You must not copy, distribute, or disclose third party proprietary software without prior authorization from the licensor. You must not install proprietary software on systems not properly licensed for its use.
- You must not use any computing facility irresponsibly or needlessly affect the work of others. This includes transmitting or making accessible offensive, annoying or harassing material; intentionally, recklessly, or negligently damaging systems; intentionally damaging or violating the privacy of information not belonging to you; intentionally misuse of resources or allowing misuse of resources by others; and load software or data from untrustworthy sources, such as freeware, onto official systems without prior approval.
- You should report any violation of these regulations by other individuals and any information relating to a flaw or bypass of computing facility security to the Information Security Officer or the Office of Computing & Information Technology located in Phillips-Taylor Hall Room 217. For assistance, call 276.523.9001.

## Enforcement Procedure

Faculty, staff and students at the College or any MECC facility should immediately report violations of information security policies to the Information Security Officer (ISO) by phone at 276.523.9444 or by email at [helpdesk@mecc.edu](mailto:helpdesk@mecc.edu).

In the event that a student is the offender, the accuser should notify the Dean of Student Services. The Dean, in cooperation with the CIO, will determine the appropriate disciplinary actions which may include but are not limited to:

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

The College President or designee will report any violations of state and federal law to the appropriate authorities. All formal disciplinary actions taken under this policy are grievable and the accused may pursue findings through the appropriate grievance procedure.

Note: The following agreement is posted in MECC computer labs.

## Information Technology Student/Patron Ethics Agreement

As a user of Mountain Empire Community College's local and wide area computer systems, I understand and agree to abide by the following ethics agreement terms. These terms govern my access to, and use of the information technology applications, services and resources of MECC and the information they generate.

The College granted access to me as a necessary privilege in order to perform authorized functions at the College where I am currently enrolled. I will not knowingly permit use of my entrusted access control mechanism for any purposes other than those required to perform authorized functions related to my status as a student. These include logon identification, password, workstation identification, user identification, file protection keys or production read or write keys.

I will not disclose information concerning any access control mechanism unless properly authorized to do so by my enrolling College. I will not use any access mechanism that MECC has not expressly assigned to me.

I will treat all information maintained on MECC computer systems as strictly confidential and will not release information to any unauthorized person. I agree to abide by all applicable state, federal, VCCS, and College policies, procedures and standards that relate to the Information Security Policy and the Computer Ethics Guideline. I will follow all the security procedures of MECC computer systems and protect the data contained therein. If I observe any incidents of noncompliance with the terms of this agreement, I am responsible for reporting them to the Information Security Officer and management of my College.

I understand that MECC administration, or appropriate designated College officials, reserve the right without notice to limit or restrict any individual's access and to inspect, remove or otherwise alter any data, file, or system resource that may undermine the authorized use of any network computing facilities (see VCCS Information Security Policy for details.)

By acknowledging this agreement, I hereby certify that I understand the preceding terms and provisions and that I accept the responsibility of adhering to the same. I further acknowledge that should I violate this agreement; I will be subject to disciplinary action.

## Internet Code of Ethics

In support of intellectual freedom, Mountain Empire Community College does not monitor and has no control over information accessed through the Internet. It is the user's, or their guardian's, responsibility to ensure that accessed material is appropriate for the intended audience.

All users of electronic information sources such as the Internet are expected to use these resources in a responsible manner, consistent with the educational and informational purposes for which they are provided and to follow the rules and regulations of the college providing these resources.

Responsible, ethical use of the Internet includes:

- Using the Internet for educational and informational purposes only; not for unauthorized, illegal or unethical purposes.
- Not attempting to modify or gain unauthorized access to files, passwords, or data belonging to others; not seeking unauthorized access to any computer system; and not damaging or altering software components of any network or database.
- Not sending, receiving or displaying text or graphics which may reasonably be construed as obscene.

Note: The following policy is posted in MECC computer labs.

## Internet Access Policy

Class related use of the internet using MECC computers has priority. **Accessing and displaying pornographic materials is prohibited.** No user may transmit or make accessible any offensive, annoying or harassing material. Violation of this policy may result in referral to the Dean of Student Services for possible disciplinary action.

## Computing and Telecommunications Guidelines

The College's computing and telecommunications facilities are provided for the use of students in fulfilling their needs which relate to the mission of the College. Computing resources are valuable, and their abuse affects everyone who uses computing facilities. The same morality and ethical behavior that applies in the non-computing environment applies in the computing environment.

Every student using the College's telecommunications and computing equipment and capabilities agrees to abide by the tenets set forth in the following computing policy:

"I hereby acknowledge that permission is granted to me for academic use of the computing and telecommunications facilities and services of the College, including its computer systems, associated peripherals and files, and telephone and network access, according to the terms described herein.

"In consideration of the permission granted to use the above mentioned systems, I hereby acknowledge that:

- The College licenses the use of such computer software from a variety of outside companies. The College does not own this software or related documentation and, unless authorized by the software developer, does not have the right to reproduce or modify it.
- I agree not to copy, disclose, transfer, or modify, without written permission, any computer software or documentation that the College permits me to use. I also agree not to install any software on College owned equipment without the express written permission of the College.
- Media containing licensed software and the accompanying documentation is to be used in the College's office areas, classrooms, and computing labs, and is not to be removed from such designated areas.
- All use of software provided by the College and all the College's computer and telecommunications equipment is governed by the College's license agreements, this policy statement, and applicable federal and state laws. I hereby agree to comply with all such restrictions.
- I also agree not to use the College's computer and telecommunications systems in any way that diminishes or interferes with the use of those systems by others. I acknowledge the College's right to remove immediately any file which appears to be intended for any such misuse. I further acknowledge the College's right to inspect when necessary, as a function of responsible system management, all electronic files and other recorded information on the College's computing and telecommunications facilities.
- According to United States Copyright law, illegal reproduction of software can be subject to civil damages of as much as \$100,000 and criminal penalties, including fines and imprisonment. Students who make, acquire, or use unauthorized copies of computer software shall be disciplined as appropriate under the circumstances. Such discipline may result in denial of computing and telecommunications privileges or other sanctions. The College does not condone the illegal duplication or modification of software.
- I agree not to encroach on other's use of the facilities or deprive others of resources. For example, users should not play computer games while other users are waiting for computer resources for legitimate academic activities.
- I agree to respect the privacy of others by not: attempting to access another user's computer files; supplying or attempting to supply false or misleading information or identification in order to access another user's account.
- I agree that the following usages of computing resources are unethical and subject to disciplinary action:
  - Solicitation for charity or other benefits
  - Activities related to the promotion or running of a personal for-profit venture or other activities unrelated to the pursuit of an education.
  - Using foul or abusive language on the network or any electronic communication medium.
  - Promoting and sending chain letters.
  - Harassing students or employees at the College or other institutions.
  - Sexual harassment comments directed to another person.
  - Racial comments directed to another person.
- By utilizing the systems outlined in this policy statement, I agree to the terms herein, and shall indemnify and hold harmless against all damages, losses, expenses, or costs resulting from the breach of obligations contained herein."

# Financial Aid & Scholarships

The philosophy of the College is that no qualified student should be denied the opportunity for a postsecondary education due solely to a lack of financial resources.

All student financial aid programs are administered by the Financial Aid Office located in Fox Central, Holton Hall. Financial aid includes grants, scholarships, and employment. To be eligible for financial aid the student must be enrolled in an academic plan leading toward a certificate, diploma, or degree. Course selection must follow a planned program of study to be eligible for financial aid. Application for most aid programs is possible by completing the Free Application for Federal Student Aid at [www.studentaid.gov](http://www.studentaid.gov).

MECC offers a variety of scholarship opportunities for students. All students are encouraged to apply for scholarships at [www.mecc.edu/scholarships](http://www.mecc.edu/scholarships).

## Financial Aid Status

- Financial Aid Good Standing (GS) – Students who are meeting all aspects of the satisfactory academic progress policy or successfully following a designated academic progress plan.
- Financial Aid Warning Status (WS) – Students who fail to meet satisfactory academic progress for the first time (excluding students who have already attempted 150% of the credits required for their programs of study) will be automatically placed in a Warning Status for one (1) term and are expected to meet SAP requirements by the end of that term. Students who fail to meet satisfactory academic progress requirements at the end of the warning status term will be placed on financial aid suspension. However, with a successful SAP appeal, those students will be placed on financial aid probation and will retain financial aid eligibility.
- Financial Aid Probation Status (PS) – Students who have successfully appealed financial aid suspension are placed in Probation Status (PS). Students in Probation Status (PS) are eligible to receive financial aid for one (1) semester, after which they MUST be in Good Standing (GS) or meeting the requirements of an academic progress plan that was pre-approved by the College Financial Aid Office. (See Appeals for additional information.)
- Financial Aid Suspension Status (SS) – Students who do not meet the credit progression schedule and/or the cumulative grade point average standard, or who fail to meet the requirements of their pre-approved academic progress plan, will be placed in Suspension Status (SS). Students in Suspension Status (SS) are not eligible to receive financial aid.
- Academic Suspension (AS) – Academic requirements for avoiding warning status and staying in school differ from financial aid requirements for Satisfactory Academic Progress. Academic status will be noted on registration records; financial aid status will be noted on financial aid pages in SIS. Any student suspended from the College for academic or behavioral reasons is automatically ineligible for financial aid.

## VCCS Satisfactory Academic Progress (SAP) Policy

Federal regulations require that a student receiving federal financial aid make satisfactory academic progress in accordance with the standards set by the College and the federal government. These limitations include all terms of enrollment, whether or not aid was awarded or received.

Satisfactory Academic Progress (SAP) standards also apply to state aid. Students who do not meet SAP standards may be considered for institutional and/or foundational funds on an individual basis. Progress is measured throughout the academic program by the student's cumulative grade point average (Qualitative) and by credits earned as a percentage of those attempted (Quantitative or Pace of Completion). In addition, students must complete their programs of study before attempting 150% of the credits required to complete the program. The College Financial Aid Office will evaluate satisfactory academic progress before aid is awarded and after grades are posted for every term, starting with their first term of enrollment. Some career studies certificate programs (i.e., shorter than 16 credits in total length) are ineligible for student financial aid, but those credits will be counted toward all SAP requirements (GPA, Completion Rate, Maximum Timeframe, and Developmental Maximum) if the student later enrolls in an eligible program.

## Evaluating Progress

- Quantitative Standards or Pace of Completion Rate (67% Rule): Students must, at a minimum, receive satisfactory grades in 67% of cumulative credits attempted. This calculation is performed by dividing the cumulative total number of successfully completed credits by the cumulative total number of credits attempted. All credits attempted at the College (except audits, which must be entered as such by the class census date) are included. All credits accepted in transfer count as both attempted and successfully completed credits. This evaluation will be made prior to aid being awarded and after grades are posted at the end of each semester a student is enrolled at the College. Credits with satisfactory grades at the College are those for which a grade of A, B, C, D, S, or P is earned.
- Maximum Hours (150% Rule): In order to continue receiving financial aid, a student must complete his/her program of study before attempting 150% of the credits required for that program. Developmental and ESL course work are excluded in this



calculation. Attempted credits from all enrollment periods at the College plus all accepted transfer credits are counted; whether or not the student received financial aid for those terms is of no consequence.

- **Transfer Students:** Transfer credits officially accepted by the College will be counted in determining the maximum number of allowable credit hours for financial aid eligibility. The College has the option on an individual student basis to put a transfer student in Financial Aid Warning Status immediately upon evaluation for financial aid if academic history at previous colleges indicates a pattern of unsuccessful academic work.
- **Second Degree Students:** Credits earned from a first degree or certificate must be counted if the student changes programs or attempts a second degree or certificate. Depending on the circumstances, an appeal might be warranted.
- **ESL and Developmental Studies:** Students may receive financial aid for a maximum of 30 semester hours of Developmental Studies courses as long as the courses are required as a result of placement testing, the student is in an eligible program of study, and SAP requirements continue to be met. ESL credits are unlimited in number as long as they are taken as part of an eligible program and SAP requirements continue to be met.

## Additional Considerations for Quantitative or Pace of Completion Standards

Withdrawals (W grades) that are recorded on the student’s permanent academic transcript will be included as credits attempted and will have an adverse effect on the student’s ability to meet the requirements of the completion rate for financial aid.

Incomplete Grades: Courses that are assigned an incomplete grade are included in cumulative credits attempted. These cannot be used as credits earned in the progress standard until a successful grade is assigned.

Repeated courses enable the student to achieve a higher cumulative grade point average. Students can repeat courses with financial aid until successfully completed but repeating courses adversely affects the student’s ability to meet completion rate requirements. Financial aid can be considered for successfully completed classes that are repeated to achieve a higher grade but for only one additional attempt. Only the latest attempt will count toward the cumulative grade point average.

## Qualitative Standards

Cumulative GPA Requirements (GPA Rule): In order to remain eligible for financial aid consideration, students must meet minimum cumulative grade point average requirements based on a progressive scale. Only non-remedial courses with grades of A, B, C, D, and F are included in this calculation. Transfer credits are excluded. In order to graduate, a minimum cumulative grade point average of 2.0 is required.

Total Number of Credits Attempted	GPA Requirement
16-31	1.5
32-47	1.8
48+	2.0

## Regaining Eligibility for Financial Aid

Students who do not meet the credit progression requirements (Quantitative or Pace of Completion) and/or cumulative grade point average requirements (Qualitative) will be immediately ineligible for financial aid. Removal from financial aid does not prevent students from enrolling without financial aid if they are otherwise eligible to continue their enrollment.

Unless extenuating circumstances exist and an appeal is granted (see “Appeals” section below for additional information), a student in financial aid suspension should expect to continue classes at his or her own expense until satisfactory academic progress requirements are again met. Students who fail to meet these Satisfactory Academic Progress Standards and who choose to enroll without benefit of student financial aid may request a review of their academic records after any term in which they are enrolled without the receipt of financial aid to determine whether they have again met satisfactory academic progress standards. If the standards are met, eligibility is regained for subsequent terms of enrollment in the academic year. Students should consult their campus financial aid advisors for assistance in appealing any element of this policy or to determine how to regain eligibility for financial aid.

### Appeals

Under certain circumstances, students who fail to meet SAP standards and lose eligibility for financial aid can appeal the financial aid suspension. Students must clearly state what caused the suspension and must also clearly indicate what has changed that will now allow the student to succeed. Appeals are encouraged if:

- Extenuating circumstances exist (i.e., student’s serious illness or accident; death, accident or serious illness in the immediate family; other mitigating circumstances), or
- The student has successfully completed one degree and is attempting another, or
- The student on suspension for other than maximum hours (150%), who has not yet met SAP requirements, has during suspension enrolled in and successfully completed at least 6 semester credits at the College with a minimum GPA of 2.0.

Students appealing a suspension must:

- Complete the College's SAP Appeal Form in its entirety. The SAP Appeal Form is available at the Financial Aid Office, located in Fox Central, Holton Hall, and on the MECC website at [www.mecc.edu/forms](http://www.mecc.edu/forms).
- SAP Appeal Forms must be signed by the student's advisor. A copy of the student's grade progress report, provided by the advisor, must be attached.
- Submit all items to the College Financial Aid Office.

Only complete appeal submissions, with documentation, will be evaluated by the Financial Aid Office. The decision is final. Depending on the circumstances, the student could be required to complete additional requirements (i.e., see a career counselor or another type of counselor, meet with an advisor to develop an academic progress plan for completion, limit enrollment, etc.) before an appeal is granted. The goal is to help the student get back on track for graduation. The reasonableness of the student's ability for improvement to again meet SAP standards and complete the student's program of study will be carefully considered. Students who have appeals approved will be in probationary status for the coming term.

## **Repayment of Title IV Aid When a Student Withdraws**

Students receiving financial aid who withdraw or stop attending will, in most cases, be required to return a portion of financial aid received. The Higher Education Act, as reauthorized and signed into law on October 7, 1998, established the Return of Title IV Funds Policy.

This revised policy reflects new regulations effective 7-1-2011. The concept behind the policy is that the College and the student are allowed to retain only the amount of Title IV (federal) aid that is earned. If a student withdraws or stops attending classes, whether any credits have been earned for the term or not, a portion of the aid received is considered to be unearned and must be returned to the Title IV programs from which it was received.

For Title IV purposes, the last date of attendance is one of the following: the date the formal withdrawal process begins, the date the student otherwise gives official notice of intent to withdraw (i.e., letter, phone call, email, in person), the mid-point of the term, or the last documented date of attendance in an academically-related activity (i.e., documented attendance in a class or lab or submission of an assignment in a video course). If a student attends through 60 percent of the term, all Title IV aid is considered earned.

### **Definitions**

- Return to Title IV (R2T4) calculation – A required calculation to determine the amount of aid earned by the student when the student does not attend all days scheduled to complete within a payment period or term (Student is considered to be a withdrawal, whether any credits were completed or not.)
- Over-award [not the same as Return to Title IV calculation] – A required recalculation of Pell Grant and other aid types due to student dropping or not attending credits required for the status awarded (full-time, three-quarter time, half-time, less than half-time); required at any point information received that changes student status. Reductions in aid will always be required for students whose status changes due to dropped classes or classes not attended beyond the course census date.

### **Clarification of Regulations**

- A student who attends and completes at least one course that spans the entire term will have earned the aid for that term (as adjusted for dropped classes or classes not attended).
- School must be able to demonstrate that the student actually attended each class, including any class with a failing grade. Attendance must be academic attendance or attendance at an academically-related activity. Documentation of attendance must be made by the school. A student's self-certification of attendance is NOT acceptable unless supported by school's documentation.

### **Examples of attendance include:**

- Physical class attendance where there is direct interaction between instructor and student
- Submission of an academic assignment
- Examination, interactive tutorial, or computer-assisted instruction
- Study group assigned by school
- Participation in online discussion about academic matters
- Initiation of contact with instructor to ask question about academic subject  
(Logging in to an online class does NOT count as attendance.)

A student who withdraws from a class within the term must still be attending another class or is considered to be a withdrawal, even if registered for future classes starting within the term. The student must, at the time of withdrawal from a module or dynamic class, provide a written statement to the College Financial Aid Office indicating intent to attend (within 45 days) a future class within the term, or the student is considered to be a withdrawal; and a Return to Title IV calculation must be completed. (If student doesn't

actually attend that future class, a Return to Title IV calculation is still required; withdrawal date/last date of attendance dates back to originally confirmed withdrawal date.)

Recalculation of aid for enrollment status changes due to dropped or never attended classes is required before any Return to Title IV calculation is completed. Commonwealth and VCCS funds must also be returned proportionally based on the percentage of unearned aid used in the Return of Title IV calculations.

This policy is totally separate from the institutional refund policy. Unpaid balances due to MECC that result from amounts returned to Title IV programs and other sources of aid will be charged back to the student. If a student does not begin attendance in all classes or ceases attendance during the 100% refund period, aid may have to be reduced to reflect appropriate status prior to calculating Return of Title IV Funds.

Before withdrawing or stopping attendance in classes, the student should be aware of the proper procedure for withdrawing from classes and the consequences of either withdrawing or stopping attendance. Official withdrawal is always the responsibility of the student. Any questions on Return of Title IV Funds may be addressed to the Financial Aid Coordinator. Questions regarding withdrawal should be addressed to the student's advisor or the Admission's Office.

### **Questions to Ask:**

- Did the student cease to attend a course that he/she was scheduled to attend? (If yes, ask the next questions)
- At the time the student stopped attending this course, was he/she continuing to attend other courses? (If no, ask the next question. If yes, student is not a withdrawal.)
- At the time of the withdrawal, did the student provide written confirmation of anticipated attendance in a later starting registered course within the term? (If no, student is considered a withdrawal and a Return of Title IV calculation must be completed. If yes, no Return to Title IV calculation is required unless the student doesn't attend or quits the future class).

### **Return of Unearned Title IV Aid by the College**

The College must return the lesser of:

- The total amount of unearned Title IV assistance to be returned as calculated above; or
- An amount equal to the total charges by the College incurred by the student for the payment period multiplied by the percentage of Title IV grant assistance that has not been earned by the student as calculated in third bullet above. Charges by the College are tuition, fees, and bookstore charges assessed by the College.

### **Return of Unearned Title IV Aid by the Student**

After the College has allocated the unearned funds for which it is responsible, the student must return assistance for which the student is responsible. The amount of assistance that the student is responsible for returning is calculated by subtracting the amount of unearned aid that the College is required to return from the total amount of unearned Title IV assistance to be returned. Note that 50% of the student's disbursed grant is protected from the calculation. However, the student does not have to repay an original overpayment calculation of \$50 or less for overpayments resulting from the student's withdrawal.

A student who owes an overpayment of Title IV assistance remains eligible for Title IV program funds through and beyond the earlier of 45 days from the date the College sends a notification to the student of the overpayment, or 45 days from the date the College was required to notify the student of the overpayment if, during those 45 days the student:

- Repays the overpayment in full to the College or,
- Signs a repayment agreement for satisfactory arrangements to the school. (The College is never required to enter into a repayment agreement with a student).
- Negotiates overpayment collection procedures with Borrower Services 800.621.3115

The College must send the student a notice within 30 days of the date of determination of withdrawal, if the student owes a Title IV overpayment. If the student does not repay the overpayment in full, the College must refer the student overpayment to the Borrower Services and NSLDS for collection. A student wishing to enter into a repayment arrangement with Borrower Services, should call 800.621.3115. Referral to Borrower Services must take place within the earlier of 45 days from the date the College sends a notification to the student of the overpayment, or 45 days from the date the College was required to notify the student of the overpayment. After referral to Borrower Services, a student who owes an overpayment is ineligible for Title IV program funds.

### **Order of Return of Title IV Aid**

Unearned funds returned by the College or the student must be credited to any amount awarded for the payment period for which a return of funds is required in the following order: Federal Pell Grants and Federal SEOG Program aid.

## Timeframe for Return of Title IV Aid

The College must return the amount of Title IV funds for which it is responsible, as soon as possible, but not later than 45 days after the date of the College's determination that the student withdrew. The College must determine the withdrawal date for a student who withdraws without providing notification to the College no later than 45 days after the end of the payment period.

## Examples of Repayment

Student 1 enrolled for 18 credits in the fall semester and withdrew from all credits on September 13. Student 2 enrolled for 18 credits in the fall semester and withdrew from all credits on October 31. There are 115 calendar days in the semester. Both students charged \$500 at the College bookstore and \$749 tuition against their financial aid account. Federal aid dispersed of \$1,650 PELL and \$50 FSEOG.

### Student 1:

- Withdraw Date: September 13
- Day Attended: 22 out of 115=19% completed
- Total Aid: \$1,700 x 19% completed = \$323 earned aid
- Total Aid of \$1,700 - \$323 earned aid = \$1,377 unearned aid to be returned
- 100% - 19% completed = 81% unearned
- 81% unearned x \$1,249 tuition and bookstore charges = \$1,011.69 unrecoverable charges
- Lesser of unearned aid to be returned or unrecoverable charges: \$1,011.69 Institution's share of unearned aid
- \$1,377 unearned aid - \$1,011.69 Institution's share = \$365.31 Student's share of unearned aid
- \$1,011.69 returned to PELL: Institution's share of unearned aid to be returned \$1,700 (aid dispersed) x 50% (grant protected) = 850
- \$365.31 (student's unearned aid) - \$850 (grant protected) = \$0 Student aid to be returned

### Student 2:

- Withdraw Date: October 31 (after the last day to withdraw without academic penalty)
- Day Attended: 70 out of 115=61% completed (if calculated percentage exceeds 60% enter 100% instead): 100% completed
- Total Aid: \$1,700 x 100% completed = \$1,700 earned aid
- Total Aid of \$1,700 - \$1,700 earned aid = \$0 unearned aid to be returned
- 100% - 100% completed = 0% unearned
- 0% unearned x \$1,249 tuition and bookstore charges = \$0 unrecoverable charges
- Lesser of unearned aid to be returned or unrecoverable charges: \$0 Institution's share of unearned aid
- \$0 unearned aid - \$0 Institution's share = \$0 Student's share of unearned aid
- \$0 returned to PELL: Institution's share of unearned aid to be returned \$0 (aid dispersed) x 50% (grant protected) = 0



# Sex Discrimination and Sexual Misconduct Policy

## 8.10: Policy On Sexual Harassment

### 8.10.1: Notice of Nondiscrimination

As a recipient of federal funds, Mountain Empire Community College is required to comply with Title IX of the Higher Education Amendments of 1972, 20 U.S.C. § 1681 et seq. ("Title IX"), which prohibits discrimination on the basis of sex in educational programs or activities, admission and employment. Under certain circumstances, sexual harassment constitutes sexual discrimination prohibited by Title IX. Inquiries concerning the application of Title IX may be referred to the College's Title IX Coordinator or to the U.S. Department of Education's Office for Civil Rights. The Title IX Coordinator is Ron Vicars, Vice President of Financial and Administrative Services whose office is located at Godwin 136, and may be contacted by phone at (276) 523-7478 or by email at rvicars@mecc.edu.

### 8.10.2: Policy

Mountain Empire Community College is committed to providing an environment that is free from harassment and discrimination based on any status protected by law. Accordingly, this Policy prohibits sex discrimination, which includes sexual harassment, sexual assault, sexual exploitation, domestic violence, and stalking. This Policy also prohibits retaliation. This policy supplements the following general policy statement set forth by the Virginia Community College System: This College promotes and maintains educational opportunities without regard to race, color, national origin, religion, disability, sex, sexual orientation, gender identity, ethnicity, marital status, pregnancy, childbirth or related medical conditions including lactation, age (except when age is a bona fide occupational qualification), veteran status, or other non-merit factors. This policy also addresses the requirements under the Violence Against Women Reauthorization Act of 2013, (also known as the Campus SaVE Act), and Virginia law.

This policy is not intended to substitute or supersede related criminal or civil law. Individuals are encouraged to report incidents of sexual and domestic violence, dating violence, and stalking to law enforcement authorities. Criminal and civil remedies are available in addition to the potential remedies that the College may provide.

### 8.10.3: Purpose

The purpose of this Policy is to establish that the College prohibits sexual harassment, and retaliation and to set forth procedures by which such allegations of sexual harassment shall be reported, filed, investigated and resolved.

### 8.10.4: Applicability

This Policy applies to prohibited conduct by or against students, faculty, staff and third parties, e.g., contractors and visitors involving a program and activity of the College in the United States. Conduct outside the jurisdiction of this Policy may be subject to discipline under a separate code of conduct or policy.

## 8.11: Definitions

**Actual Knowledge:** Actual knowledge means notice of sexual harassment or allegations of sexual harassment to a College's Title IX Coordinator or any other official of the College who has authority to institute corrective measures on behalf of the College.

**Advisor:** An advisor is an individual who provides the complainant or respondent support, guidance, and advice. Advisors may be present at any meeting or live hearing but may not speak directly on behalf of the complainant or respondent, except to conduct cross-examination during a live hearing. Advisors may be but are not required to be licensed attorneys.

**Campus:** Campus refers to (i) any building or property owned or controlled by the College within the same reasonably contiguous geographic area of the College and used in direct support of, or in a manner related to, the College's educational purposes, and (ii) any building or property that is within or reasonably contiguous to the area described in clause (i) that is owned by the College but controlled by another person, is frequently used by students, and supports institutional purposes, such as a food or other retail vendor.

**Complainant:** A complainant is an individual who is alleged to be the victim of conduct that could constitute sexual harassment. A complainant may file a formal complaint against faculty, staff, students, or third parties.

**Consent:** Consent is knowing, voluntary, and clear permission by word or action, to engage in mutually agreed upon sexual activity. Silence does not necessarily constitute consent. Past consent to sexual activities, or a current or previous dating relationship, does not imply ongoing or future consent. Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). An individual cannot consent who is under the age of legal consent. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred. Any sexual activity or sex act committed against one's will, by the use of force, threat, intimidation, or ruse, or through one's mental incapacity or physical helplessness is without consent.

*Mental incapacity* means that condition of a person existing at the time which prevents the person from understanding the nature or consequences of the sexual act involved (the who, what, when, where, why, and how) and about which the accused knew

or should have known. This includes incapacitation by using drugs or alcohol. Intoxication is not synonymous as incapacitation. *Physical helplessness* means unconsciousness or any other condition existing at the time which otherwise rendered the person physically unable to communicate an unwillingness to act and about which the accused knew or should have known. Physical helplessness may be reached through the use of alcohol or drugs.

**Cumulative Evidence:** Cumulative evidence is additional evidence that has been introduced already on the same issue and is therefore unnecessary. The Hearing Officer has the discretion to exclude cumulative evidence.

**Dating Violence:** Dating violence is violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury committed by a person who is or has been in a close relationship of a romantic or intimate nature with the other person. The existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

**Domestic Violence:** Domestic violence is violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury and that is committed by a person against such person's family or household member, which includes a current or former spouse a person with whom the victim shares a child in common, or who is cohabitating with or has cohabitated with the person as a spouse or intimate partner.

**Deliberate Indifference:** Deliberate indifference refers to a response to sexual harassment that is clearly unreasonable in light of the known circumstances. The College's response may be found deliberately indifferent if the response restricts the rights to the Freedom of Speech and Due Process under the First, Fifth, and Fourteenth Amendments of the U.S. Constitution.

**Domestic Violence:** Domestic violence is violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury and that is committed by a person against such person's family or household member, which includes a current or former spouse, a person with whom the victim shares a child in common, or who is cohabitating with or has cohabitated with the person as a spouse or intimate partner.

**Due Process:** Due process is a right guaranteed by the Fifth and Fourteenth Amendments of the U.S. Constitution. Basic procedural due process guarantees that an individual receives notice of the matter pending that relates to the possible deprivation of a property or liberty interest and the opportunity to be heard. For example, students and employees facing suspension or expulsion/termination for disciplinary reasons must be given notice of the allegations against them prior to any hearing or determination of responsibility. Any disciplinary process must be fair and impartial. Additionally, the opportunity to respond must be meaningful.

**Education Program or Activity:** An education program or activity encompasses all of the College's operations and includes locations, events, or circumstances over which the College exercises substantial control over both the respondent and the context in which the sexual harassment occurs. Examples of education programs or activities includes, but are not limited to, college-sponsored conferences, athletic events and sports teams, student organizations, and wi-fi network.

**Exculpatory Evidence:** Exculpatory evidence is evidence that shows, or tends to show, that a respondent is not responsible for some or all of the conduct alleged in the notice of allegations. The College must provide the respondent with all exculpatory evidence.

**Final Decision:** A final decision is the written document that describes any sanctions imposed and remedies provided to the respondent and complainant, respectively, at the conclusion of the formal resolution process.

**Formal Complaint:** A formal complaint is a document filed and signed by a complainant or signed by the Title IX Coordinator that alleges sexual harassment against a respondent and requests the College to investigate the allegation of sexual harassment. The complainant must be participating in or attempting to participate in an education program or activity of the College when the formal complaint is filed. A complainant cannot file a formal complaint anonymously. The Title IX Coordinator may sign on a complainant's behalf in matters where it is in the best interest of the complainant or the College to do so. The College may consolidate formal complaints against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

**Freedom of Speech:** The freedom of speech is a right guaranteed by the First Amendment of the U.S. Constitution to express one's thoughts and views without unlawful governmental restrictions. As governmental entities, Colleges must not infringe on this right. This Policy expressly prohibits censorship of constitutionally protected expression.

**Hearing Officer:** A Hearing Officer is the presiding official of a live hearing who must issue a written determination on responsibility. Colleges may choose to hold live hearings with a single Hearing Officer or by committee.

**Inculpatory Evidence:** Inculpatory evidence is evidence that shows, or tends to show, that a respondent is responsible for some or all of the conduct alleged in the notice of allegations.

**Preponderance of the Evidence:** A preponderance of the evidence is evidence that shows that the fact sought to be proved is more probable than not to be true. A preponderance of the evidence means evidence that is of greater weight or more convincing than the evidence that supports the contrary position.

**Relevance:** Relevance refers to evidence that tends to prove or disprove whether the respondent is responsible for the alleged conduct. In determining whether a question is relevant, the Hearing Officer must focus on evidence pertinent to proving whether facts important to the allegations in the formal complaint are more or less likely to be true.

**Remedies:** Remedies are actions taken or accommodations provided to the complainant after a determination of responsibility for sexual harassment has been made against the respondent. Remedies are designed to restore or preserve equal access to the College's education program or activity. Remedies may be disciplinary or non-disciplinary.

**Report of Sexual Harassment:** A report of sexual harassment occurs when anyone reports an allegation of sexual harassment to the Title IX Coordinator, or that reaches the Title IX Coordinator through a Responsible Employee. An individual need not be participating or attempting to participate in an education program or activity of the College to file a report. The respondent also does not

need to be an employee, student, or otherwise affiliated with the College for a person to file a report against a respondent. A report of sexual harassment does not trigger an investigation or the formal or informal resolution process, but it does require the Title IX Coordinator to meet with the complainant and carry out the procedures described in 8.26 of this Policy.

**Respondent:** A respondent refers to the individual who has been reported to have engaged in conduct that could constitute sexual harassment as defined under this Policy. In most cases, a respondent is a person enrolled or employed by the College or who has another affiliation or connection with the College. The College may dismiss a formal complaint when the College has little to no control over the respondent but will offer supportive measures to the complainant and set reasonable restrictions on an unaffiliated respondent when appropriate.

**Responsible Employee:** A responsible employee is an employee who has the authority to take action to redress sexual harassment, who has been given the duty to report sexual harassment to the Title IX Coordinator or Deputy Title IX Coordinators, or an employee a student could reasonably believe has such authority or duty. A responsible employee shall not be an employee who, in his or her position at the College, provides services to the campus community as a licensed health care professional, professional counselor, victim support personnel, clergy, or attorney.

**Sex Discrimination:** Sex discrimination is the unlawful treatment of another based on the individual's sex that excludes an individual from participation in, separates or denies the individual the benefits of, or otherwise adversely affects a term or condition of an individual's employment, education, or participation in college program or activity. The College's treatment of a complainant or a respondent in response to a formal complaint of sexual harassment constitutes sex discrimination under Title IX when such response is deliberately indifferent.

**Sexual Assault:** Sexual assault is any sexual act directed against another person without consent or where the person is incapable of giving consent. Sexual assault includes intentionally touching, either directly or through clothing, the victim's genitals, breasts, thighs, or buttocks without the person's consent, as well as forcing someone to touch or fondle another against his or her will. Sexual assault includes sexual violence.

**Sexual Exploitation:** Sexual exploitation occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses. Examples of sexual exploitation include prostituting another person; non-consensual video or audio-taping of otherwise consensual sexual activity; going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex), and knowingly transmitting HIV or an STD to another.

**Sexual Harassment:** Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

*Quid Pro Quo:* The submission to or rejection of such conduct is used as the basis for educational or employment decisions affecting the student or employee either explicitly or implicitly;

*Hostile Environment:* Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an education program or activity of the College, including a student's educational experience or an employee's work performance;

*Clergy Act/VAWA Offenses:* Sexual assault/sexual violence, dating violence, domestic violence, and stalking, as defined by this Policy.

**Sexual Violence:** Sexual violence means physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. Sexual violence includes rape and sexual assault.

**Stalking:** Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress. Such conduct can occur in person or online, but the conduct must involve an education program or activity of the College.

**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 programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the campus environment, or to deter sexual harassment.

**Third Party:** A third party is any person who is not a student or employee of the College.

**Title IX:** Title IX means Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in any education program or activity receiving Federal financial assistance.

**Title IX Coordinator:** The Title IX Coordinator is the employee or employees designated and authorized to coordinate the College's efforts to comply with its responsibilities under Title IX.

**Workday:** A workday is any day that the College is open for business. Workdays include days when classes are not held, but when employees are expected to be at work.

**Written Determination:** A written determination is the written decision by a Hearing Officer that a respondent is responsible or not responsible for a violation of this Policy by a preponderance of the evidence after a live hearing. A written determination also is the result of an appeal decided by an Appeal Officer.

## 8.12: Retaliation

No person may intimidate, threaten, harass, discriminate, or take adverse action against any other person for the purpose of interfering with any right or privilege provided by this Policy, or because the person has made a report or filed a formal complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, live hearing, or any other process described in the Policy. Action is generally deemed adverse if it would deter a reasonable person in the same circumstances from opposing

practices prohibited by this Policy. Allegations of retaliation that do not involve sex discrimination or sexual harassment but are related to a report or formal complaint of sexual harassment for the purpose of interfering with any right or privilege provided by this Policy constitutes retaliation. Allegations of retaliation will be investigated and adjudicated as a separate code of conduct violation. Any person found responsible for retaliating against another person is subject to disciplinary or other action independent of the sanctions or interim measures imposed in response to the underlying allegations of violations of this Policy.

### 8.13: Reporting Incidents Of Sexual Harassment

- A. Members of the campus community who believe they have been victims of crimes may report the incident to campus or local police. All emergencies or any incident where someone is in imminent danger should be reported immediately to campus police by dialing (276) 523-7473 or local police by dialing 911.
- B. Whether or not a report is made to law enforcement, any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by reporting such conduct to a Responsible Employee to ensure that the Title IX Coordinator receives the verbal or written report. The Title IX Coordinator is solely responsible for overseeing the prompt, fair, and impartial investigation and resolution of reports and formal complaints filed with the College.

### Mountain Empire Community College Title IX Campus Resources

Title IX Coordinator	Ron Vicars Vice President – Financial and Administrative Services Godwin Hall (G136) 3441 Mountain Empire Road, Big Stone Gap, VA 24219 Telephone: 276.523.7478 Email: rvicars@mecc.edu
Deputy Title IX Coordinator – Students	Lelia Bradshaw Dean – Student Services Holton Hall (H133) 3441 Mountain Empire Road, Big Stone Gap, VA 24219 Telephone: 276.523.9107 Fax: 276-523-8257 Email: lbradshaw@mecc.edu
Deputy Title IX Coordinator – Employees	Valerie Lee Manager – Human Resources Godwin Hall (G138) 3441 Mountain Empire Road, Big Stone Gap, VA 24219 Telephone: 276.523.9079 Fax: 276-523-8257 Email: vlee@mecc.edu

- C. During non-business hours, members of the campus community should report alleged violations of this policy to Campus Police by dialing (276) 523-7473 or local police by dialing 911.
- D. There is no time limit for reporting incidents of sexual harassment with the Title IX Coordinator. However, complainants should report possible violations of this Policy as soon as possible to maximize the College's ability to respond effectively to the report. Failure to report promptly could result in the loss of relevant evidence.

### 8.14: Confidentiality and Anonymous Reports

- A. Individuals may be concerned about their privacy when they report a possible violation of this Policy. The College must keep confidential the identity of any individual who has made a report or formal complaint of sexual harassment; any complainant or any individual who has been reported to be the perpetrator of sexual harassment; and any witness related to a report or formal complaint of sexual harassment, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA), or as otherwise required by law, or to carry out the purposes of this Policy, including the conduct of any investigation, live hearing, or judicial proceeding arising from any report or formal complaint.
- B. The College has a responsibility to respond to conduct that violates this Policy. For this reason, most College employees may not keep secret a report of sexual harassment. The College expects employees to treat information they learn concerning incidents of reported violations of this Policy with respect and as confidentially as possible. College employees must share such information only with those College and law enforcement officials who must be informed of the information pursuant to this Policy.
- C. Responsible employees must report all alleged violations of this Policy obtained in the course of his or her employment to the Title IX Coordinator as soon as practicable after addressing the immediate needs of the complainant. Other campus employees have a duty to report sexual assault, domestic violence, dating violence, and stalking for federal



statistical reporting purposes (Campus Security Authority (CSA) under the Clery Act). CSAs include student/conduct affairs personnel, campus law enforcement, student activities staff, human resources staff, and advisors to student organizations. All employees must report suspected child abuse or neglect to the Title IX Coordinator as soon as practicable, but no later than 24 hours after forming such suspicion, pursuant to VCCS Policy Number 3.14.6, Reporting Sexual Child Abuse or Neglect.

- D. If a complainant wishes to keep the report of sexual harassment completely confidential, it is recommended that he or she reports the alleged conduct to someone with a duty to report incidents of sexual harassment to the Title IX Coordinator. Full-time employees also may contact the Employee Assistance Program. If the complainant requests that the complainant's identity is not released to anyone else, the College's response may be limited to providing supportive measures, if appropriate and reasonable available. When supportive measures are provided, the College will protect the privacy of the complainant to the extent possible while still providing the supportive measures. The College may pursue the formal resolution process even if the complainant requests the College to take no actions. The Title IX Coordinator will notify the complainant in writing within five (5) workdays of the decision to pursue the formal resolution process when he or she is unable to maintain confidentiality or respect the complainant's request for no further action. The Title IX Coordinator will give the complainant's wishes due consideration.
- E. The College will accept anonymous reports, but its response may be limited to providing supportive measures if appropriate and reasonably available. The Title IX Coordinator (or Campus Police) will conduct a preliminary investigation in an effort to determine the respondent's identity. If the investigation fails to reveal the identity of the respondent, the Title IX Coordinator shall close the report because the College must have sufficient information to conduct a meaningful and fair investigation. If the identity of the respondent is revealed, the Title IX Coordinator will notify the complainant in writing of the result of the preliminary investigation promptly after the preliminary investigation.

### **8.15: Immunity**

The College encourages the reporting of incidents that violate this Policy. The use of alcohol or drugs should not be a deterrent to reporting a possible incident of sexual harassment. When conducting the investigation, the College's primary focus will be on addressing the alleged sexual harassment and not on alcohol and drug violations that may be discovered or disclosed. The College does not condone underage drinking or the use of illicit drugs; however, the College will grant immunity from disciplinary action based on the personal consumption of alcohol or drugs to individuals who report incidents that violate this Policy, provided that such report is made in good faith. The College may provide referrals to counseling and may require educational options, rather than disciplinary sanctions, in such cases.

### **8.16: Timely Warnings**

The College is required by federal law to issue timely warnings for reported incidents that pose a substantial threat of bodily harm or danger to members of the campus community. The College will ensure, to every extent possible, that an alleged victim's name and other identifying information is not disclosed, while still providing enough information for members of the campus community to make decisions to address their own safety in light of the potential danger.

### **8.17: Interim Measures**

- A. *Immediate Suspension*: Prior to the resolution of a formal complaint, the College may suspend the respondent from an educational program or activity when it determines that the respondent's continued presence poses an immediate threat to the physical health or safety of any person arising from the allegations of sexual harassment. Prior to such suspension, the College will conduct an individualized safety and risk analysis, focusing on the particular respondent and the specific facts and circumstances arising from the allegations of sexual harassment that justify the suspension. The College shall notify the respondent in writing of the specific facts and circumstances that make the immediate suspension necessary and reasonable and shall give the respondent the opportunity to challenge the decision immediately following the suspension.
- B. *Administrative Leave*: The College may place a respondent employee on administrative leave prior to the resolution of a formal complaint. Reasons to place an employee on administrative leave include but are not limited to, the continued presence of the employee may be harmful to the employee or other employees; may hamper an investigation into the employee's alleged conduct; or may disrupt the work environment.
- C. *Mutual No Contact Order*: The College may impose a "no contact" order on each party, requiring the parties to refrain from having contact with one another, directly or through proxies, whether in person or by electronic means. The College also will enforce orders of protection issued by courts on all College property to the extent possible.

### **8.18: Supportive Measures**

- A. The College will offer supportive measures to individuals whether or not a formal complaint has been filed, or whether the alleged incident is under investigation by a law enforcement agency. All requests for supportive measures will be provided if appropriate and reasonably available.
- B. Supportive measures may include, but are not limited to, course schedule adjustments, reassignment of duty, leaves

of absence, alternative parking arrangements, rescheduling class work, assignments, and examinations; allowing alternative class or work arrangements, such as independent study or teleworking; escort services, increased security and monitoring of certain areas of the campus, and other similar measures. Provisions of supportive measures to either party will be kept confidential to the extent possible.

**8.19: Procedures To Follow After An Incident**

Anyone who has experienced an incident of sexual harassment as defined by this Policy should take the following action:

- A. Find a safe place away from harm.
- B. Call 911 or if on campus, contact campus police/security.
- C. Call a friend, a campus advocate, a family member or someone else you trust and ask her or him to stay with you.
- D. Go to the nearest medical facility/emergency room. It is important to seek appropriate medical attention to ensure your health and well-being, as well as to preserve any physical evidence.
- E. If you suspect that you may have been given a drug, ask the hospital or clinic where you receive medical care to take a urine sample. The urine sample should be preserved as evidence. "Rape drugs," such as Rohypnol and GHB, are more likely to be detected in urine than in blood.
- F. For professional and confidential counseling support, call the Virginia Family Violence & Sexual Assault Hotline at 1-800-838-8238. Help is available 24 hours a day.
- G. You should take steps to preserve any physical evidence because it will be necessary to prove criminal domestic violence, dating violence, sexual assault, or stalking, or to obtain a protective order.
  - 1. Do not wash your hands, bathe, or douche. Do not urinate, if possible.
  - 2. Do not eat, blow your nose, drink liquids, smoke, or brush your teeth if the incident involved oral contact.
  - 3. Keep the clothing worn when the incident occurred. If you change clothing, place the worn clothing in a paper bag.
  - 4. Do not destroy any physical evidence that may be found in the vicinity of the incident by cleaning or straightening the location of the crime. Do not clean or straighten the location of the crime until law enforcement officials have had an opportunity to collect evidence.
  - 5. Tell someone all the details you remember or write them down as soon as possible.
  - 6. Maintain text messages, pictures, online postings, video and other documentary or electronic evidence that may corroborate a formal complaint.

**8.20: SUPPORT SERVICES**

- A. All students and employees will receive information in writing of available counseling, health, mental health, victim advocacy, legal assistance, and other services available in the community and on campus.
- B. Below is contact information for sexual assault and abuse resources. For more information and a complete list of community resources, (hospitals, domestic violence and sexual assault resource center, etc.) contact a member of the Student Services staff.

<b>Shelters for Abused or Battered Women</b>	
Hope House-Domestic Violence Safe House: 800-572-2278	Hope House of Scott County: 888-250-HEAL
<b>Sexual Assault</b>	
Family Crisis Support Services: 800-572-2278	Bristol Crisis Center (24-Hours): 888-540-4662
Virginia Family Violence & Sexual Assault: 800-838-8238	
<b>Domestic Violence (Dickenson County)</b>	
Violent Crimes Against Women Advocate: 800-572-2278 – Main # 276-679-5273	
SWVA Legal Aid Society: 276-762-9354 or 866-534-5243	
Family Crisis Support Services Domestic/Sexual Violence Support Group: 800-572-2278 or 276-679-7240	
<b>Domestic Violence (Lee County)</b>	
Hope House: 800-572-2278	
Sheriff's Office Domestic Violence Program: 276-346-4239 – Main # 276-346-7753	

**8.21: Education And Awareness Program**

- A. The College conducts a program to educate students and employees about this Policy and its procedures. The education and awareness program is designed to promote awareness of sexual assault, domestic violence, dating violence, and stalking.
- B. The program, at a minimum, shall include:
  - 1. A statement that the College prohibits sexual harassment, including sexual assault, domestic violence, dating violence, and stalking;

2. The definition of sexual harassment, including sexual assault, domestic violence, dating violence, and stalking;
  3. The definition of consent;
  4. Safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of sexual assault, domestic violence, dating violence, or stalking against a person other than such individual;
  5. Information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks;
  6. Information on possible sanctions, procedures to follow after an incident of sexual assault, domestic violence, dating violence or stalking, disciplinary procedures, and the protection of confidentiality; and
  7. Written notification about available resources and services and supportive measures available if appropriate and reasonably available.
- C. The College offers the prevention and awareness program to all new and existing students and employees.

### **8.22: Academic Freedom And Freedom Of Speech**

This Policy does not allow censorship of constitutionally protected expression. As a “marketplace of ideas,” the College encourages intellectual inquiry and recognizes that such inquiry may result in intellectual disagreements. Verbal or written communications constitute sexual harassment only when such communications are sufficiently severe, pervasive, and objectively offensive that they undermine and detract from a student’s educational experience or an employee’s work performance. Verbal or written communications, without accompanying unwanted sexual physical contact, does not constitute sexual assault.

In addressing all complaints and reports of alleged violations of this Policy, the College will take actions to comply with this Policy that recognize and ensure the free speech rights of students and employees. This Policy does not apply to curricula, curricular materials, or abridge the use of any textbooks.

### **8.23: False Statements**

The College prohibits knowingly making false statements or knowingly submitting false information. Any individual who knowingly files a false report or formal complaint, who knowingly provides false information to College officials, or who intentionally misleads College officials who are involved in the investigation or resolution of a report or formal complaint may be subject to disciplinary action, up to and including dismissal for students and termination of employment for faculty and staff. An allegation that cannot be proven by a preponderance of the evidence is insufficient evidence of a knowing false statement.

### **8.24: Consensual Relationships**

Pursuant to VCCS Policy 3.14.2, consenting romantic or sexual relationships between employees and students for whom the employee has a direct professional responsibility are prohibited. Consenting romantic or sexual relationships between employees where one employee has a direct professional responsibility to the other also are prohibited. Consenting romantic or sexual relationships between other employees (not in a supervisory position), or with students for whom the employee does not have a direct professional responsibility, although not expressly prohibited, are unwise and strongly discouraged. The relationship may be viewed in different ways by each of the parties, in retrospect. Additionally, circumstances may change and conduct that was previously welcome may become unwelcome.

### **8.25: Handling Reports Of Sexual Violence**

- A. The Title IX Coordinator will assist members of the campus community in reporting incidents of sexual violence to law enforcement authorities upon request. When allowable under Virginia law, the Title IX Coordinator will request the consent of the complainant (or alleged victim if different from the complainant) to report incidents of alleged sexual violence that occur on campus property to law enforcement.
- B. Under Virginia law, the College may determine that the disclosure of information to local law enforcement regarding the alleged incident of sexual violence, including personally identifiable information, is necessary to protect the health or safety of the complainant or other individuals. The College also is required to notify the local Commonwealth’s Attorney when the alleged incident of sexual violence constitutes a felony.
- C. Upon receiving a report of an alleged act of sexual violence as defined in this Policy against a student or one that allegedly occurred on property owned or controlled by the College or on public property within the campus, or immediately adjacent to and accessible from the campus, the Title IX Coordinator shall convene the College’s review committee within 72 hours to review the information reported and any information obtained through law enforcement records, criminal history record information, health records, conduct or personnel records, and any other facts and circumstances, including personally identifiable information, related to the alleged incident known to the review committee. The review committee may try to reach a consensus, but it is the law enforcement representative of the review committee that ultimately determines whether the disclosure of the information, including the personally identifiable information, is necessary to protect the health or safety of the alleged victim or other individuals. The College shall disclose such information to the law enforcement agency that would be responsible for investigating the alleged incident immediately. The Title IX Coordinator will notify the alleged victim in writing that such disclosure is being made.

- D. If the report of an alleged act of sexual violence would constitute a felony, within 24 hours of the first review committee meeting, the law enforcement representative of the review committee shall notify the local Commonwealth's Attorney and disclose the information received by the review committee, including personally identifiable information, if such information was disclosed pursuant to Section B. The law enforcement representative usually will make this disclosure; however, any member of the review committee may decide independently that such disclosure is required under state law and within 24 hours of the first review team meeting shall disclose the information to the local Commonwealth's Attorney, including personally identifiable information, if such information was disclosed pursuant to Section B. If the Title IX Coordinator is aware of such disclosure, the Title IX Coordinator will notify the alleged victim in writing that such disclosure is being made.
- E. Law enforcement will notify the local Commonwealth's Attorney within 48 hours of beginning an investigation involving a felonious act of sexual violence. Either campus police, the local law enforcement agency, or the State Police will notify the Commonwealth's Attorney pursuant to an MAA/MOU.
- F. In addition to the procedures described in this Section, the College must follow the procedures described in Policy 8.25 following a report of sexual violence.

### **8.26: Handling Reports Of Sexual Harassment**

- A. Upon receiving actual knowledge of sexual harassment in an education program or activity of the College against a person in the United States, the College must respond promptly in a manner that is not deliberately indifferent. The College will treat complainants and respondents equitably by offering supportive measures and by completing either a formal or informal resolution process before imposing any disciplinary sanctions or other corrective actions that are not supportive measures against a respondent. The Title IX Coordinator shall promptly provide a written notification of rights and options to complainants and respondents upon receipt of a report of sexual harassment. The written notification must include, where applicable:
  1. The available law enforcement options for investigation and prosecution;
  2. The importance of collection and preservation of evidence;
  3. The available options for a protective order;
  4. The available campus options for investigation and resolution under the College's policies, including the complainant's option to file a formal complaint;
  5. The party's right to participate or decline to participate in any investigation to the extent permitted under state or federal law;
  6. The applicable federal or state confidentiality provisions that govern information provided by a complainant;
  7. Information on contacting available on-campus resources and community resources, including the local sexual assault crisis centers, domestic violence crisis centers, victim support services with which the College has entered into a memorandum of understanding, or other support services;
  8. The importance of seeking appropriate medical attention;
  9. Discuss the College's obligation to disclose information about the report, including personally identifiable information, to campus/local law enforcement or to the local Commonwealth's Attorney, or both, if the review team determines that such disclosure is necessary to protect the health or safety of the complainant or others;
  10. The possible interim measures that may be imposed when necessary during the pendency of the investigative or resolution process;
  11. The supportive measures available with or without filing a formal complaint when appropriate and reasonably available; and
  12. An explanation to the complainant of the process for filing a formal complaint, including providing the complainant with a Formal Complaint Form, when applicable.
- B. The Title IX Coordinator must consider the complainant's wishes with respect to supportive measures.
- C. After providing the information described in Section A, the Title IX Coordinator must close the report under this Policy if the conduct alleged in the report would not constitute sexual harassment as defined by this Policy, even if proved, or is outside the jurisdiction of the College, i.e., the conduct did not occur on campus or involve an education program or activity of the College, or the complainant decides against filing a formal complaint and the College honors the request. The Title IX Coordinator will notify the parties simultaneously in writing with the rationale for the decision to close the report.
- D. The Title IX Coordinator shall forward the report to the appropriate College official that will determine whether the conduct alleged in the report violates a separate policy or code of conduct.
- E. The Title IX Coordinator will document the action(s) taken and the rationale for such action(s).

### **8.27: Resolution Of Formal Complaints**

- A. **The College's Responsibility:** The College must provide a prompt, fair, and impartial investigation and resolution of alleged violations of this Policy. When resolving a formal complaint, the College will evaluate all relevant evidence objectively, including both inculpatory and exculpatory evidence, and will make credibility determinations without reference to a person's status as a complainant, respondent, or witness. The College will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized priv-

ilege, unless the person holding such privilege has waived the privilege. Finally, at all times prior to a determination of responsibility, the respondent will be presumed not responsible for the alleged conduct. The imposition of interim measures does not constitute a presumption of responsibility

- B. Resolution Process Options: The College may resolve formal complaints either by a formal or informal resolution process.
- C. Suspending an Investigation: The College will comply with all requests for cooperation by the campus police or local law enforcement in investigations. The College may be required to suspend the Title IX investigation while the campus police or the local law enforcement agency gathers evidence. The College will resume its Title IX investigation as soon as the campus police or local law enforcement agency has completed its gathering of evidence. Otherwise, the College's investigation will not be precluded or suspended on the grounds that criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.
- D. Time Frame for Resolution of Formal Complaint: The resolution of any alleged violation of this Policy should be completed normally within seventy-five (75) workdays of the filing of the formal complaint, unless good cause exists to extend the timeframe. For resolving formal complaints, good cause includes but is not limited to the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; the need for language assistance or accommodation of disabilities; or unavoidable scheduling conflicts. The 75-workday timeframe refers to the entire formal resolution process, which includes the initial determination, investigation, live hearing, determination of responsibility, and the imposition of sanctions and provision of remedies, if any. The 75-workday timeframe does not include appeals. If any step of the process must be suspended or delayed for any reason and more time is necessary, the Title IX Coordinator will notify the parties in writing and give the reason for the delay and an estimated length of the delay.

### **8.28: Formal Resolution Process**

- A. Formal Complaint Form: To initiate the formal resolution process, complainants must complete the Formal Complaint Form or other written and signed document that requests an investigation and submit it to the Title IX Coordinator. The Title IX Coordinator may sign a formal complaint after due consideration of the complainant's wishes. In determining whether to sign a formal complaint, the Title IX Coordinator will consider the following factors:
  - 1. The seriousness of the allegation(s), including whether the allegation(s) include bodily injury, threats, or the use of weapons;
  - 2. The complainant's or alleged victim's age;
  - 3. Whether there have been other similar complaints of against the same respondent; and,
  - 4. The applicability of any laws mandating disclosure.
- B. Notice of Allegations to the Parties: After receiving a formal complaint and as soon as practicable, the Title IX Coordinator will contact the parties to schedule an initial meeting. The correspondence must include the following information:
  - 1. A copy of the College's Title IX Policy against sexual harassment, including the process by which the College resolves allegations of sexual harassment;
  - 2. Notice of the allegation(s), including sufficient details known at the time and with sufficient time to prepare a response before the initial meeting. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known;
  - 3. Notice that each party may be accompanied by an advisor of his or her choice at all meetings and the live hearing who may be, but is not required to be, an attorney, and that each party and advisor will have the opportunity to inspect and review evidence;
  - 4. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the formal or informal resolution process;
  - 5. A statement that each party must notify the Title IX Coordinator in writing within five (5) workdays if he or she believes that the Title IX Coordinator has a conflict of interest or bias against the party.
  - 6. A statement that the College prohibits knowingly making false statements or knowingly submitting false information during the resolution of a formal complaint, in accordance with Policy 8.22.
- C. Complainant's Initial Meeting with the Title IX Coordinator. At this meeting, the Title IX Coordinator will:
  - 1. Determine whether an informal resolution is permissible, and whether the complainant wishes to pursue a resolution (formal or informal) through the College or no resolution of any kind;
  - 2. Explain avenues for formal resolution and informal resolution of the formal complaint;
  - 3. Explain that if the complainant chooses an informal resolution, that the complainant may withdraw from the informal resolution process at any time prior to the conclusion of the informal resolution process and pursue a formal resolution process, but may not do so after the conclusion of the informal resolution process;
  - 4. Explain that records related to the informal resolution process will be maintained for a period of seven years and be made part of the record if a formal resolution process is pursued;
  - 5. Explain the investigative process, including the right to discuss the allegations under investigation or to gather and present relevant evidence;
  - 6. Discuss confidentiality standards and concerns with the complainant;
  - 7. Discuss non-retaliation requirements;
  - 8. Refer the complainant to campus and community resources, including the local sexual assault crisis center, domes-

- tic violence crisis center, victim support service with which the College has entered into a memorandum of understanding, or other appropriate support services;
9. Inform the complainant of any interim measures that will be imposed and any supportive measures that will be provided to the complainant during the pendency of the investigative and resolution processes;
  10. Discuss the right to a prompt, fair, and impartial resolution of the formal complaint;
  11. Answer questions about the Policy and procedures.
- D. Respondent's Initial Meeting with the Title IX Coordinator: During this meeting with the respondent, the Title IX Coordinator will:
1. Determine whether an informal resolution is permissible, and whether the respondent wishes to pursue an informal resolution;
  2. Explain avenues for formal resolution and informal resolution of the formal complaint;
  3. Explain that if the respondent chooses an informal resolution, that the respondent may withdraw from the informal resolution process at any time prior to the conclusion of the informal resolution process and pursue a formal resolution process, but may not do so after the conclusion of the informal resolution process;
  4. Explain that records related to the informal resolution process will be maintained for a period of seven years and be made part of the record if a formal resolution process is pursued;
  5. Explain the investigative process, including the right to discuss the allegations under investigation or to gather and present relevant evidence;
  6. Discuss confidentiality standards and concerns with the respondent;
  7. Discuss non-retaliation requirements;
  8. Inform the respondent of any interim measures that will be imposed and any supportive measures that will be provided to the respondent during the pendency of the investigative and resolution processes;
  9. Refer the respondent to campus and community resources, as appropriate;
  10. Discuss the respondent's right to due process and a prompt, fair, and impartial resolution of the formal complaint; and
  11. If the respondent is a student and the formal complaint involves an alleged act of sexual violence as defined in this Policy, explain to the respondent that the College will include a notation on the academic transcript if the respondent is suspended or dismissed after being found responsible, or if the respondent withdraws while under investigation, that the investigation may continue in the respondent's absence, if possible, while being afforded notice of all meetings and the live hearing, if applicable, and an opportunity to inspect, review, and respond to all the evidence.
  12. Answer questions about the Policy and procedures.
- E. Title IX Coordinator's Initial Determination:
1. The Title IX Coordinator shall investigate the allegations in all formal complaints. The Title IX Coordinator must dismiss the formal complaint if the conduct alleged in the formal complaint would not constitute sexual harassment as defined in this Policy even if proved, or is outside the jurisdiction of the College, i.e., the conduct did not involve an education program or activity of the College, or did not occur against a person in the United States. The Title IX Coordinator shall forward the formal complaint to an appropriate College official that will determine whether the conduct alleged in the formal complaint violates a separate policy or code of conduct.
  2. The Title IX Coordinator may dismiss the formal complaint if (i) a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any of its allegations and the Title IX Coordinator determines that the College will honor the request; (ii) the respondent is no longer enrolled or employed at the College, or cannot be identified; or (iii) specific circumstances prevent the College from gathering sufficient evidence to determine whether the respondent is responsible for the conduct alleged in the formal complaint. If a complainant requests to withdraw a formal complaint, the Title IX Coordinator will consider the factors listed in Section 1 of this Policy.
  3. If the Title IX Coordinator dismisses the formal complaint, he or she will send written notice of the dismissal with specific reason(s) for the dismissal to the parties, simultaneously, within five (5) workdays of completing the initial meetings. This decision may be appealed.
- F. Appointment of the Investigator and Conduct of the Investigation:
1. Appointment of Investigator: After an initial determination to continue the formal resolution process or after failed informal resolution process, the Title IX Coordinator will appoint an investigator within five (5) workdays of completing the initial meetings. The Title IX Coordinator will provide the investigator's name and contact information to the complainant and respondent and will forward the formal complaint to the investigator. Within five (5) workdays of such appointment, the investigator, the complainant, or the respondent may identify to the Title IX Coordinator in writing any potential conflict of interest or bias of the appointed investigator. The Title IX Coordinator will consider such information and will appoint a different investigator if it is determined that a material conflict of interest or bias exists.
  2. Contacting the Parties: The investigator will contact the complainant and respondent promptly. In most cases, this should occur within ten (10) workdays from the date of the investigator's appointment. The investigator will schedule meetings with the parties. The parties may provide supporting documents, evidence, and recommendations of witnesses, including character and expert witnesses, to be interviewed for the investigation. Each party may have one advisor present during any meeting with the investigator; however, the advisor may not speak on the party's behalf.

3. **Weighing of Evidence:** As part of the investigation, the investigator must weigh the credibility and demeanor of the complainant, respondent, and witnesses, and ensure that credibility determinations are not based on a person's status as a complainant, respondent, or witness; the logic and consistency of the evidence, motives, and any inculpatory and exculpatory evidence.
4. **Withdrawal of a Student During an Investigation:** The withdrawal of a student from the College while under investigation for an alleged act of sexual violence as defined by this Policy in most cases will not end the College's investigation and resolution of the complaint. The College shall continue the investigation if possible, as set forth under this Policy. The College shall notify the student in writing of the investigation and afford the student the opportunity to provide evidence, to inspect, review, and respond to all the evidence and the written investigative report prior to making a determination on responsibility.
  - a. Upon the student's withdrawal, the College shall place a notation on the student's academic transcript that states, "Withdrew while under investigation for a violation of Mountain Empire Community College's Title IX Policy." After the College has completed its investigation and resolution of the complaint, the College shall either (a) remove the notation if the student is found not responsible or (b) change the notation to reflect either a suspension or dismissal for a violation of the Policy if either was imposed.
  - b. The College shall end the investigation and resolution of the complaint if the College cannot locate the respondent and provide him or her notice and the opportunity to respond. In such cases, the College shall maintain the withdrawal notation on the student's academic transcript. Upon a final determination, the Title IX Coordinator immediately shall notify the registrar and direct that the appropriate notation is made.
5. **Inspection and Review of the Evidence:** The parties will have the opportunity to inspect, review, and respond to all the evidence obtained during the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the College does not intend to rely in reaching a determination of 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 investigator will send each party and each party's advisor, if any, a copy of the evidence subject to review. The parties will have ten (10) workdays to submit a written response to the evidence and the option to submit additional evidence, which the investigator will consider prior to the completion of the investigative report. Neither the parties nor their advisors may disseminate any of the evidence subject to inspection and review or use such evidence for any purpose unrelated to the Title IX formal resolution process. Nevertheless, the College will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
6. **Investigative Report:** The investigator will complete an investigative report that fairly summarizes relevant evidence, including but not limited to, all interviews conducted, photographs, descriptions of relevant evidence, the rationale for credibility determinations, summaries of relevant records, and a detailed report of the events in question. The investigative report shall include the following information to the extent possible:
  - a. The name and gender of the complainant and, if different, the name and gender of the person reporting the allegation;
  - b. The names and gender of all persons alleged to have committed the alleged violation;
  - c. A statement of the allegation, a description of the incident(s), and the date(s) and time(s) (if known) of the alleged incident(s);
  - d. The dates of the report and formal complaint were filed;
  - e. The dates the parties were interviewed;
  - f. The names and gender of all known witnesses to the alleged incident(s);
  - g. The dates that any relevant documentary evidence (including cell phone and other records as appropriate) was obtained;
  - h. Any written statements of the complainant or the alleged victim if different from the complainant; and
  - i. The date on which the College deferred its investigation and disciplinary process because the complainant filed a law enforcement complaint and the date on which the College resumed its investigation and disciplinary process, if applicable.
7. **Submission of the Investigative Report:** The investigator will submit the investigative report to the Title IX Coordinator, who will send the investigative report to the parties and the parties' advisors, if any, simultaneously for review and written response as soon as possible, but no later than five (5) workdays after receiving the investigative report from the investigator. The parties will have ten (10) workdays to submit a written response to the investigative report to the Title IX Coordinator. The Title IX Coordinator will not consider the parties' written responses but will ensure that such statements are added to the record. Neither the parties nor their advisors may disseminate the investigative report or use such report for any purpose unrelated to the Title IX formal or informal resolution process.

### **8.29: Conduct A Live Hearing**

- A. The Title IX Coordinator will appoint a Hearing Officer within ten (10) workdays after sending the investigative report to the parties and their advisors, if any. Within five (5) workdays after the appointment, the Hearing Officer will contact the parties to schedule a live hearing. The parties have five (5) workdays after being contacted by the Hearing Officer

- to notify the Title IX Coordinator in writing of any potential conflict of interest or bias of the Hearing Officer. The Title IX Coordinator will consider such information and will appoint a different Hearing Officer if the Title IX Coordinator determines that a material conflict of interest or bias exists. When the date, time, and place of the live hearing is confirmed, the Hearing Officer will notify the parties in writing simultaneously of the date, time, and place of the live hearing.
- B. No later than fifteen (15) workdays before the live hearing, each party must notify the Hearing Officer and the other party of: a) the name and contact information of the advisor, if new, or a statement that a party does not have an advisor available for the hearing, if applicable; b) the names and contact information of witnesses that will be called at the live hearing and the purpose of their testimony at the live hearing; c) whether a party intends to be subjected to cross-examination; d) a description of documents or other evidence and the purpose of such evidence that will be used at the live hearing; e) the specific remedy requested; and, f) whether a party requests that the live hearing occurs with the parties located in separate rooms with technology that enables the Hearing Officer and the parties to see and hear the party or the witness answering questions simultaneously. Only one party is required to make the request for separate rooms.
- C. The Hearing Officer will notify the Title IX Coordinator promptly that the College must appoint an advisor for a party when notified of the need for an advisor. The Title IX Coordinator will appoint the advisor promptly, but no later than ten (10) workdays prior to the live hearing. If a party appears at a live hearing without an advisor, the Hearing Officer shall delay the start of the live hearing until an advisor is available.
- D. The Hearing Officer shall ensure that all evidence obtained during the investigation to the parties available at the live hearing.
- E. Rules of the Live Hearing.
1. Evidence. The formal rules of evidence will not be applied except to determine whether the evidence or question presented is relevant or cumulative.
    - a. Either party may call character or expert witnesses.
    - b. Questions and evidence about a party's sexual predisposition or prior sexual behavior are not relevant, unless:
      - i. such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or
      - ii. the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.
    - c. If the evidence or witness testimony is, on its face, not relevant or is cumulative, the Hearing Officer may exclude such evidence or witness statement(s), with the rationale for the decision in the pre-hearing determination. The parties may object in writing to such determination within five (5) workdays of the determination. The Hearing Officer shall rule on the objection within five (5) workdays of receipt of the objection.
    - d. No party or witness statement shall be entered into evidence unless that party or witness submits to cross-examination.
  2. Standard of Evidence. The live hearing will determine responsibility using the preponderance of the evidence standard.
  3. Participation of Parties and Witnesses. Neither party may choose to "waive" the right to a live hearing, but parties and witnesses may choose whether to participate in the live hearing or submit to cross-examination.
  4. Recording or Transcript. The Hearing Officer will arrange for the live hearing to be recorded. Each party will receive a copy of the recorded live hearing upon request. Parties may prepare a transcript of the recording at their own expense. Neither the parties nor their advisors may disseminate the record or transcript or use such record or transcript for any purpose unrelated to the Title IX formal resolution process or related civil proceeding.
  5. Opening Statements and Closing Arguments. At the sole discretion of the Hearing Officer, the parties may make opening and/or closing statements at the live hearing. The Hearing Officer will determine the time that is allotted for each.
  6. Pre-Hearing Determinations. No later than ten (10) workdays prior to the live hearing, the Hearing Officer shall decide (1) whether to exclude any of the proposed evidence or witnesses, and the basis upon which such evidence or witness is excluded; (2) whether to allow opening statements and closing arguments and the time allotted for both; and, (3) whether any additional evidence or witness statement(s) shall be excluded because a party or witness will not be subjected to cross-examination.
  7. Rules of Conduct During the Live Hearing. All live hearings will be closed to the public and witnesses will be present only during their testimony. For live hearings that use technology, the Hearing Officer shall ensure that appropriate protections are in place to maintain confidentiality.
    - a. The College will require all parties, advisors, and witnesses to maintain appropriate decorum throughout the live hearing. Participants at the live hearing are expected to abide by the Hearing Officer's directions and determinations, maintain civility, and avoid emotional outbursts and raised voices.
    - b. Repeated violations of appropriate decorum will result in a break in the live hearing, the length of which shall be determined by the Hearing Officer. The Hearing Officer reserves the right in his or her sole discretion to appoint a different advisor to conduct cross-examination on behalf of a party after repeated violations of appropriate decorum or other rules related to the conduct of the live hearing.
- F. Role of the Advisor.
1. The role of the advisor at the live hearing is to conduct cross-examination on behalf of a party. The advisor is not to "represent" a party, but only to relay the party's cross-examination questions that the party wishes to have asked of



- the other party and witnesses so that parties never personally question or confront each other during a live hearing. A party shall not conduct cross-examination on his or her behalf.
2. Each party may retain an attorney at his or her expense or designate a non-attorney advisor to accompany him or her at the live hearing. The advisor may provide advice and consultation to the parties or the parties' witnesses outside of the conduct of the live hearing to assist parties in handling the formal resolution process.
  3. A party's advisor must conduct cross-examination at the live hearing directly, orally, and in real time. Only relevant cross-examination questions and follow-up questions, including those that challenge credibility, may be asked. Advisors may not raise objections or make statements or arguments during the live hearing.
  4. The College shall appoint an advisor for the live hearing at no cost to a party when the party does not have an advisor. The appointed advisor may be but is not required to be a licensed attorney or anyone with formal legal training. Advisors may be faculty, staff, students, or volunteers from the local community.
- G. Role of the Hearing Officer.
1. The role of the Hearing Officer is to preside over the live hearing in a fair and impartial manner. After the live hearing, the Hearing Officer must issue a written determination regarding responsibility using the preponderance of the evidence standard of evidence. The Hearing Officer will be the final decision-maker on all matters of procedure during the live hearing.
  2. Before a complainant, respondent, or witness answers a cross-examination or other question, the Hearing Officer first must determine whether the question is relevant or cumulative and explain any decision to exclude a question that is not relevant or is cumulative.
  3. The Hearing Officer may question the parties and witnesses, but they may refuse to respond.
  4. The Hearing Officer must not rely on any statement of a party or witness in reaching a determination regarding responsibility if such party or witness does not submit to cross-examination at the live hearing. However, the Hearing Officer cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.
  5. Within ten (10) workdays after the live hearing, or with good cause shown as soon as possible, the Hearing Officer will submit a written determination to the Title IX Coordinator. The Hearing Officer must make a finding of responsibility or non-responsibility for each allegation and describe the rationale for the finding based on an objective evaluation of the evidence presented at the live hearing. The written determination shall include the following:
    - a. Identification of the allegations potentially constituting sexual harassment defined under this Policy;
    - b. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and live hearings held. The description of the procedural steps also should include who performed the investigation and the process taken to inspect and review the evidence and disseminate the investigative report, including the adherence to mandated procedural timelines;
    - c. Findings of fact supporting the determination;
    - d. Conclusions regarding the application of this Policy to the facts;
    - e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any range of disciplinary sanction(s) to be imposed on the respondent, and whether (not which) remedies designed to restore or preserve equal access to the College's education program or activity will be provided to the complainant.
    - f. When applicable, a statement that a notation will be placed on the academic transcript that the respondent was suspended or dismissed for a violation of the College's Title IX Policy.
    - g. When applicable, a statement that the respondent may request the expungement of the notation on the academic transcript for good cause shown and after a period of three years.
    - h. The College's procedures and permissible bases for the complainant and the respondent to appeal. If the complainant or respondent does not contest the finding or recommended sanction(s) and/or remedies and does not file an appeal within the required time frame, the written determination shall be final.

### **8.30: Actions Following The Written Determination**

- A. The role of the Title IX Coordinator following receipt of the written determination from the Hearing Officer is to facilitate the imposition of sanctions, if any, the provision of remedies, if any, and to otherwise complete the formal resolution process.
- B. The Title IX Coordinator must provide the written determination to the parties simultaneously, with a copy to Human Resources, Student Conduct Officer, and/or other College officials, as appropriate. The appropriate college official, after consultation with the Title IX Coordinator, will determine the sanction(s) imposed and remedies provided, if any.
- C. The parties shall receive the final decision on the imposition of sanction(s), if any, and the provision of remedies, if any, simultaneously within ten (10) workdays of receipt of the written determination by the appropriate college official(s). The College must disclose to the complainant the sanction(s) imposed on the respondent that directly relate to the complainant when such disclosure is necessary to ensure equal access to the College's education program or activity.
- D. The Title IX Coordinator shall confer as necessary with employees, community resources, or other support services that will provide such remedies.

- E. Any sanctions to be imposed or remedies to be provided should begin after five (5) workdays of submitting the final decision unless a party files an appeal.
- F. If the respondent is a third party, the Title IX Coordinator will forward the written determination to the appropriate Vice-President or other appropriate college official. Within ten (10) workdays, the appropriate college official shall determine and impose appropriate sanction(s), as described below. The respondent and the Title IX Coordinator shall receive written notification of sanction(s) in the final decision, if any. The Title IX Coordinator may disclose to the complainant information as described above.

### **8.31: Appeals**

- A. Within five (5) workdays of receipt of the final decision, either party may appeal the Hearing Officer's written determination regarding responsibility and the final decision related to sanctions and remedies. The complainant also may appeal the College's dismissal of a formal complaint or any of its allegations therein within five (5) workdays of such dismissal. The appeal must be in writing and submitted to the Title IX Coordinator, who will appoint an Appeal Officer within five (5) workdays of receipt of the appeal. The Appeal Officer's decision is final.
- B. The Appeal Officer will grant an appeal only on the following bases:
  - 1. Procedural irregularity that affected the outcome of the matter;
  - 2. New evidence that was not reasonably known or available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
  - 3. The Title IX Coordinator, investigator(s), or Hearing Officer had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter;
- C. Within five (5) workdays of receipt of an appeal request, the Title IX Coordinator will notify the other party that an appeal has been filed and implement appeal procedures equally for both parties.
- D. The Title IX Coordinator will compile the record, including the notice of allegations, evidence obtained, investigative report, live hearing recording, written determination, and final decision. The Title IX Coordinator shall forward the record with the appeal request to the Appeal Officer as soon as possible, but no later than ten (10) workdays of receipt of the appeal request.
- E. The Appeal Officer must not be the Hearing Officer, the investigator, or the Title IX Coordinator and be free from conflict of interest and bias.
- F. Upon receipt of the request for the appeal and the record, the Appeal Officer shall decide whether to grant the appeal, including the rationale for the decision, and notify the parties whether the appeal has been granted simultaneously. The decision shall be made within ten (10) workdays of receipt of the appeal request and record from the Title IX Coordinator.
- G. If the Appeal Officer decides to grant the appeal, he or she will notify the parties that they have five (5) workdays to submit a written statement in support of, or against, the outcome of the written determination, final decision, or dismissal of the formal complaint. The Appeal Officer may grant additional time for good cause to both parties.
- H. The Appeal Officer shall make the decision based on the record and the parties' written statements, if any. The Appeal Officer shall not receive additional statements or testimony from any other person.
- I. The Appeal Officer shall issue a written determination of the result of the appeal and the rationale for such result within ten (10) workdays of receipt of written statements, if any. The Appeal Officer shall provide the written determination to the parties simultaneously.
- J. At the conclusion of the appeal, the Title IX Officer shall facilitate the imposition of sanctions, if any, and the provision of remedies as provided in Policy 8.30.

### **8.32: Informal Resolution Process**

- A. The informal resolution process is available under the following conditions:
  - 1. The complainant has filed a formal complaint of hostile environment sexual harassment involving parties with the same status (e.g., student-student or employee-employee);
  - 2. The Title IX Coordinator has completed the steps described in Policy 8.28 A through Policy 8.28 D; and,
  - 3. The parties voluntarily request in writing to resolve the formal complaint through the informal resolution process.
- B. Within five (5) workdays after the receipt of the written request to start the informal resolution process, the Title IX Coordinator will appoint a College official to facilitate an effective and appropriate resolution ("Facilitator"). The Title IX Coordinator may serve as a Facilitator. Within five (5) workdays of such appointment (or receipt of the written request), the parties may identify to the Title IX Coordinator in writing any potential conflict of interest or bias posed by such Facilitator to the matter. The Title IX Coordinator will consider such information and will appoint another Facilitator if it is determined that a material conflict of interest or bias exists. Within five (5) workdays of the appointment (or receipt of the written request), the Facilitator will request a written statement from the parties to be submitted within ten (10) workdays. Each party may request that witnesses are interviewed, but the College shall not conduct a full investigation as part of the informal resolution process.
- C. Within ten (10) workdays of receiving the written statements, the Facilitator will hold a meeting(s) with the parties and coordinate informal resolution measures. The Facilitator shall document the meeting(s) in writing. Each party may have one advisor of his or her choice during any meeting; however, the advisor may not speak on the party's behalf.
- D. The informal resolution process should be completed within thirty (30) workdays in most cases, unless good cause exists to extend the time. The parties will be notified in writing and given the reason for the delay and an estimated time of completion.

- E. Any resolution of a formal complaint through the informal resolution process must address the concerns of the complainant and the responsibility of the College to address alleged violations of the Policy, while also respecting the due process rights of the respondent. Informal resolution process remedies include mandatory training, reflective writing assignment, counseling, written counseling memorandum by an employee's supervisor, suspension, termination, or expulsion, or other methods designed to restore or preserve equal access to the College's education programs or activities.
- F. At the conclusion of meetings, interviews, and the receipt of statements, the Facilitator will write a summary of such in a written informal resolution report and provide the parties with the informal resolution report simultaneously. The written informal resolution report shall include the notice of allegations, a meeting(s) summary, remedies provided, if any, sanctions imposed, if any, and whether the formal complaint was resolved through the informal resolution process. The Facilitator will forward the written informal resolution report to the Title IX Coordinator, when applicable.
- G. At the conclusion of the informal resolution process, if the formal complaint was resolved to the satisfaction of the parties, the parties will provide a written and signed statement as such for the record. The decision will be final, and the matter will be closed.
- H. At any time prior to resolving a formal complaint through the informal resolution process, either party may withdraw in writing from the informal resolution process and resume or begin the formal resolution process.
- I. If the formal complaint is not resolved through the informal resolution process, the Title IX Coordinator shall begin the formal resolution process at 8.28 E of this Policy.
- J. The Facilitator shall not be a witness as part of the formal resolution process, but the written informal resolution report shall be part of the record.

### **8.33: Sanctions & Corrective Actions**

- A. The College will take reasonable steps to address any violations of this Policy and to restore or preserve equal access to the College's education programs or activities. Sanctions for a finding of responsibility depend upon the nature and gravity of the misconduct, any record of prior discipline for similar violations, or both.
- B. The range of potential sanctions and corrective actions that may be imposed against a student includes but is not limited to the following: required discrimination or harassment education, a requirement not to repeat or continue the discriminatory, harassing, or retaliatory conduct, verbal or written warning, a no-contact order, written or verbal apology, verbal or written warning, probation, suspension, and expulsion from the College.
- C. Sanctions for faculty and staff shall be determined in accordance with the VCCS Policy Manual and the Department of Human Resource Management Standards of Conduct, respectively. Possible sanctions and corrective actions include required discrimination or harassment education, informal or formal counseling, reassignment, demotion, suspension, non-reappointment, and termination from employment.
- D. Third parties, e.g., contractors, or patrons from the general public, will be prohibited from having access to the campus. Depending on the violation, this prohibition may be permanent or temporary.
- E. Sanctions imposed do not take effect until the resolution of any timely appeal. However, the College may keep in place any interim measures when necessary.

### **8.34: Academic Transcript Notations and Expungement**

- A. If a student is found responsible for an act of sexual violence as defined by this Policy and is suspended or dismissed, the student's academic transcript shall be noted as follows: "Suspended/Dismissed for a violation of Mountain Empire Community College's Title IX Policy." In the case of a suspension, the College shall remove such notation immediately following the completion of the term of suspension and any conditions thereof, and when the student is considered to be in good standing. The student shall be considered to be in good standing for the purposes of this section following the completion of the term of suspension and satisfaction of all conditions thereof. Upon completion of the suspension, the Title IX Coordinator (or designee) shall meet with the student to confirm completion of the conditions and upon such confirmation, direct the registrar to remove the notation from the student's academic transcript.
- B. If a student withdraws from the College while under investigation involving an act of sexual violence as defined by this Policy, the student's academic transcript shall be noted as follows: "Withdrew while under investigation for a violation of Mountain Empire Community College's Title IX Policy." Students are strongly encouraged not to withdraw from the College.
- C. The College shall immediately remove the notation from the student's academic transcript upon a subsequent finding that the student is not responsible an offense of sexual violence as defined by this Policy. Upon such a finding, the Title IX Coordinator (or designee) shall direct the registrar to remove the notation from the student's academic transcript.
- D. Notations on academic transcripts regarding suspensions and dismissals shall be placed on the student's academic transcript after resolution of any timely appeal.

### **8.35: Training and Training Materials**

- A. Title IX Coordinator(s), investigators, Hearing Officers, Appeal Officers, and Facilitators for the informal resolution process must receive annual training, as appropriate, on the following topics:
  1. The definition of sexual harassment;

2. The scope of the College's education programs or activities;
  3. How to conduct an investigation and grievance process, including live hearings, appeals, and informal resolution processes, and how to serve impartially, including by avoiding prejudice of the facts at issue, conflicts of interest, and bias;
  4. The definition of relevance;
  5. Investigative report writing; and,
  6. Technology that may be used at live hearings.
- B. College-appointed advisors receive training on the definitions of sexual harassment, consent, preponderance of the evidence, and relevance.
  - C. Training materials must not rely on sex stereotypes and will promote impartial investigations and adjudications of formal complaints of sexual harassment.
  - D. All training materials must be available on the College's website.

### **8.36: Record Keeping**

- A. The Title IX Coordinator, Deputy Title IX Coordinator, if applicable, and any other employee as appropriate, e.g., HR Director, shall maintain in a confidential manner, for at least seven (7) years from the date of creation of the last record pertaining to each case, in paper or electronic files of the following:
  1. The complete file for each sexual harassment investigation and formal resolution process, including (i) any determination regarding responsibility; (ii) any audio or audiovisual recording or transcript of the live hearing; (iii) any disciplinary sanctions imposed on the respondent; and, (iv) any remedies provided to the complainant;
  2. Records of any appeal and its result;
  3. Records of any informal resolution process and its result;
  4. All materials used to train Title IX Coordinators, investigators, Hearing Officers, Appeal Officers, and Facilitators for an informal resolution process.
- B. Records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. Records must explain why the College's response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the College's education programs or activities.
- C. If the College does not provide a complainant with supportive measures, then the College must document the reasons why such a response was not clearly unreasonable in light of the known circumstances, including whether such decision was made based on the complainant's request or desire for the College to take no action or to provide supportive measures.
- D. The documentation of certain bases or measures does not limit the College in the future from providing additional explanations or detailing additional measures taken.

### **8.37: Use of Template/Reports to System Counsel**

All community colleges of the Virginia Community College System shall use this template. All reports of alleged incidents of sexual harassment shall be reported to the Office of System Counsel.

# Student Complaint Policy

MECC has a student grievance procedure that provides for equitable and orderly processes to resolve complaints made by students for improper treatment. A grievance is defined as a written claim raised by a student alleging improper, unfair, arbitrary, or discriminatory action by an employee or a student involving the application of a specific provision of a college or rule/regulation or a board policy or procedure.

Mountain Empire Community College (MECC) endeavors to find an equitable resolution to all student complaints at the lowest administrative level. MECC students have the right to file formal complaints regarding MECC personnel or actions. Student complaints are defined as those which are nontrivial in nature, either academic or non-academic, made formally by submitting a completed and signed Student Complaint Form to a college employee within ten (10) business days of occurrence. The Student Complaint Form is located at on the College Website under "Student Support" This policy does not apply to (a) student grade appeals, (b) all human resource policies, (c) all appeal and grievance policies and procedures explicitly described in the VCCS Policy Manual, (d) any formal appeal or grievance covered by another MECC policy (e.g., code of conduct, admissions, financial aid, satisfactory academic progress, etc.). A student can submit the Student Complaint form to any employee who will forward the form to the Dean of Student Services for appropriate dissemination.

## Elements of a Formal Complaint of an Academic Nature

The elements of a formal complaint of an academic nature may vary based on the nature of the complaint. In general, academic-related complaints are first addressed by the Dean of the academic area for which the complaint originates. If the complaint is resolved at this level, documentation of the initial complaint and resolution remains in the office of the Dean of the academic area. Documentation of a formal complaint that is appealed from the Dean's level is maintained with the liaison of the Student Affairs Committee and a copy of the documentation is held with the Dean responsible for the area the complaint was made.

Elements of a formal complaint under appeal include:

- The initial complaint, including any information gathered from the Complainant.
- A written response (hard copy or e-mail) sent to the Complainant by the Academic Dean. In addition to a written response, the Academic Dean will include the appeal process for both the Student Affairs Committee and the Vice President for Academic Affairs and Workforce Solutions, should the Complainant choose to appeal at either level.
- A copy of a written complaint of appeal, if the Complainant chooses to file a written complaint to the Student Affairs Committee.
- A written response of the Student Affairs Committee to the Complainant with a copy to the Vice President for Academic Affairs and Workforce Solutions.
- An appeal to the Vice President for Academic Affairs and Workforce Solutions, if the Complainant chooses to file said appeal.
- The final response of the Vice President for Academic Affairs and Workforce Solutions to the Complainant's appeal.

## Elements of a Formal Complaint of a Non-Academic Nature

The elements of a formal complaint of a non-academic nature may vary based on the nature of the complaint. All non-academic complaints should be forwarded to the Dean of Student Services, by the student or employee who receives the complaint form, who will review and forward the complaint to the Supervisor of the department and/or division where the complaint originated. If the complaint is resolved by the supervisor, documentation of the initial complaint and resolution remains in the office of the supervisor of the area with a copy forwarded to the Dean of Student Services; however, the Dean of Student Services will keep a copy of the original formal complaint form and documentation of forwarding the complaint to the appropriate area in the Office of Student Services. If the complaint is not resolved at the level where the complaint originated, the documentation is housed at the level where the complaint is resolved (Student Affairs committee or VP of Academic Affairs & Workforce Solutions.)

Elements of a formal complaint of a Non-Academic Nature under appeal include:

- The initial complaint, including any information gathered from the Complainant.
- A written response (hard copy or email) sent to the Complainant by the supervisor. In addition to a written response, the supervisor will include the appeal process for both the Student Affairs Committee and the Vice President for Academic Affairs and Workforce Solutions, should the Complainant choose to appeal at either level.
- A copy of a written complaint of appeal, if the Complainant chooses to file a written complaint to the Student Affairs Committee.
- A written response of the Student Affairs Committee to the Complainant with a copy to the Vice President for Academic Affairs and Workforce Solutions.
- An appeal to the Vice President for Academic Affairs and Workforce Solutions, if the Complainant chooses to file said appeal.
- The final response of the Vice President for Academic Affairs and Workforce Solutions to the Complainant's appeal.

## Policy and Procedure for Formal Complaints

The responsible college administrator supervising the area from which the complaint originated first addresses formal complaints filed by students. All academic complaints should be forwarded to the Academic Dean of the area where the complaint originated, and all

non-academic complaints should be forwarded to the Dean of Student Services within ten (10) business days of occurrence. The administrator handling the complaint thereupon gathers the Formal Complaint Form and any other information related to the complaint from the complainant as well as from appropriate individuals with information related to the complaint and/or available documentation related to the complaint. Following the investigation, a written response (hard copy or e-mail) is sent to the complainant along with the appeal process for both the Student Affairs Committee and the Vice President for Academic Affairs and Workforce Solutions should the student choose to appeal the decision. A copy of the complaint and the written response is also sent to the Dean of Enrollment Services, who serves as the liaison for the Student Affairs Committee, and to the Vice President for Academic Affairs and Workforce Solutions. If the complainant is not satisfied with the response, he/she may file a written appeal to the Student Affairs Committee.

In cases of appeal, the Student Affairs Committee gathers information and provides a written response to the complainant with a copy to the Vice President for Academic Affairs and Workforce Solutions. If the complainant is not satisfied with the response of the Committee, he/she may thereupon file an appeal to the Vice President for Academic Affairs and Workforce Solutions. Upon consideration of the complainant's appeal, the Vice President for Academic Affairs and Workforce Solutions provides a final response with his/her decision regarding the complaint. The Vice President for Academic Affairs and Workforce Solutions maintains a file of all formal complaints and responses that result from an appeal to that office. All formal complaints are recorded on the Complaint Log housed on a secure network by MECC. The Dean or Vice President of the area where the complaint originated is responsible for entering the data onto the Complaint Log. The external release and retention of a student's conduct record or any portion of its contents may only occur in accordance with Federal law.

Mountain Empire Community College makes every effort to handle student complaints in a timely manner and also strives to resolve complaints to the satisfaction of all parties involved. Student complaint and appeal procedures apply to all MECC students, including those taking classes through distance learning.

## **Appeal Procedure for Student Complaints**

A student may request an appeal if he/she is not satisfied with the written response from the supervisor of the area where the complaint originated. A written appeal to the Student Affairs Committee must be made in writing to the Dean of Enrollment Services within 72 hours of receipt of the original written decision, or by 9 a.m. on the next College business day if the deadline falls on a weekend or holiday, or after 5 p.m. on a weekday.

The Student Affairs Committee chairperson will schedule an appeal hearing to be conducted no later than ten (10) business days following the student request for appeal. The Student Affairs Committee chairperson will be responsible for notifying the student, the Dean of Student Services, the supervisor of the area where the complaint originated and the Vice President for Academic Affairs and Workforce Solutions of the day, time, and location of the hearing. The Student Affairs Committee shall make its decision by simple majority vote and communicate its findings in writing to the student, Dean of Student Services, Dean of Enrollment Services, and the Vice President for Academic Affairs and Workforce Solutions within five (5) business days after the hearing is completed.

A subsequent appeal must be submitted in writing to the Vice President for Academic Affairs and Workforce Solutions within 48 hours of the student receiving the previous appeal decision in writing, or by 9 a.m. on the next College business day if the deadline falls on a weekend or holiday, or after 5 p.m. on a weekday.

The Office of the Vice President for Academic Affairs and Workforce Solutions or his/her designee will schedule an appeal hearing to be conducted no later than ten (10) business days following the student request for appeal. The Vice President for Academic Affairs and Workforce Solutions or his/her designee will make a decision and communicate his/her findings in writing to the student and the Dean of Student Services within (5) business days after the hearing is completed.

The decision of the Vice President for Academic Affairs and Workforce Solutions or his/her designee is the final decision for the College.

## **SCHEV Authority for Out-of-State Distance Education Students**

In accordance with the State Authorization Reciprocity Agreement (SARA), the complaint procedures outlined above are subject to oversight of the State Council of Higher Education for Virginia (SCHEV) in complaints arising from students living outside Virginia who are enrolled in online course(s) through MECC. Before filing a complaint with SCHEV, students must follow the full complaint process at MECC. Then, if the complaint has not been resolved internally, the student may submit the Student Complaint form to SCHEV for further review. More details on the formal SCHEV student complaint procedure may be found at <https://www.schev.edu/students/resources/student-complaints>. Grade appeals and student conduct appeals are not allowed under SARA.

## **Discrimination Complaints**

Students who feel discriminated against based on race, color, religion, gender, or disability may also seek resolution through the Office for Civil Rights (OCR) of the United States Department of Education. If the college complaint procedure was utilized by the student, the OCR complaint must be filed within 60 calendar days from the date of MECC's final decision. If the college's complaint

process was not followed, students have up to 180 calendar days from the time of the alleged discrimination to file with OCR. More information on how to file a complaint with the OCR may be found at <https://www2.ed.gov/about/offices/list/ocr/index.html>.

### VA Recipients

The Virginia State Approving Agency (SAA), is the approving authority of education and training programs for Virginia. Our office investigates complaints of GI Bill beneficiaries. While most complaints should initially follow the school grievance policy, if the situation cannot be resolved at the school, the beneficiary should contact our office via email at [saa@dvs.virginia.gov](mailto:saa@dvs.virginia.gov).



## Student Complaint Form

Student Complaint Form is used to file a formal written complaint for both academic and non-academic related complaints. Please review the Student Complaint Policy located in the Student Handbook at <https://www.mecc.edu/students/catalog-and-student-handbook/>.

Name: \_\_\_\_\_ Student ID#: \_\_\_\_\_

Address: \_\_\_\_\_ Cell phone: \_\_\_\_\_

Home phone: \_\_\_\_\_

Email: \_\_\_\_\_@email.mecc.edu

Please indicate the type of complaint: Academic \_\_\_\_\_ Non-Academic \_\_\_\_\_

Nature of complaint: \_\_\_\_\_

Person(s) involved or witnessed the event: \_\_\_\_\_

Date/Time of complaint: \_\_\_\_\_ Location of complaint: \_\_\_\_\_

Please write a detailed description of the events related to this complaint. Include what, if any, other steps you have taken to attempt to address the complaint. Please include additional pages if needed.

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I certify that the information I have provided on this form is my honest recollection of events.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# Student Conduct

## Student Rights and Responsibilities

The Virginia Community College System guarantees to students the privilege of exercising their rights of citizenship under the Constitution of the United States without fear of prejudice. Special care is taken to ensure due process and to spell out defined routes of appeal when students feel their rights have been violated.

Each student is considered a responsible adult, and it is assumed that students shall maintain standards of conduct appropriate to membership in the college community. Emphasis is placed on standards of student conduct rather than on limits or restrictions of students. Students should be aware of the Colleges' guidelines and regulations governing student conduct that are contained herein. The College reserves the right to take disciplinary action compatible with its own best interests when it is clearly necessary.

## The State Board for Community College's Statements Regarding Student Conduct

The State Board for Community Colleges has issued the following statements regarding student conduct for all students in the Virginia Community College System:

- Each individual is considered a responsible adult, and it is assumed that men and women of college age will maintain standards of conduct appropriate to membership in the College community.
- Emphasis is placed on standards of conduct rather than on limits or restrictions of students. Guidelines and regulations governing student conduct usually are developed by representatives of the students, faculty, counseling staff, and administration. The College refrains from imposing a rigid code of discipline but reserves the right to take disciplinary action compatible with its own best interest when necessary.
- Failure to meet standards of conduct acceptable to the College may result in one of the following sanctions: admonition, warning, censure, disciplinary probation, restitution, suspension or expulsion. A disciplinary probation period, unless otherwise specified, is the duration of one (1) semester. A student who is dismissed must reapply to the College and will normally be required to appear before the Student Affairs Committee before admission can be granted.
- The Virginia Community College System guarantees to each student the privilege of exercising his/her rights of citizenship under the Constitution of the United States without fear of prejudice. Special care is taken to assure due process and spell out defined routes of appeal when a student feels his/her rights have been violated.
- Basically, students of the community colleges are expected to conduct themselves as ladies and gentlemen, both within the College and elsewhere. For student conduct which tends to discredit or injure the College, the Chancellor is authorized by the State Board of Community Colleges to impose such penalty as he/she may deem appropriate, including expulsion from the College. This authority has been delegated by the Chancellor to the administration of each community college.

## MECC Statements Regarding Student Conduct

Generally, institutional discipline shall be limited to conduct which adversely affects the College community's pursuit of its educational objectives. While all forms of misconduct cannot possibly be enumerated here, the following misconduct is subject to disciplinary action:

- All forms of dishonesty, including cheating, plagiarism, knowingly furnishing false information to the institution, forgery and alteration or use of institutional documents or items of identification with intent to defraud.
- Disruption or obstruction of teaching, research, administration, disciplinary proceedings, educational processes, or other College activities.
- Any of the following actions to individuals on College premises or College-sponsored or supervised functions:
  - o Violent acts
  - o Bullying
  - o Abuse or threat of abuse - including, but not limited to, physical, psychological, and/or verbal
- Use of alcoholic beverages on campus or at any College function, including the purchase, consumption, possession, or sale of such items except where specifically authorized within the regulations of the College.
- Theft, vandalism, destruction, or unauthorized use or movement of College property or personal property of other students, employees, or visitors.
- Failure to comply with directions of College officials acting in the performance of their duties.
- Possession, selling, using, manufacturing, or otherwise distributing illegal substances, including drugs or alcohol while on campus, attending a College sponsored off campus event, or while serving as a representative of the College at off campus meetings.
- Littering, defacing, destroying, or damaging property of the College or property under its jurisdiction or removing or using such property without proper authorization.
- Prohibited Conduct as defined by the Sex Discrimination and Sexual Misconduct Policy, including but not limited to: sexual violence, domestic violence, dating violence, and stalking. (Title IX Coordinator oversees cases involving Prohibited Conduct; full policy available at [\(insert hyperlink\)](#)).



- Violation of published institutional regulations, including those relating to entry and use of institutional facilities, and any other regulations that may be enacted.
- Conduct that is unbecoming, disorderly, or that reflects negatively on the College community, including but not limited to acts that are lewd, indecent, or obscene.
- Violations of Federal, State, local laws.

In developing responsible student behavior, student conduct proceedings play a role secondary to personal example, guidance, and admonition. Educational institutions, however, have a responsibility to protect their educational purpose through the enactment of standards of student scholarship and conduct and through the regulation of the use of institutional facilities. In exceptional circumstances, where preferred means fail to resolve problems of student conduct, designated procedural safeguards will be observed to protect the student from unfair disciplinary procedures involving serious penalties.

## Sanctions

When violations of the policies regulating student conduct occur, the following sanctions may be imposed upon students:

- **Admonition:** A written statement to a student that he/she is violating or has violated College policy(s).
- **Warning:** Notice, in writing, that continuation or repetition of conduct found wrongful may result in more severe sanctioning.
- **Censure:** A written reprimand for violation of specified regulations, informing the violator of the possibility of more severe conduct sanctions in the event of the discovery of further violations of any institutional regulation within a stated period of time.
- **Conduct Probation:** Exclusion from participation in privileged or extracurricular College activities, as set forth in the notice, for a period of time not to exceed one school year.
- **Restitution:** Reimbursement for damage to or misappropriation of property. This reimbursement may be in service or monetary compensation.
- **Suspension:** Exclusion from classes and other privileges or activities as set forth in the notice for a definite period of time not to exceed two years.
- **Expulsion:** Termination of student status for an indefinite period of time. The conditions for readmission, if any shall be stated in the order of expulsion.

## Conduct Resolution and Appeal Procedures

### Level I: Administrative Hearing for Alleged Violations of Student Conduct Policies

Instances in which students are accused of violating conduct policies, students are referred to the Dean of Student Services for formal resolution. The Dean of Student Services shall then conduct a careful and thorough investigation of the alleged violation. In the event the investigation shows that there is no substantial information to support the allegations of wrongdoing, the Dean of Student Services shall drop the charges.

If the investigation indicates sufficient information of a policy violation, the Dean of Student Services shall set a date to meet with the student to discuss the charges. Within five (5) calendar days of the conference with the student, the Dean of Student Services shall render a written decision to dismiss the charges or to impose one of the sanctions outlined above. The student may, within five calendar days of receipt of the notice from the Dean of Student Services submit a written request for an appeal to the Student Affairs Committee (Level II). An appeal to SAC is the only appeal available through the conduct resolution procedures, unless the sanction results in suspension or dismissal from the College.

### Level II: Student Affairs Committee Appeal Hearing

Hearing Appeal Procedures:

A student found responsible for a violation of College policy may request an appeal for one of the following reasons:

- Insufficient information that a policy was violated;
- A serious procedural error in resolving the case;
- Sanction inappropriate for the circumstances for the violation;

A written appeal to the Student Affairs Committee must be made in writing within 72 hours of receipt of the original written decision, or by 9 a.m. on the next College business day if the deadline falls on a weekend or after 5 p.m. on a weekday. Typically, a decision will be rendered within ten (10) College business days.

The Student Affairs Committee chairperson will schedule an appeal hearing to be conducted no later than ten (10) calendar days following the student request for appeal. The Student Affairs Committee chairperson will be responsible for notifying the student and the Dean of Student Services of the date, time, and place of the hearing. The Student Affairs Committee shall make its decision by simple majority vote and communicate its findings in writing to the Dean of Student Services and the student within five (5) calendar days after the hearing is completed.

After review, the Student Affairs Committee may:

- Affirm the finding(s) of the original hearing authority;
- Reverse finding(s) of the original hearing authority;
- Reduce the sanction(s) of the original hearing authority;

### **Level III: Vice President for Academic Affairs and Workforce Solutions Appeal**

A subsequent appeal, which is permitted only in cases where suspension or dismissal is assigned by the original hearing authority, must be submitted to the Vice President of Academic Affairs and Workforce Solutions within 48 hours of the student receiving the previous appeal decision in writing, or by 9 a.m. on the next College business day if the deadline falls on a weekend or after 5 p.m. on a weekday.

The Vice President of Academic and Student Services may either:

- Affirm the finding(s) of the original hearing authority;
- Reverse finding(s) of the original hearing authority;
- Reduce the sanction(s) of the original hearing authority;
- Uphold the appeal decision made by the Student Affairs Committee.

The decision of the Vice President for Academic Affairs and Workforce Solutions on all hearing appeals resulting in suspension or dismissal is the final decision for the College. The decision of the Student Affairs Committee on all other appeals is the final decision for the College.

### **Faculty Sanctioned Individual Grade Appeal Policy**

Individual faculty members may have specific sanctions relating to instances of Academic Dishonesty (such those outlined in the MECC Student Handbook section on Academic Integrity). These sanctions may include (but are not limited to): removal from a course, automatic failure of a course, dismissal from a program or a lowered grade/zero on the assignment.

The Faculty Sanctioned Individual Grade Appeal Policy provides due process for students who wish to formally appeal these faculty-implemented sanctions relating to academic dishonesty. As a rule, instructors do not assign arbitrary or unreasonable course grades.

Students who wish to appeal a faculty decision should appeal, in writing, to the Dean of Student Services within five (5) business days of the sanction given by the faculty member. The Dean of Student Services shall carefully review the allegation and documentation, and render a decision in writing to the student and faculty member within ten (10) business days from the time the appeal was submitted.

Students who wish to appeal the Dean of Student Services' decision should appeal, in writing, to the Student Affairs Committee within five (5) business days of the Dean of Student Services decision. The Student Affairs Committee chairperson will schedule an appeal hearing to be conducted no later than ten (10) business days following the student request for appeal. The Student Affairs Committee chairperson will be responsible for notifying the student and the Dean of Student Services of the date, time, and place of the hearing. The Student Affairs Committee shall make its decision by simple majority vote and communicate its findings in writing to the Dean of Student Services and the student within five (5) business days after the hearing is completed.

The decision of the Student Affairs Committee is the final decision for the Faculty Sanctioned Grade Appeal Policy.

### **Time Limitation/Disciplinary Proceedings**

Every effort will be made by all parties to expedite the disciplinary process. The time limitations specified for either party may be extended by written mutual agreement. If there is no written mutual agreement to extend the time limits set herein, the decision reached at the previous level shall be determined to be final.

### **General Provisions/ Disciplinary Proceedings**

- Identification – All written notifications and appeals shall include the name of the accused student and the nature of the alleged offense.
- Avoiding Interruptions – In the implementation of this procedure every effort shall be made to avoid interruptions of classroom activities.
- Public Statements – Except for such simple announcements as may be required covering the time of hearings and similar matters, public statements and publicity about a case shall be avoided by all parties so far as possible until all proceedings have been completed.
- Immediate Suspension – Nothing in the procedures described herein shall prevent the Dean of Student Services from suspending the student immediately, if the continued presence of the student is deemed to be a substantial threat to others or to the welfare of the institution.
- Delivery of Notices – When giving notice of actions or requesting appeal, the notice of appeal should be delivered directly to the person designated to receive it or sent to such person by certified mail, return receipt requested.
- Academic Freedom – This disciplinary procedure shall not be used to restrain students in their exercise of constitutional rights or academic freedom as set forth in the Statement of Academic Freedom and Responsibility adopted by the State Board for Community Colleges on January 29, 1969.

- Rights of Students – The student shall have the right to counsel at his/her own expense, the right to present and cross examine witnesses, the right to present evidence, the right to examine all documents and demonstrative evidence introduced during the proceedings furnished at his/her own expense.
- Record of Proceedings – The following items will constitute a record of the proceedings: a written summary of the results of the investigation conducted by the Dean of Student Services, a written summary of each meeting between the accused and any official of the College relative to the proceedings.

### **Enforcement and Amendment of Disciplinary Policies and Procedures**

The Student Affairs Committee, in which students, faculty and administration are represented shall be responsible for continuing joint interpretation of the policies and procedures. The same committee shall investigate alleged violations of these guarantees. The committee (less student representatives and the Dean of Student Services) will serve as the hearing panel to review cases of academic and disciplinary dismissal and decide grade and readmission appeals. These policies and procedures may be amended on the recommendation of the Student Affairs Committee subject to the approval of the Vice President of Academic and Student Services and the President of the College.



# Student Life

## Student Activities

Student activities are designed to provide a variety of meaningful extracurricular educational, cultural, and social experiences. Activities include intramurals, student government, publications, clubs, and special interest groups as approved by the Dean of Student Services or designee. Official recognition is given only to scholastic, civic, athletic, professional clubs and organizations which have been approved. If a sufficient number of students desire a particular activity, they should petition the Student Government Association for official recognition.

Appropriate forms must be completed in the Office of Student Services for all on and off campus student activities.

## Student Activities Fund

A student activities fund has been established to support student activities. This fund includes a portion of the profits from the Bookstore, vending machine operations, and student fees. The funds in this account are to be spent only for student activities authorized by the Dean of Student Services or designee. The financial status of all activities must be checked before any funds are obligated. Plans must be made in advance in order to assure the available means to meet all obligations.

## Student Government Association

The Student Government Association leads student participation in activities at Mountain Empire Community College. The SGA's continued growth is contingent upon the students' active participation and support. Students are encouraged to take part in all student elections and activities.

Through the Student Government Association and membership in various committees, students have an opportunity to contribute to College policy. The president of the SGA serves as the student representative on the College Council, a body of administrators, faculty, staff and students. The College Council provides a forum to ensure:

- Systematic sharing of information and communication between all segments of the College,
- Broad-based participation in problem solving, and
- Open dialogue and discussion of alternative viewpoints to aid the President in decision-making.

## Student Governance

All students are free, individually and collectively, to express their views on issues of institutional policy and other matters of interest to the student body. Clearly defined means shall be provided for student expression on all institutional policies affecting academic and student affairs.

- Through the Student Government Association, students will assist in the development of activities, organizations and other matters affecting their welfare.
- Students will be represented on all standing committees dealing with policy information and implementation. The number of student representatives participating on a particular committee will be determined by the purpose of that committee.

## Student Clubs and Organizations

- Criminal Justice Club
- Diplomats
- Engineering Technology Club
- Environmental Science Club
- Alliance
- Healing Hands (LPN)
- Intramurals
- LIFE Bible Club
- MEGA (Mountain Empire Group Artists)
- MERiTs (Respiratory Therapy)
- Phi Beta Lamda (Business & Technology)
- Phi Theta Kappa (PTK)
- Rho Nu (Nursing)
- Student Government Association (SGA)
- Student Veterans Association
- Travel Club

# Student Organization Policies and Procedures

## Chaperons & Sponsors

Each approved organization shall have one or more faculty advisors or sponsors, and each approved student activity shall have one or more faculty chaperons. Student representatives must contact faculty members to serve in these capacities.

### Functions:

- There will be two official College faculty chaperons at all College functions involving students unless approved otherwise by the Dean of Student Services. These chaperons will receive instructions from the Student Services Office.
- All functions are approved by the Dean of Student Services. No faculty member is expected to chaperon unauthorized College activities.
- Students who invite a guest(s) to a College function will be responsible for the conduct of their guest(s).

### Responsibilities of Sponsors and Chaperons for Student Activities:

- The sponsors and chaperons of student clubs or groups are responsible for the conduct and safety of students and participants of each activity or field trip.
- Each approved organization will have one or more faculty advisors or sponsors. This advisor does not have to be a member of the teaching staff, but must be an employee of the College.
- Student club advisors/sponsors will attend the mandatory annual fall orientation for club officers and advisors. This activity is designed to inform the participants of new and standing club procedures.
- Each approved student activity will have two or more faculty chaperons unless approved otherwise by the Dean of Student Services.
- The sponsors/chaperons will direct the group, club and class participants of field trip activities to complete the "Field Trip Release Form." These forms must be on file in the office of the Secretary of the Dean of Student Services before leaving campus for the activity. The forms are available in the Office of Student Services and online.
- Sponsors/chaperons need to file a post-activity report with the Student Services Office. This form is available in the Student Services office.
- All official College functions must be approved in advance by the Dean of Student Services.
- Sponsors/chaperons will advise students who invite a guest(s) to a College function that they will be responsible for the conduct of their guest(s).

## Membership

Each organization will be free to establish its own membership criteria so long as they do not discriminate on the basis of race, religion, sex or national origin. Title IV of the Civil Rights Act of 1964 must not be violated by the organization's membership policy. Membership must consist of at least ten (10) members.

## Money

Each organization will name a treasurer having responsibility for all collections and expenditures. Procedures for transmittal of funds and purchasing are available from the Office of Student Services. Deposits and expenditures will be made through this office by the organization's treasurer.

## Advisors

Each organization will have at least one (1) advisor, which must be approved by the Dean of Student Services. That advisor does not have to be a member of the teaching staff, but must be an employee of the College.

## Eligibility

Any currently enrolled student not on disciplinary probation can participate as a member. Officers must maintain at least a 2.00 GPA.

## Procedure for Establishing an Organization

The organization must obtain the following documents from the Office of Student Services:

- MECC Policy Statement on Student Organizations
- MECC Handbook (Only available online)
- Petition for Official Recognition

The organization must submit the following to the Dean of Student Services:

- A constitution or statement of purpose
- Name of advisor(s)
- A list of officers and at least ten (10) members
- Time, date, and location of meetings
- Completed Petition for Official Recognition

The Dean of Student Services approves for the next level of review or returns the petition to the proposed club president for revision. If approved, the petition is forwarded to the Student Government Association (SGA).

The Student Government Association reviews the petition. If recommended, the petition is submitted to the Vice President of Academic Affairs and Workforce Solutions.

The Vice-President of Academic Affairs and Workforce Solutions reviews the petition for potential approval and submits the petition to the Dean of Student Services.

The Dean of Student Services will notify the proposed organization or club of the disposition of the Petition for Official Recognition. If approval is granted, the organization or club is apprised of the privilege of using College facilities and Mountain Empire Community College in its name.

Any appeal in the process of recognition will be forwarded to the next level of procedure with the President of the College and the local board having the final authority.

No group shall hold meetings on campus property, other than the organizational meeting until the Petition for Official Recognition form requesting College recognition has been filed.

### **Definition of Organizational Activities**

All activities which are publicized on the College campus, discussed in organizational meetings, financed from organizational funds, arranged in the name of a student organization or in the name of the College, or use College facilities, services and grounds, are considered organizational activities and are subject to College policies and regulations.

### **Compliance with College Regulations**

Each organization will operate within the guidelines established by the College Handbook and other written regulations. Particular attention should be given to the current statement of Student Rights and Responsibilities.

Any organization which engages in disruptive and illegal activities, on or off campus, may have sanctions imposed against it, including withdrawal of institutional recognition for a period not to exceed one year.

### **Clarification**

In the event that further interpretation of any of these procedures is necessary, please see the Dean of Student Services.

### **Clarifying Statement:**

Normally club funds are to be used for the benefit of the club membership and the College. However, there may be occasions where it is appropriate for non-club members to participate in club activities. In the event this should occur, the following procedures must be exercised.

Non-member participation in any club activity must have prior approval of the club membership, the club sponsor(s), the Dean of Student Services and the Vice President of Academic Affairs and Workforce Solutions.

# Student Rights and Freedoms

As citizens, students of MECC will have the same freedom of speech, peaceful assembly and right of petition. As members of the academic community, they are also subject to the obligations granted to them by virtue of this membership.

All students attending Mountain Empire Community College are guaranteed certain rights as follows:

- The right of free inquiry, expression, and assembly is guaranteed.
- The right of students to be secure in their persons, papers, and effects against unreasonable searches and seizures.
- No disciplinary sanctions may be imposed upon any student without notice to the accused of the nature and causes of the charges. Upon request the accused shall be granted due process according to established student conduct policies and procedures. The accused may seek the advice of a person(s) of his/her choosing.
- Evaluation of student academic performance shall be neither prejudicial nor capricious. The student is entitled to an explanation of the basis for his/her grades. This is not to be construed as a means to negate either the establishment of standards by this institution or the student's obligation to meet these standards.
- Students are free to pursue their educational goals; appropriate opportunities for learning in the classroom and on the campus shall be provided by this institution.
- Students have the same rights of privacy as any other citizen and surrender none of those rights by becoming members of this academic community. The institution is neither arbiter nor enforcer of student morals. No inquiry into the activities of students away from campus, where behavior is subject to regulation and control by public authorities is permitted.
- Students are free to support causes by orderly means which do not disrupt the operation of the institution and which comply with the regulations of student conduct. Public expressions and demonstrations of student groups, however, represent the view (s) of the particular group and not necessarily the views of the College.
- Student and campus groups and organizations will be allowed to invite and hear any person (s) of their choosing. Invited speakers shall be subject to all established requirements for the use of College facilities. Neither speakers nor topics of discussion are necessarily endorsed by the College or the sponsoring group.
- Students have the right to peaceful protest. Orderly picketing and other forms of peaceful protest are permitted on the College campus within limitations set by the institution. The institution retains the right to assure the safety of individuals, protection of their property, and the continuity of the educational process. Interference with access to and from institutional facilities, interruption of classes or any College function, or damage to College property exceeds permissible limits.
- Every student has the right to be interviewed on campus by any legal organization desiring to recruit at the institution. Any MECC student, group or organization may peacefully protest against any outside organization provided the protest does not interfere with any individual student's right to be interviewed.

## Classroom Expression

The instructor should encourage free discussion, inquiry, and expression both in and out of the classroom. In the classroom, students are responsible for maintaining an orderly exchange of ideas on class subject matter.

Student performance will be evaluated solely on an academic basis and not on opinions or conduct in matters unrelated to academic standards. Students will be free to take reasoned exception to the data and views offered in any course of study and to reserve judgment about matters of opinion. Students are responsible, however, for learning the content of any course of study in which they are enrolled. Requirements for classroom participation and submission of written excuses are not inconsistent with this section. Instructors shall keep all personal information about students, i.e. views, beliefs and political associations, confidential and shall not disclose such information to others unless legally required to do so.

## Student Protections

Students who violate the law may incur penalties prescribed by civil authorities but institutional authority will never be used to duplicate the function of general laws. Only where the College's interests as an academic institution are distinct and clearly involved will the authority of the institution be asserted. Institutional action shall be independent of community pressure.

# Student Records

A uniform student permanent record shall be used by each community college. The permanent record, which meets the guidelines set up by the American Association of Collegiate Registrars and Admissions Officers, includes:

- The credits transferred from other institutions, including the number of credit hours given (the number of hours may change if the student transfers from one curriculum to another);
- The semester in which the student is currently enrolled;
- The student's social security number or ID number;
- The Academic Program and Plan;
- The course number, the course title, the hours attempted, the hours completed, and grade for each course. Course section shall be optional;
- A grade point average for each semester attended;
- The cumulative grade point average of the student;
- Academic action taken against the student including academic probation, suspension, and dismissal; and
- Degrees, diplomas, certificates, honors.

Students who have been suspended for, have been permanently dismissed for, or have withdrawn from a college while under investigation for an offense involving sexual violence under the College's sexual misconduct policy will have a notation stating either "Suspended/Dismissed for a violation of, or withdrew while under investigation for a violation of MECC's sexual misconduct policy" placed on their permanent records. Furthermore, in order to alert other institutions of higher education of a student who was dismissed for exhibiting threatening or dangerous behavior, or otherwise has committed an act of misconduct, colleges may place a statement on the transcript, which shall state "Misconduct Dismissal." Prior to making any disciplinary notation on a transcript, colleges shall notify the student in writing of such and give the student the right to appeal. The appeal may be part of the college's normal process for conduct cases.

## Privacy of Students Records

The Family Educational Rights and Privacy Act (FERPA) affords currently enrolled students certain rights with respect to their education records. They are:

- The right to inspect and review the student's education records within 45 days of the day the College receives a request for access. Students should submit to Enrollment Services/Admission written requests that identify the record(s) they wish to inspect and a College official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the College official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed. Requests to provide copies will not be honored if the student has an outstanding financial obligation.
- The right to request the amendment of the student's education records that the student believes are inaccurate or misleading. Students may ask the College to amend a record that they believe is inaccurate or misleading. They should write the College official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the College decides not to amend the record as requested by the student, the College will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
- The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the College in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the College has contracted (such as an attorney, auditor, or collection agent); a person serving on the Advisory Board; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the College discloses education records without consent to officials of another school in which a student seeks or intends to enroll, or in connection with a student's request for or receipt of financial aid.
- The right to file a complaint with the U.S. Department of Education concerning alleged failures by Mountain Empire Community College to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Ave., SW, Washington, DC 20202-5920.
- The right to obtain a copy of the College's student records policy. The student may obtain a copy of the policy from the Office of Enrollment Services.

To minimize the risk of improper disclosure, academic and disciplinary records will be kept separate. Student conduct records will be maintained for seven years from the date of the last case resolution or two years post-graduation, whichever comes later. Any student record with an outstanding sanction, suspension, or dismissal will be kept indefinitely. Conduct records are not part of the student's academic transcript.



## External Release of Student Conduct Records

A student has the right to review his/her disciplinary file upon request. The student should contact the Office of Student Services to file a written request using the College's FERPA release form. The Dean of Student Services or designee will process the written request and will provide access to the information within two (2) business days. External release of conduct records will occur in accordance with Federal law. Student conduct records will be released outside of the College system with the students' written consent. Students may provide written consent by completing the Permission to Release Education Record Information form, located in the Office of Enrollment Services, Fox Central, Holton Hall.

The conditions of access to each will be set forth in the following policy statement:

- Transcripts of academic records will contain only information about academic status, with the exception of disciplinary action taken against a student which affects his/her eligibility to re-enroll at the College.
- Information from disciplinary or counseling files will not be made available to unauthorized persons on the campus or to any person off campus without the expressed consent of the student involved, except under legal compulsion or in cases where safety of persons or property is involved.
- Provisions will be made for periodic destruction of noncurrent disciplinary records.
- No records will be kept for the sole purpose of reflecting the activities or beliefs of students.
- Administrative staff and faculty members will respect confidential information about students which they acquire in the course of their work.
- Upon graduation or withdrawal from the College, the records and files of former students shall continue to be subject to the provisions of this policy.

## Student Directory Information

As provided by the Family Educational Rights and Privacy Act (FERPA) and Virginia law, colleges may designate the following types of information as directory information and disclose directory information items without the student's prior consent: student's name, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors, and awards received, major field of study, dates of attendance, grade level, the most recent educational agency or institution attended, number of credit hours enrolled, and photos.

Colleges shall not disclose the address, telephone number, or email address of a student as directory information or pursuant to a Freedom of Information Act (FOIA) without the prior written consent of the student, unless the disclosure is to students enrolled in the college for educational purposes or institution business and the student has not opted out of such disclosure.

Students must provide official notification to the Office of Enrollment Services to prevent the disclosure of directory information.

## Records Retention Policy

The College has adopted the General Schedule for Community Colleges (261-GS-1) as published by the Virginia State Library and Archives as its records retention and disposition schedule. Contact the MECC Library at 276.523.7468 for more information.

## Access to Students By Employers/Recruiters

Mountain Empire Community College encourages student access by employers in their efforts to discuss employment opportunities with graduates of our certificate, diploma, and degree programs. The College has adopted the following guidelines which provide appropriate access without disruption of the educational services we provide our students. Any employment recruiter who expects to experience difficulty following these guidelines should discuss concerns with the Dean of Student Services when making the appointment/request.

- All employers/recruiters (public, private, governmental) must make an appointment with the Dean of Student Services at least three days prior to a campus visit for the purpose of accessing student(s).
- Employers/recruiters will be allowed two campus visits per semester (summer, fall, spring). Recruiters desiring to visit more than two times each semester should appeal to the Vice President of Academic and Student Services.
- The Dean of Student Services will designate an area where the employment recruiter will have the highest student access. The recruiter is expected to contact prospective employees in this designated area only.
- At the conclusion of each visit the recruiter must provide the Dean of Student Services with a list of names of each student contact.
- All recruiters must agree to encourage any enrolled student to complete their educational program at Mountain Empire Community College prior to full-time employment with their organization. Recruiters who violate this guideline will be requested to leave the campus immediately and future visitation requests may be denied.

# Substance Abuse Policy

The following student Substance Abuse Policy has been approved by the Virginia State Board for Community Colleges and adopted by Mountain Empire Community College:

Students attending a Virginia community college shall not possess, sell, use, manufacture, give away or otherwise distribute illegal substances, including drugs or alcohol while on campus, attending a College sponsored off campus event, or while serving as a representative of the College at off campus meetings. Students who violate this policy shall have College charges processed against them in the normal manner of due process provided by College rules. Further, students who violate this policy shall have committed a criminal offense, and the College shall notify the appropriate agency of the Commonwealth of Virginia, county or city government for investigation and, if warranted, prosecution.

## Enforcement

MECC will cooperate with law enforcement authorities to enforce statutes regarding illegal substances, including alcoholic beverages. The College shall ensure that all security personnel employed have special training in dealing with illegal substance (including alcohol) abuse and detection.

In addition to criminal penalties, violation of school policies may result in disciplinary action by the College, including suspension or dismissal. Disciplinary action will follow the established procedures as outlined in the Student Handbook. These procedural standards are designed as safeguards to protect the student and ensure due process.

## Education and Prevention

MECC is committed to helping individuals understand the impact of substance abuse. The College's program of education and prevention is designed to inform and help individuals make responsible decisions concerning the use and abuse of drugs and alcohol. Our program of education and prevention consists of the following:

- Inclusion of information on substance use and abuse in the MECC Student Wellness Program of Activities;
- Inclusion of information on drug use, abuse and prevention as part of the College curriculum (HLT 110);
- Seminars and workshops are available through the Office of Student Services designed to promote a realistic understanding of individual societal concerns relative to substance abuse; and
- Books, pamphlets, and audio visual aids available in the College library.

The College makes every effort to ensure that students recognize the health risks associated with the use of drugs and alcohol. Emphasis shall be placed on the impairment of one's ability to make sound judgments; and the physiological damage to the human body.

The impact that substance abuse has on the development of one's potential is stressed. The College supports and sponsors activities and events that provide and demonstrate alternatives to the use of chemical substances.

## Referral

The Office of Student Services maintains a referral list of community agencies that help with counseling and treatment.

# Veterans

## Veterans Information

Enrollment Services/Veterans Affairs provides services to veterans, transferees, spouses, and dependents enrolled at Mountain Empire Community College. Assistance is primarily provided with receipt of veterans' educational benefits. The office of the MECC Veterans Affairs Officer, Lena Grace, is in Robb Hall, Room 106. Enrollment Services/Veterans Affairs is not a part of the Veterans Administration Regional Office.

## Application Procedure

Veterans, transferees, spouses, or dependents must first apply for Veterans Education Benefits at [www.benefits.va.gov/gibill](http://www.benefits.va.gov/gibill). After submission of application, contact the MECC Veterans Affairs Officer in Robb Hall, Room 106.

## Veterans

Submit a copy of your DD Form 214 (Member 4); Have your military transcripts sent to MECC, Enrollment Services. If you served in the Army, Coast Guard, Marine Corps, or Navy) request your Joint Services Transcript at <https://jst.doded.mil>. If you served in the Air Force, request your military transcripts through the Air Force Transcript Portal at <https://www.airuniversity.af.edu/Barnes/CCAF/Display/Article/803247/community-college-of-the-air-force-transcripts>.

If you have any questions regarding your qualifications for veterans benefits or to explore your options for maximum use, please call the Veterans Administration toll-free number at 1-888-442-4551 or visit the website [www.benefits.va.gov/gibill](http://www.benefits.va.gov/gibill).

If you are transferring to MECC from another place of training, or you have not been enrolled for at least one year, a Request for Change of Program/Place of Training will be required.

To ensure smooth processing of VA claims, it is important to apply early. Applicants normally receive notification from the Department of Veterans Affairs within 30 days after an application is submitted. A copy of the Certificate of Eligibility must be submitted to Enrollment Services/Veterans Affairs.

## Certificate of Understanding

All VA recipients are required to submit a signed MECC Certificate of Understanding (COU) prior to receiving any VA Education Benefits based on enrollment through MECC.

## Enrollment Certification

VA recipients must be enrolled in an approved program of study. To receive full-time monthly stipends/BAH, the VA recipient must be enrolled full-time. Post-9/11 G.I. Bill recipients must be enrolled in at least 51% of a full course load to receive a monthly housing allowance. The College will certify enrollment as a full-time at 12 credits or above; three-quarter time at nine to eleven credit hours; half-time at six to eight credit hours; less than six hours for cost of tuition and fees only. Certifications listed above are based on continuous enrollment for the entire 15-week semester. Please contact the MECC Veterans Affairs Officer for certification information for short or special sessions.

Upon completion of enrollment, VA recipients are required to submit the Certification Request for VA Educational Benefits form to Enrollment Services/Veterans Affairs. An online form and a fillable/printable pdf form are located on our website at <https://www.mecc.edu/certification-request-for-va-educational-benefits/>. It is important to enroll early and submit your documentation by the priority deadline. VA recipients will receive a certification email each semester indicating the rate of pursuit that has been certified. In addition, the first semester a recipient enrolls in a program/plan, a Shopping Sheet and a copy of the program/plan from the College catalog will be included in the certification email.

VA recipients are required to notify Enrollment Services/Veterans Affairs immediately of any changes in enrollment that occur after benefits have been certified to the DVA.

All academic policies as included in this catalog apply equally to all students at Mountain Empire Community College. However, there are a few guidelines specifically applicable to the administration of veterans certified for benefits through the Veterans Administration.

1. Veterans Affairs Officer will consult with VA recipients who fail to attend classes regularly.
2. Veterans Affairs Officer will report to the Veterans Administration as soon as possible any change in the status of VA recipients, including change in curriculum, reduction or increase in course-load or withdrawals.
3. Veterans who fail to maintain good academic standing must be counseled by an Academic Advisor at the College prior to veteran's benefits being reinstated.
4. Mountain Empire Community College grading policies will be used to determine whether VA recipients are maintaining satisfactory progress. According to College and the Veterans Administration policies, students must make satisfactory academic progress. If suspended or dismissed, students must appeal to the Student Affairs Committee and meet with Student Affairs Committee. Students who have been reinstated must achieve a 2.0 GPA for the semester of their reinstatement. At the conclusion of this semester, enrollment of successful students receiving veterans' educational benefits will be certified.
5. The physical education requirements for the degree, certificate, and career studies certificate programs may be waived for veterans

## **Veterans Access, Choice, and Accountability Act of 2014 and the Colonel John M. McHugh Tuition Fairness Act of 2021, effective August 1, 2022, with amendments as required under 38 USC 3679:**

The following individuals shall be charged the in-state rate, or otherwise considered a resident, for tuition purposes:

- A veteran using educational assistance under either Chapter 30 (Montgomery G.I. Bill® - Active Duty Program) or Chapter 33 (Post-9/11 G.I. Bill), of Title 38, United States Code, who lives in the Commonwealth of Virginia while attending a school located in the Commonwealth of Virginia (regardless of their formal state of residence).
- Anyone using transferred Post-9/11 GI Bill benefits who lives in the state where the IHL is located, and the transferor is a member of the uniformed service serving on active duty.
- A spouse or child using benefits under the Marine Gunnery Sergeant John David Fry Scholarship (35 U.S.C. § 3311(b)(9) who lives in the Commonwealth of Virginia while attending a school located in the Commonwealth of Virginia (regardless of their formal state of residence).
- A spouse or child using benefits under Survivors' and Dependents' Education Assistance (Chapter 35) living in the Commonwealth of Virginia (regardless of their formal state of residence).
- An individual using educational assistance under chapter 31, Veterans Readiness and Employment (VR&E) who lives in the Commonwealth of Virginia (regardless of their formal state of residence) effective for courses, semesters, or terms beginning after March 1, 2019.
- Anyone described above remains continuously enrolled (other than during regularly scheduled breaks between courses, semesters, or terms) at the same institution. Therefore, the described person must be enrolled in the institution and use educational benefits under Chapters 30, 31, 33, or 35 of Title 38, United States Code.

### **Military Survivors and Dependents Education Program**

The Virginia Military Survivors and Dependents Education Program (VMSDEP) provides education benefits to spouses and children of military service members killed, missing in action, taken prisoner, or who became at least 90% disabled as a result of military service in an armed conflict. More information, eligibility requirements, and instructions for applying are available at <https://www.dvs.virginia.gov/education-employment/virginia-military-survivors-and-dependents-education-program/>.

GI Bill® is a registered trademark of the U.S. Department of Veterans Affairs (VA). More information about education benefits offered by VA is available at the official U.S. government website at <https://www.benefits.va.gov/gibill>.

Contact Information for MECC Veterans Affairs Officer: Ms. Lena Grace, Robb Hall, Room 106, 276/523-9028, [lgrace@mecc.edu](mailto:lgrace@mecc.edu)

# **Waived Tuition**

### **Military Survivors and Dependents Education Program**

The Virginia Military Survivors and Dependents Education Program (VMSDEP) provides education benefits to spouses and children of military service members killed, missing in action, taken prisoner, or who became at least 90% disabled as a result of military service in an armed conflict. More information, eligibility requirements, and instructions for applying are available at <http://www.dvs.virginia.gov/education-employment/virginia-military-survivors-and-dependents-education-program/>.

### **Children of Deceased Law Enforcement/Firefighter/Rescue Squad Personnel**

Any student between the ages of 16 and 25 whose parent has been killed in the line of duty while employed or serving as a law enforcement officer, firefighter, or rescue squad member in Virginia is entitled to free tuition and required fees if the deceased parent lived in Virginia at the time of death and certification of employment is provided.

### **Senior Citizens Higher Education Act of 1974**

The Senior Citizens Higher Education Act of 1974 has established specific fee waiver provisions for Virginia residents who have reached 60 years of age and wish to attend classes at a state-supported institution of higher education.

To be eligible for free tuition and fees for credit courses, part-time or full-time, a person must meet the following criteria:

- Be 60 years of age or older;
- Be a domiciled resident of Virginia for at least one year;
- Had a taxable income not exceeding \$23,850 for federal income tax purposes for the year preceding the year in which enrolling is sought.

To be eligible for free tuition for audit of credit courses or for taking non-credit courses (not to exceed three courses per semester), a person must meet the following criteria:

- Be 60 years of age or older;
- Be a domiciled resident of Virginia for at least one year;
- Be admitted to the College as a student.

# Who Can Answer My Question?

Issue	Who to Call	Contact
Academic – General Studies	Dean, Arts & Sciences	276.523.7460
Academic – Applied Science & Technology	Dean, Applied Science & Technology	276.523.7465
Academic – Business & Information Technology	Dean, Applied Science & Technology	276.523.7465
Academic – Health Sciences	Dean, Health Sciences	276.523.7456
Adding or dropping a course	Your Advisor	276.523.2400
Advanced placement	Dean, Arts & Sciences	276.523.7460
Canvas	Instructional Technology	276.523.9070
Career planning	Student Services Office	276.523.9106
Change of address	Enrollment Services/Admissions	276.523.7474
Class schedule conflicts	Your Advisor	276.523.2400
Courses, electives & curriculum changes	Your Advisor	276.523.2400
Evaluation of credits	Enrollment Services/Admissions	276.523.7474
Fees, tuition & refunds	Business Office	276.523.7475
Financial aid	Enrollment Services/Financial Aid	276.523.7470
Graduation applications	Enrollment Services/Admissions	276.523.7474
ID Cards	Bookstore	276.523.7461
Lost and found	Student Services Office	276.523.7472
Parking permits and fines	Bookstore	276.523.7461

Publicity and publications	Community Relations Office	276.523.7480
Scholarships	Enrollment Services/Financial Aid	276.523.7470
Intramurals and student activities	Student Services Office	276.523.7472
Student records	Enrollment Services/Admissions	276.523.7474
Testing	Student Services Office	276.523.7472
Tuition Payment Plan	Business Office	276.523.7475
Transcripts	Enrollment Services/Admissions	276.523.7474
Transfer information	Student Services Office	276.523.9106
Tutoring	Learning Center	276.523.9125
Veterans affairs	Enrollment Services/Veteran's Affairs	276.523.9028
Withdrawal from class or college	Your Advisor	276.523.2400
Work-study	Enrollment Services/Financial Aid	276.523.9076

For all other inquiries, please call 276.523.2400 or email [info@mecc.edu](mailto:info@mecc.edu)



**Mountain Empire  
Community College**

3441 Mountain Empire Road • Big Stone Gap, Virginia 24219